NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, FEBRUARY 20, 2012

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, February 20, 2012 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 Kristi Goodman, Children's Minister, First Baptist Church

3.0 Pledges to U.S. and Texas Flags

- Led by Members of the Tomball High School Student Council

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

5.0 Presentations:

- Tomball High School Student Council – **“Shower for Shane”** Presentation to City Council

6.0 Reports and Announcements

- **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday)
- February 4 through March 5, 2012 – Dates to File Application for Place on May 12, 2012 Ballot
- February 21, 2012 – **Trail Rider Reception** at the Depot – 12:30 p.m.-2:00 p.m.
- February 22, 2012 – **SH 249 Partnership Meeting** – Magnolia City Hall – 6:30 p.m.
- February 28, 2012 – Workshop to Discuss/Consider Medical Complex Project
- February 29, 2012 – **Tree Dedication** TXU Juergens Park – 2:00 p.m.
- February 29, 2012 – Deadline to Purchase Pavers for the Tomball Depot Fountain
- March 5, 2012 – Last Day to File Application for Place on May 12, 2012 Ballot – 5:00 p.m.
- March 10, 2012 – **2nd Saturday at the Depot** – 5:00 p.m.
- March 15, 2012 – Candidate Orientation (tentative date)
- April 4, 2012 – **City of Tomball Youth Fair – Beckendorf Conference Center** at LoneStar College, Time TBA
- April 14, 2012 – **3rd Annual City of Tomball Bunny Run 5K and Kids 1K**
- April 14, 2012 – **2nd Saturday at the Depot** – 5:00 p.m.
- April 23-28, 2012 – Annual **Tomball Clean-up Week** – 8:00 a.m.-4:30 p.m. daily
- April 28, 2012 – Annual **Tomball Clean-up Recycling Day – E-Waste and Drug Take-Back Program**
- Possible Harris County Primary Election Dates – April 17, May 29, or June 5, 2012
- ***Walk Tomball!*** (every Saturday at 9:00 a.m. at the Depot)
- Reports by City staff and members of council about items of community interest on which no action will be taken

7.0 Approve the Minutes of the February 6, 2012 Regular City Council Meeting

8.0 Old Business:

8.1 Approve on Second Reading, Ordinance No. 2012-01, an Ordinance of the City of Tomball, Texas, amending Its Comprehensive Zoning Ordinance by Amending Section 45.2 (“Definitions”) by Revising the Definition of “Recreational Vehicle (RV) Park/Campground” by Eliminating the Maximum Amount of Time a Recreational Vehicle, Travel Trailer, or Similar Vehicle can Reside, Park, or Lease Space in a Recreational Vehicle Park or Campground; Providing for Severability; Providing for a Penalty of an Amount not to exceed $2,000 for Each Day of Violation of any Provision Hereof; Making Findings of Fact; and Providing for Other Related Matters.

8.2 Adopt, on Second Reading, Ordinance No. 2012-02, an Ordinance of the City

Council of the City of Tomball, Texas, amending Section 46-22 ("Nonconforming Manufactured Home Parks and Recreational Vehicle Parks") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") by Removing any Reference to Recreational Vehicle Parks; amending Section 46-64 ("Technical and Physical Requirements") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") by Removing the Minimum Recreational Vehicle Unit Size, Removing the Requirement to have a Fence or Wall Constructed on the Two Sides and Rear of a Recreational Vehicle Park, Removing the Requirement that Recreational Vehicle Parking Pads be Constructed a Minimum of 20 Feet from an Adjacent Recreational Vehicle Unit Boundary and Replacing It with Language Allowing Recreational Vehicle Parking Pads to be a Minimum of 20 Feet Apart, and Removing the Requirement that Walkways be Constructed between the Recreational Vehicle Park Streets to all Community Facilities Provided for Park Residents and to all Service Buildings.

9.0 New Business:

9.1 Presentation and Acceptance of Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ending September 30, 2011, as Presented by the CPA firm of Belt Harris Pechacek, LLLP.

9.2 Appoint Members to the City of Tomball Board of Adjustments (BOA) Regular and Alternate Positions for Terms Expiring March 2, 2012

9.3 Authorize the Mayor to Issue Letter to the Texas State Comptroller, Submitting Documentation of the City of Tomball's Eminent Domain Authority in Texas to the Texas State Comptroller, Detailing the City of Tomball's Legal Authority to Exercise Eminent Domain in Compliance with Senate Bill 18, enacted by the 82nd Texas Legislature

9.4 Approve and Authorize the Mayor to Execute a Memorandum of Understanding with Lone Star College-Tomball for the use of the College Parking Lot for a Point of Distribution (POD) Site

9.5 Approve **REPLAT MARTIN MARIETTA SUBDIVISION**: Being a Subdivision of 31.4759 Acre; Being all of Reserve A, Block 1 and 0.1780 Acre Tract 1.5012 Acre Tract dedicated for road widening to City of Tomball, Martin Marietta Subdivision recorded under Film Code No. 597006, Harris County Map Records, Situated in the William Hurd Survey, Abstract 371 and the Jesse Pruett Survey Abstract 629, City of Tomball, Harris County, Texas.

9.6 Approve Job Order Proposal by KBR for Phase II of Water Service Conversions to the City's New Water Mains in the Downtown area, for a Not to Exceed Cost of $27,925.00

9.7 Award Contracts for the Purchase of Two Fleet Replacement Trucks for the Public Works Department to Caldwell Country Chevrolet through the Buy Board Government Contract, for a Total Amount of $51,704.00.

Consideration and Possible Action regarding Lease Agreement with Aaron and

9.8 Sondra Matthews for the Property Located at 24114 Lovett, Owned by the City

9.9 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:

- Section 551.071 - Consultation with Attorney regarding Litigation

10.0 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 16th day of February 2012 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: February 20, 2012

Topic:

- Tomball High School Student Council – **"Shower for Shane"** Presentation to City Council

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN

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

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

- **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday)
- February 4 through March 5, 2012 – Dates to File Application for Place on May 12, 2012 Ballot
- February 21, 2012 – **Trail Rider Reception** at the Depot – 12:30 p.m.-2:00 p.m.
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- ***Walk Tomball!*** (every Saturday at 9:00 a.m. at the Depot)
- Reports by City staff and members of council about items of community interest on which no action will be taken

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN

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

ATTACHMENTS:

2012 Trail Ride Reception

2nd Saturday - March 10, 2012

HOWDY PARTNER!

It’s Rodeo time in Tomball and the trail riders are headin’ our way. Meet the cowboys and cowgirls, and enjoy grub, live music and more for some old style Western fun as the riders meander through town!

Trail ride reception on February 21st at the historic Tomball Depot
201 South Elm Street from high-noon-thirty ‘til 2 p.m.
It only happens once a year, so don’t miss it . . . Call 281-351-5484.

Tomball's 2nd Saturday at The Depot!

Showing March 10!

- Music from "Soulshine"
- RC Car racing
- View classic cars on display from the Oilfield Helping Car Show held earlier in the day!
- Concessions and more!

The fun begins at 5:00 p.m.

***In the case of rain, the event will be held at the Tomball Community Center, 221 Market Street**

Historic Tomball Depot Plaza
201 South Elm Street
Bring your lawn chairs and blankets!
Call 281-351-5484 for information

Admission is Always Free!

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:
Approve the Minutes of the February 6, 2012 Regular City Council Meeting

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN

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

ATTACHMENTS:
Draft Minutes - February 6, 2012 City Council Meeting

MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS

MONDAY, FEBRUARY 6, 2012
6:00 P.M.

1.0 Call to Order

The Council meeting was called to order by Mayor Gretchen Fagan**.** Other members present were:

Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson
Councilman Hudgens

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Loren Smith
Police Chief – Robert Hauck
Director of Public Works – David Kauffman
Assistant City Engineer – Lori Lakatos
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Marketing Director – Mike Baxter
Assistant City Planner – Rodney Schmidt
Chief-NWEMS – Brian Petrilla

2.0 The invocation was led by Pastor Abraham Jasso, Templo La Hermosa

3.0 Pledges to U. S. and Texas Flags were led by Courtlynn Noack, Tomball High School Student Council

4.0 The following public comments were received:

Rodney Hutson 9431 Rosie Lane, 77355	-	Expressed his appreciation in the City's continued improvements in the development process
Mike Ott 16840 Krug, 77377	-	Expressed his opposition to the new marketing website regarding city "spirit" wear
Mike O'Brien 11767 Quail Creek, 77070	-	Expressed his appreciation of Council's consideration of residents' concerns
Sharon Lyn Koschel 1402 S. Cherry #24, 77375	-	Spoke in favor of Items 7.1 and 7.2.
Jack Horton 1402 S. Cherry #25-3, 77375	-	Spoke in favor of Items 7.1 and 7.2.
Dave Koschel 1402 S. Cherry #24, 77375	-	Spoke in favor of Items 7.1 and 7.2.
Richard Brunner 1402 s. Cherry, 77375	-	Spoke in favor of Items 7.1 and 7.2.
John Saunders 1402 S. Cherry #37, 77375	-	Spoke in favor of Items 7.1 and 7.2.
Donna Voss 7028 Scheffler Road, 53063	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
A. D. Paine 1402 S. Cherry, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Wendy Gladden 12702 Ravensway, 77429	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Mary L. Karnitz 1402 S. Cherry, #37, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Lois Brunner 1402 S. Cherry, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Twyla Bacon 1662 SE 135th Street, 67074	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.

Jo Clark 1402 S. Cherry #25-2, 77377	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Nancy Lau 17535 Forest Vine Court, 77377	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
John F. Holliday 1402 S. Cherry #23, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Helen Holliday 1402 S. Cherry #23, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Billy Fairchild 1402 S. Cherry, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Charles Cannizzaro 1402 S. Cherry #4A, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Henry Soniat 1402 S. Cherry #8A, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Robert McBane 1402 S. Cherry #163, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Norma Evans 1402 S. Cherry #122, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Dave Bacon 1402 S. Cherry #10, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Roy Karnitz 1402 S. Cherry, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Debra Koon 1402 S. Cherry #129, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Alfred Koon 1402 S. Cherry #129, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Frances DeFazio 20139 Telge, 77377	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.

Clifford P. Lohr 1402 S. Cherry, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Brenda J. Lohr 1402 S. Cherry #26-2, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
Louis DeFazio 20139 Telge, 77377	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
James T. Potter 1402 S. Cherry #164, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Charles Dumas 1402 S. Cherry #12A	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Rebecca Hopkins 1402 S. Cherry #162, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
David Hopkins 1402 S. Cherry #162, 77375	-	Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Linda Keltgen 1402 S. Cherry, 77375	-	Did not wish to speak but asked that her support for Items 7.1 and 7.2 be read into the record.
John Keltgen 1402 S. Cherry	-	- Did not wish to speak but asked that his support for Items 7.1 and 7.2 be read into the record.
Gene & Missy Oehl 5409 Odom Ave., 76114	-	Did not wish to speak but asked that their support for Items 7.1 and 7.2 be read into the record.

5.0 Reports and Announcements:

- Tomball Police Department Annual Data Capture Report (SB 1074); report will be provided to Council and media at the meeting
- **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday)
- February 4 through March 5, 2012 – Dates to File Application for Place on May 12, 2012 Ballot
- **Mayor's Coffee** – **Thursday,** February 9, 2012 – Sol de Luna (Cisco Salsa's banquet room), 207 Commerce – 5:00 p.m.
- February 20, 2012 – Appointments to Board of Adjustments for terms expiring 3/2/2012
- February 21, 2012 – **Trail Rider Reception** at the Depot – 1:00 p.m.
- February 29, 2012 – Deadline to Purchase Pavers for the Tomball Depot Fountain

- March 5, 2012 – Last Day to File Application for Place on May 12, 2012 Ballot – 5:00 p.m.
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- April 28, 2012 – Annual **Tomball Clean-up Recycling Day – E-Waste and Drug Take-Back Program**
- ***Walk Tomball!*** (every Saturday at 9:00 a.m. at the Depot)
- New Tomball online storefront at CafePress: **"Tomball - Texan for Fun"** at http://www.cafepress.com/tomballtexanforfun
- Reports by City staff and members of council about items of community interest on which no action will be taken
  - Glenn Windsor – Quarterly Investment Report for Quarter Ending December 31, 2011. The Texas Public Funds Investment Act requires that a report on investments be presented to the City Council on a quarterly basis. A report on our investments at 12/31/2011 is attached. The report presents information on each investment, the diversity of our portfolio, our various earnings rates, and the different maturities of each investment.
  - David Kauffman – Update on Pine Street No. 1 Water Well

6.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the minutes of the January 16, 2012 Regular Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Rodney Schmidt presented the staff report on the proposed Ordinance. Motion was made by Councilman Townsend, second by Councilman Dodson, to read Ordinance No. 2012-01 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt on First Reading, Ordinance No. 2012-01, an Ordinance of the City of Tomball, Texas, Amending its Comprehensive Zoning Ordinance by Amending Section 45.2 ("Definitions") by Revising the Definition of "Recreational Vehicle (RV) Park/Campground" by eliminating the maximum amount of time a recreational vehicle, travel trailer, or similar vehicle can reside, park, or lease space in a recreational vehicle park or campground; 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 Brown	Aye
Councilman Townsend	Aye
Councilman Dodson	Aye

Motion carried unanimously.

7.2 Rodney Schmidt presented the staff report on the proposed Ordinance. Mike O'Brien, owner, spoke briefly. Motion was made by Councilman Townsend, second by Councilman Dodson, to read Ordinance No. 2012-02 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Brown, second by Councilman Stoll, to adopt on First Reading, Ordinance No. 2012-02, Ordinance No. 2012-02, an ordinance of the City Council of the City of Tomball, Texas, amending Section 46-22 ("Nonconforming Manufactured Home Parks and Recreational Vehicle Parks") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") by removing any reference to recreational vehicle parks; amending Section 46-64 ("Technical and Physical Requirements") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") by removing the minimum recreational vehicle unit size, removing the requirement to have a fence or wall constructed on the two sides and rear of a recreational vehicle park, removing the requirement that recreational vehicle parking pads be constructed a minimum of 20 feet from an adjacent recreational vehicle unit boundary and replacing it with language allowing recreational vehicle parking pads to be a minimum of 20 feet apart, and removing the requirement that walkways be constructed between the recreational vehicle park streets to all community facilities provided for park residents and to all service buildings and amending Ordinance No. 2012-02, prior to second reading, by removing the fencing requirement, Subsection 46-64(h). Vote was as follows:

Councilman Stoll	Aye
Councilman Brown	Aye
Councilman Townsend	Aye
Councilman Dodson	Aye
Councilman Hudgens	Nay

draft

Motion carried, 4 votes Aye, 1 vote Nay.

7.3 Lori Lakatos presented the City Sidewalks Update - Country Meadows Subdivision. No action was taken.

7.4 Lori Lakatos the City Sidewalks Update - Spring Pine Estates Subdivision. Councilman Stoll advised that he would refrain from discussion and possible action on the Spring Pine Estates sidewalks and that he had filed a conflict of interest affidavit with the City Secretary. No action was taken.

8.0 New Business:

8.1 Mike Baxter presented an overview of the proposed Request. Motion was made by Councilman Dodson, second by Councilman Brown, to approve Request by The Regional Arts Council (TRAC) for Financial Support for Six Performances of "The Nutcracker" Ballet, held December 9-11, 2011, in the Amount of $11,200.00.

Motion carried unanimously.

8.2 Mike Baxter presented an overview of the proposed Grant. Motion was made by Councilman Townsend, second by Councilman Dodson, to approve Request for Grant Funding for Production of a City of Tomball Mascot Costume, in an Amount not to Exceed $6,000.00.

Motion carried unanimously.

8.3 Mike Baxter presented an overview of the proposed Request. Motion was made by Councilman Brown, second by Councilman Stoll, to approve Funding Request for the Tomball Honky Tonk Music Festival, to be Held on Saturday, March 24, 2012, in the Amount of $13,000.00

Motion carried unanimously.

8.4 Mike Baxter presented an overview of the proposed Request. Motion was made by Councilman Dodson, second by Councilman Brown, to approve Funding Request for Spring ***Art Walk***, ***Tomball*** and Afternoon Concert Event Scheduled for Saturday, April 21, 2012, in the Amount of $5,000.00.

Motion carried unanimously.

8.5 Mike Baxter presented an overview of the proposed Request. Motion was made by Councilman Townsend, second by Councilman Brown, to approve Request by the Tomball Lions Club for Support and Road Closures for the 2012 Annual Car Show, to be held Sunday, April 22, 2012.

Motion carried unanimously.

draft

8.6 Mike Baxter presented an overview of the proposed Request. Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Funding Request for the Rails & Tails Mudbug Festival at Depot Plaza, to be Held May 5 and 6, 2012, for the Estimated Amount of $26,000.00.

Motion carried unanimously.

8.7 Mike Baxter presented an overview of the proposed Request. Motion was made by Councilman Townsend, second by Councilman Brown, to approve Funding Request for the Memorial Day Weekend Chili Challenge, Saturday, May 26, 2012 at Depot Plaza, in the Amount of $7,500.00.

Motion carried unanimously.

8.8 David Kauffman presented an overview of the proposed Agreement. Motion was made by Councilman Dodson, second by Councilman Stoll, to approve the Professional Services Agreement with Jones & Carter, Inc. for Engineering Services for the Design and Construction for the Pine Street Water Plant Emergency Generator, for a Not to Exceed Cost of $50,000.00.

Motion carried unanimously.

8.9 Lori Lakatos presented an overview of the proposed Request. Motion was made by Councilman Stoll, second by Councilman Townsend, for the City of Tomball to Apply for Grant Assistance for 13142 Holderrieth Road for Request from Jacqueline Angelo.

Motion was made by Councilman Hudgens, second by Councilman Stoll, to table consideration of Item 8.9, pending receipt of copies of electric and sanitation utility bills for the property, additional information regarding FEMA's and/or the flood insurance definition of "primary residence", and further research by the Engineering Department regarding the grant process and qualifications requirements, an explanation of what is required of the City and Ms. Angelo, what the city's options are to protect the city's interests, how lifting the house may affect zoning, and what will be involved in lifting the entire house and placing it on stilts.

Motion to TABLE carried unanimously.

8.10 Lori Lakatos presented an overview of the proposed Letter. Motion was made by Councilman Dodson, second by Councilman Brown, to approve Agreement Letter to PAR Real Estate Holdings Regarding the Proposed Final Plat for "Tomball 2920", Approximately 59.8577 Acres.

Motion carried unanimously.

8.11 Lori Lakatos presented an overview of the proposed Plat. Motion was made by Councilman Townsend, second by Councilman Stoll, to approve **TOMBALL 2920 FINAL PLAT**; A 59.790 acres tract of land being all of a called 13.97 acre tract, a called 37.024 acre tract, a called 8.383 acre tract, and a called 0.528 acre tract recorded in Harris County Clerk's File No. 20090504626 of the official public records of Harris County, in the Joseph House Survey, Abstract No. 34, City of Tomball, Harris County, Texas.

Motion carried unanimously.

8.12 Lori Lakatos presented an overview of the proposed Replat. Motion was made by Councilman Dodson, second by Councilman Townsend, to approve **D'ANDREA SUBDIVISION REPLAT**: Being a Replat of Lot 1 and Lot 3 of D'Andrea Subdivision, Recorded under Harris County Film Code Number 474061, Map Records, Harris County, Texas, Situated in the William Hurd Survey, Abstract 378, Harris County, Texas.

Motion carried unanimously.

8.13 George Shackelford presented an overview of the proposed workshop. Consensus of Council was to hold a special meeting on February 28, 2012 at 5:00 p.m. to Discuss/Consider the Medical Complex Project.

No action necessary.

8.14 George Shackelford presented an overview of the proposed Letter. Motion was made by Councilman Townsend, second by Councilman Dodson, to receive the City Manager's Vested Rights Determination Letter dated February 6, 2012, regarding 647 James Street.

Motion carried unanimously.

8.15 Randy Parr presented an overview of the proposed Resolution. Motion was made by Councilman Dodson, second by Councilman Townsend, to adopt Resolution No. 2012-03 with Harris County for the Sharing of Resources in the Event of a Disaster and Authorize the Mayor to Execute the Bi-Annual Joint Resolution between the City of Tomball and Harris County, Documenting the Intentions of the City and the County to Work Together to Mitigate the Effects of Disaster Incidents Impacting Our Area.

Motion carried unanimously.

8.16 Randy Parr presented an overview of the proposed Request. Motion was made by Councilman Hudgens, second by Councilman Townsend, to approve Request by Tomball Fire Department to Apply for a Two-Year Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of $613,257.53 Annually. Vote was as follows:

Councilman Hudgens	Aye

Councilman Stoll	Nay
Councilman Brown	Aye
Councilman Townsend	Aye
Councilman Dodson	Aye

Motion carried, 4 votes Aye, 1 vote Nay.

8.17 Randy Parr presented an overview of the proposed Firefighter Positions. Motion was made by Councilman Dodson, second by Councilman Brown, to approve the Creation of a Formal Rank Structure for Current and Future Full-Time Firefighter Positions.

Motion carried unanimously.

8.18 Randy Parr presented an overview of the proposed Promotions. Motion was made by Councilman Hudgens, second by Councilman Brown, to approve the Promotion of Current Full-Time Firefighters for up to Three Lieutenant Positions and up to Three Driver/Operator Positions

Motion carried unanimously.

8.19 George Shackelford presented an overview of the proposed Encroachment Agreement. Motion was made by Councilman Hudgens, second by Councilman Brown, to authorize the Mayor to Sign the Encroachment Agreement for 106 Market Street.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 20th day of February 2012.

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Doris Speer, CMC, TRMC
City Secretary

____
Gretchen Fagan
Mayor

Regular City Council
Agenda Item
Data Sheet

Meeting Date: February 20, 2012

Topic:

Approve on Second Reading, Ordinance No. 2012-01, an Ordinance of the City of Tomball, Texas, amending Its Comprehensive Zoning Ordinance by Amending Section 45.2 (“Definitions”) by Revising the Definition of “Recreational Vehicle (RV) Park/Campground” by Eliminating the Maximum Amount of Time a Recreational Vehicle, Travel Trailer, or Similar Vehicle can Reside, Park, or Lease Space in a Recreational Vehicle Park or Campground; 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 November 29, 2011, the Engineering & Planning Department received a Zoning Ordinance text amendment application from Mike O’Brien on behalf of K.E. Jams Investments, Inc. to revise the definition of “Recreational Vehicle (RV) Park/Campground” by eliminating the maximum amount of time a recreational vehicle, travel trailer, or similar vehicle can reside, park, or lease space in a recreational vehicle park or campground. The applicant is requesting that a recreational vehicle, travel trailer, or similar vehicle be permitted to reside, park, or lease space in a recreational vehicle park or campground for an indefinite period of time and not be bound by a 90 day time limit currently required by the Section 45 (“Definitions”) of the Zoning Ordinance.

The Public Hearing was held on January 16, 2012; on February 6, 2012, Council adopted Ordinance No. 2012-01 on First Reading.

Origination:

Mike O’Brien on behalf of K.E. Jams Investments, Inc.

Recommendation:

Adopt Ordinance No. 2012-01 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. 2012-01

P11-382 Staff Report

P11-382 and Chapter 46 Text Amendment Requests

ORDINANCE NO. 2012-01

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING SECTION 45.2 ("DEFINITIONS") BY REVISING THE DEFINITION OF "RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND" BY ELIMINATING THE MAXIMUM AMOUNT OF TIME A RECREATIONAL VEHICLE, TRAVEL TRAILER, OR SIMILAR VEHICLE CAN RESIDE, PARK, OR LEASE SPACE IN A RECREATIONAL VEHICLE PARK OR CAMPGROUND; 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, K.E. Jams Investments, Inc. has requested that the City amend its Zoning Ordinance by revising the definition of "Recreational Vehicle (RV) Park/Campground" to eliminate the maximum amount of time a recreational vehicle, travel trailer, or similar vehicle can reside, park, or lease space in a recreational vehicle park or campground; and

Whereas, the Planning and Zoning Commission and the City Council of the City of Tomball, Texas, have published notice and conducted hearings regarding the request to amend the definition of "Recreational Vehicle (RV) Park/Campground"; and

Whereas, the Planning and Zoning Commission failed to recommend approval that the City Council amend the definition of "Recreational Vehicle (RV) Park/Campground" by eliminating the maximum amount of time a recreational vehicle, travel trailer, or similar vehicle can reside, park, or lease space in a recreational vehicle park or campground; and

Whereas, the City Council has determined that eliminating the maximum amount of time a recreational vehicle, travel trailer, or similar vehicle can reside, park, or lease space in a recreational vehicle park or campground would be appropriate, that the proposed change would not adversely affect the public health, safety, morals or general welfare but would benefit the community, and that the proposed change is in accord with the City's comprehensive plan;

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 Comprehensive Zoning Ordinance of the City of Tomball, Texas, is hereby amended by amending Section 45.2 ("Definitions") to read as follows:

> RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease. A parcel of land not less than three (3) acres nor greater than thirty-five (35) acres which is designed, improved, or intended to be used for short- or long-term occupancy by recreational vehicles (including travel trailers) in designated spaces. Facility must be developed in accordance with Article III, Section 46 of the Tomball Code of Ordinances as adopted and may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

Section 3. 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 4. 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 5. This Ordinance shall become effective fourteen days after the final reading and adoption of this Ordinance when the caption hereof is caused to be published once in the official newspaper of the City, by the City Secretary, as required by law. The City Secretary is directed to publish the caption of this Ordinance in the City's official newspaper within 14 days after the passage of the ordinance.

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 6TH DAY OF FEBRUARY 2012.

COUNCILMAN HUDGENS	AYE
COUNCILMAN STOLL	AYE
COUNCILMAN BROWN	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN DODSON	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 20TH DAY OF FEBRUARY 2012.

COUNCILMAN HUDGENS	______
COUNCILMAN STOLL	______
COUNCILMAN BROWN	______
COUNCILMAN TOWNSEND	______
COUNCILMAN DODSON	______

____
Gretchen Fagan, Mayor

ATTEST:

____
Doris Speer, City Secretary

Text Amendment Staff Report

Planning and Zoning Commission Hearing Date: January 9, 2012

ZONING CASE P11-382: Request by K.E. Jams Investments, Inc. to amend Section 45.2 ("Definitions") of the City's Comprehensive Zoning Ordinance (Ordinance No. 2008-01) by revising the definition of "Recreational Vehicle (RV) Park/Campground" to eliminate the maximum amount of time a recreational vehicle, travel trailer, or similar vehicle can reside, park, or lease space in a recreational vehicle park or campground.

BACKGROUND

On November 29, 2011, the Engineering & Planning Department received a Zoning Ordinance text amendment application (Exhibit "A") from Mike O'Brien on behalf of K.E. Jams Investments, Inc. to revise the definition of "Recreational Vehicle (RV) Park/Campground" by eliminating the maximum amount of time a recreational vehicle, travel trailer, or similar vehicle can reside, park, or lease space in a recreational vehicle park or campground. The applicant is requesting that a recreational vehicle, travel trailer, or similar vehicle be permitted to reside, park, or lease space in a recreational vehicle park or campground for an indefinite period of time and not be bound by a 90 day time limit currently required by the Section 45 ("Definitions") of the Zoning Ordinance.

As a matter of information, the applicant will be requesting four additional text amendments from Chapter 46 ("Recreational Vehicles, Travel Trailers, Motor Homes, Dependent Trailers and Other Mobile Structures") of the Tomball Code of Ordinances from City Council on January 16, 2012 (Exhibits "B" and "C"). These text amendments include:

- Removing the minimum recreational vehicle unit size (Section 46-64.A);
- Removing the requirement to have a fence or wall constructed on the two sides and rear of a recreational vehicle park (Section 46-64.H);
- Removing the requirement that recreational vehicle parking pads be constructed a minimum of 20 feet from an adjacent recreational vehicle unit boundary and replacing it with language allowing recreational vehicle parking pads to be a minimum of 20 feet apart (Section 46-64.J.1); and
- Removing the requirement that walkways be constructed between the recreational vehicle park streets to all community facilities provided for park residents and to all service buildings (Section 46-64.L).

Following a determination by City Council on the requested text amendments, the applicant will then be bringing a conditional use permit application to the Planning & Zoning Commission and

City Council requesting an expansion of Coral Recreational Vehicle Park at 1402 South Cherry Street.

PROPOSED AMENDMENTS

RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease ~~on a temporary basis~~. ~~For the purpose of this definition, "temporary" means a maximum 90 calendar day time period~~. A parcel of land not less than three (3) acres nor greater than thirty-five (35) acres which is designed, improved, or intended to be used for short- or long-term occupancy by recreational vehicles (including travel trailers) in designated spaces. Facility must be developed in accordance with Article III, Section 46 of the Tomball Code of Ordinances as adopted and may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

PUBLIC COMMENT

A public hearing notice was published in the Tomball Tribune on Monday, December 26, 2011 and, as of the writing of this staff report, no public comments were received regarding this request.

EXHIBITS

A. Zoning Ordinance Text Amendment Application
B. Text Amendment Request Letter #1
C. Text Amendment Request Letter #2

Exhibit "A"
Zoning Ordinance Text Amendment Application

(90)
Revised 1/20/09

Zoning Text Amendment
Engineering & Planning Department

RECEIVED
NOV 29 2011
BY:

APPLICATION REQUIREMENTS: 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 request may be delayed until corrections or additions are received. **There is a $500.00 application fee that must be paid at time of submission or the application will not be processed.**

Applicant
Name: Mike O Brien Title: President
Mailing Address: 11767 Quail Creek City: Houston State: TX
Zip: 77070
Phone: (713) 557-1821 Fax: (281) 205-1130 Email: MOB@houstonRVPark.com

Property Owner
Name: K.E. JAMS INV.INC. Title:
Mailing Address: 1402 South cherry City: Tomball State: TX
Zip: 77375
Phone: (281) 351-2761 Fax: (281) 351-2764 Email: CorralRV@CorralrvPark.com

Statement of Purpose- Identify the existing section(s) of the Zoning Ordinance for which the Text Amendment is proposed, the proposed revised language and the reason(s) for the requested text Amendment (attach additional sheets as necessary):
Existing Section: Section 45 Definitions - 45.2 Definitions: Recreational Vehicle (RV) Park/Campground (page 168) of the Zoning ordance # 2008-1
(See Attachments)

General Description of Property Affected by Amendment (attach additional sheets as necessary):
(See Attach Letter)
This will help keep the purposed expansion for Corral RV park in compliance with Zoning Text

Statement of Facts Which the Applicant Believes Justify the Amendment (attach additional sheets as necessary):

(See Attachment)

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 _______________________ 10/23/11
Signature of Applicant **Date**

X _______________________ 10/23/11
Signature of Owner **Date**

Mike OBrièn

Exhibit "B"
Text Amendment Request Letter #1

Zoning Text Amendment

Statement of Purpose/Affected by amendment/Justify the amendment

Date: Oct. 23, 2011

Corral RV Park expansion

1402 South Cherry

Tomball TX

Revision dated Dec. 12, 2011 **(added #3;#4)**

Location /existing section page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground**

Statement of Purpose

Statement of Purpose: Proposed revised request /reason why:

Line 1) RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis………..

To Change/Remove **"on a temporary bases"** (no replacement language)

Why: When you make a statement to rent or lease it refers / means it will be temporary.

Line 2) RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis. For the purpose of this definition, "temporary" means a maximum 90 calendar day time period………

To Remove / line 2: **For the purpose of this definition ," temporary " means a maximum 90 calendar days time period.** (No replacement language)

Why: to request to remove any reference to limiting the amount of time a RV can be parked in a RV Park.

Revision one Dated to letter on Dec. 12.2011

3) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (h) Fence. A six foot high fence or wall, constructed of wood or masonry, shall be constructed on the two sides and rear of the recreational vehicle park, such fence or wall to be 95 percent impervious. A decorative enclose, not less than five feet in height shall be constructed along the front of the recreational vehicle park.
Request: to remove ……on the Two sides and rear

Why: Putting up the fence around the park will remove the deer who have made their home in the woods in the park. We have set up feeders for the animals in the area

4) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (L)Walkways. Walkways not less than 36 inches wide and constructed of concrete or other masonry construction shall be provided between the park streets to all community facilities provided for park residents and to all service buildings

Request to remove this parag.

Why: One must think RV park not mobile home Park or subdivision Walkways are better in large lots not RV pads. The design would be infringing on your neighbors RV lot because walking way would go across where the RV lot/next to their are parked or where their picnic table would be at RE: a big Motor home would be next to the walkway possible disturbing their privacy.

Below are the items request to change from the letter sent to City of Tomball manager

1) Re: to ordnances: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. J line 1 Distance to adjacent **Unit Boundary.** No portion of a **pad** shall be located nearer than **20 feet from a unit boundary.**

Request to change**/Remove Unit Boundary and Boundary** from this line to: a designated area will be located on the portion of the concrete pad. Portion of a RV **designated** parking pad shall be located nearer than 20 feet from each adjacent RV designated parking pad. Additional concrete pad space for vehicle parking and or outdoor tables **will not** be considered as part of the RV designated parking pad. When the concrete pad is larger than the designated RV parking area then a location area on the concrete pad will be designated for the RV parking space only (9x40). These spaces shall not be located nearer than 20 feet from the next designated RV parking area.

Why: The interpretation of the ordnance now is you are unable to get to the RV parking area. above states that the RV pad must be 20 feet from the boundary. The RV concrete pad can't connect to the road because it has to be 20 feet from the boundary. Plus the RV Pad must be minimum 40 feet apart from the a jointing RV concrete pad..

2) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (a) Unit size. No unit shall be less than 2500 square feet in area. Each unit shall **include** a **concrete pad**, which shall have a minimum size of nine feet by 40 feet, or 360 square feet, for the placement of each recreational vehicle.

Request to change /add: "each unit shall include a designated area on the concrete pad when the pad is larger than the RV parking area RE: for the parking/and concrete area for picnic tables. Remove the line: No Unit shall be less than 2500 square feet in area. Why : because you have removed Boundary from paragraph one request there is no measurement required , the distance apart is the requirement now not sq. feet.

3) page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground** restricting the stay of a RV to only 90 days. But to remove the length of time to make it unlimited. There are two groups of people I have found that stay longer than the 90 days. The older generation but young at heart (our motto)....that has left their house and live permanently in RV's .....Plus as we call them "Winter Texans" who come to Tomball in the Oct. time and leave March time to go back north.

Revision one Dated to letter on Dec. 12.2011

4) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (h) Fence. A six foot high fence or wall, constructed of wood or masonry, shall be constructed **on the two sides and rear** of the recreational vehicle park, such fence or wall to be 95 percent impervious. A decorative enclose, not less than five feet in height shall be constructed along the front of the recreational vehicle park.
Request: to remove ......on the Two sides and rear
Putting up the fence around the park will remove the deer who have made their home in the woods in the park. We have set up feeders for the animals in the area

5) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (L)Walkways. Walkways not less than 36 inches wide and constructed of concrete or other masonry construction shall be provided between the park streets to all community facilities provided for park residents and to all service buildings
Request to remove this parag. One must think RV park not mobile home Park or subdivision. The design would be infringing on your neighbors RV lot because the walk way would go across where the cars are parked or where their picnic table would be at RE: a big Motor home would be next to the walkway possible disturbing their privacy.

General Description of Property Affected by Amendment

Changing of the zoning ordinance will help the Corral RV Park to stay in compliance with the newly purposed schedule expansion schedule for next spring time.

Statement of facts Which the Applicant Believes Justify the Amendment

1) A major group of older retired and semi retired groups of people (RE: older generation but young at heart "our moto") have moved /joined a group of permanent RVer's. There cost of RV's range from $30,000 to over a million dollar RV's and these people need a place to stay for a unlimited amount of time to park their RV
2) Winter Texan's who come from the north stay from Sept. to June and sometimes leave their RV though the summer, these people need a unlimited amount of time to park their RV
3) With the city of Tomball expanding their medical facilities and the new VA medical clinic, these people need a unlimited amount of time to park their RV
4) With disasters from hurricanes and the most recent fires, City of Tomball is the location that the insurance adjusters stay and the families from the disaster stay these people need an unlimited amount of time to park their RV.
5) Apartments, mobile homes, rental homes, outdoor storage, and business do not require a limited time frame when they rent or lease a property.
6) People are moving to Texas from out of state and need temporary housing /RV Park

Exhibit "C"
Text Amendment Request Letter #2

To: City Of Tomball Date: Sept. 16, 2011

Att: City Manager

Att: George Shackelford

From: Corral RV Park

1402 South Cherry

Tomball TX

Revision #1 Dated Dec. 12 ,2011: Revision #2 Dec. 19,2011

(Added #4 and #5 parg.)

RE: Expansion of Corral RV Park

In order to keep up with the growth of City of Tomball I am reviewing to add an additional 30+/- RV Pads to Corral RV Park. This will help City of Tomball to handle families moving into the area plus handling family emergencies from hurricanes to the most recent wild fires from people being evacuated/losing their homes...... plus in helping families with RV's for a place to stay for medical treatment from the growth of the new medical facilities we now have and don't forget about our retires which are a large portion which are now called permanent RVers .

I am asking to review the city ordinances for the expansion of Corral RV Park located at 1402 South Cherry Street. I have met with the city engineering group and they requested for me to meet with the city manager to review the points below to see what type of action we should/could take.

1) Re: to ordnances: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. J line 1 Distance to adjacent **Unit Boundary.** No portion of a **pad** shall be located nearer than **20 feet from a unit boundary.**

   Request to change**/Remove Unit Boundary and Boundary** from this line to: a designated area will be located on the portion of the concrete pad. Portion of a RV **designated** parking pad shall be located nearer than 20 feet from each adjacent RV designated parking pad. Additional concrete pad space for vehicle parking and or outdoor tables **will not** be considered as part of the RV designated parking pad. When the concrete pad is larger than the designated RV parking area then a location area on the concrete pad will be designated for the RV parking space only (9x40). These spaces shall not be located nearer than 20 feet from the next designated RV parking area.

   Why: The interpretation of the ordnance could mean that you are unable to get to the RV to the parking area. Above states that the RV pad must be 20 feet from the boundary. The RV concrete pad can't connect to the road because it has to be 20 feet from the boundary (RE. Has to be 20

feet from the road and the boundary is the edge of the road so the concrete pad can't connect to the road) Plus the RV Pad must be minimum 40 feet apart from the a jointing RV concrete pad. A house only requires 10 feet.

2) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (a) Unit size. No unit shall be less than 2500 square feet in area. Each unit shall **include** a **concrete pad**, which shall have a minimum size of nine feet by 40 feet, or 360 square feet, for the placement of each recreational vehicle.

   Request to change /add: "each unit shall include a designated area on the concrete pad when the pad is larger than the RV parking area RE: for the parking/and concrete area for picnic tables. **Remove the line: No Unit shall be less than 2500 square feet in area.** Why : because you have removed Boundary (from paragraph one request) there is no Square feet measurement required , the distance apart is the requirement now not sq. feet. Or request to 1200 Sq. feet if needed. Note this is a temporary parking lot not a permeate structure.

3) page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground** restricting the stay of a RV to only 90 days. But to remove the length of time to make it unlimited. There are two groups of people I have found that stay longer than the 90 days. The older generation but young at heart (our motto)....that has left their house and live permanently in RV's .....Plus as we call them "Winter Texans" who come to Tomball in the Oct. time and leave March time to go back north.

Revision one Dated to letter on Dec. 12.2011

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   Request: to remove ......on the Two sides and rear
   Putting up the fence around the park will remove the deer who have made their home in the woods in the park. We have set up feeders for the animals in the area

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   Request to remove this parag. One must think RV park not mobile home Park or subdivision. The design would be infringing on your neighbors RV lot because the walk way would go across where the cars are parked or where their picnic table would be at RE: a big Motor home would be next to the walkway possible disturbing their privacy.

As of now these are the main points I have found that need to be review to move forward. I do have engineered expansion drawings I had completed a few years ago for your review. The City of Tomball engineering group had stated about using CUP; Text amendments; and possible other vehicles for the changes if they meet City of Tomball approvals. If additional information is required or if I can be of any help please call me on my cell phone at 713-557-1821 or the Corral RV Park office at 281-351-2761

Regards

Mike OBrien
President
KE JAMS Inv.
Corral RV Park
1402 South Cherry
Tomball TX. 77375
Off.281-351-2761 fax 281-351-2764
E-mail: mob@houstonrvpark.com

Zoning Text Amendment

Statement of Purpose/Affected by amendment/Justify the amendment

Date: Oct. 23, 2011

Corral RV Park expansion

1402 South Cherry

Tomball TX

Revision dated Dec. 12, 2011 (added #3;#4)

Location /existing section page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground**

Statement of Purpose

Statement of Purpose: Proposed revised request /reason why:

Line 1) RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis………..

To Change/Remove **"on a temporary bases"** (no replacement language)

Why: When you make a statement to rent or lease it refers / means it will be temporary.

Line 2) RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis. For the purpose of this definition, "temporary" means a maximum 90 calendar day time period………

To Remove / line 2: **For the purpose of this definition ," temporary " means a maximum 90 calendar days time period.** (No replacement language)

Why: to request to remove any reference to limiting the amount of time a RV can be parked in a RV Park.

Revision one Dated to letter on Dec. 12.2011

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Below are the items request to change from the letter sent to City of Tomball manager

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   Why: The interpretation of the ordnance now is you are unable to get to the RV parking area. above states that the RV pad must be 20 feet from the boundary. The RV concrete pad can't connect to the road because it has to be 20 feet from the boundary. Plus the RV Pad must be minimum 40 feet apart from the a jointing RV concrete pad..

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3) page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground** restricting the stay of a RV to only 90 days. But to remove the length of time to make it unlimited. There are two groups of people I have found that stay longer than the 90 days. The older generation but young at heart (our motto)….that has left their house and live permanently in RV's …..Plus as we call them "Winter Texans" who come to Tomball in the Oct. time and leave March time to go back north.

Revision one Dated to letter on Dec. 12.2011

4) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (h) Fence. A six foot high fence or wall, constructed of wood or masonry, shall be constructed **on the** **two sides and rear** of the recreational vehicle park, such fence or wall to be 95 percent impervious. A decorative enclose, not less than five feet in height shall be constructed along the front of the recreational vehicle park.
   Request: to remove ……on the Two sides and rear
   Putting up the fence around the park will remove the deer who have made their home in the woods in the park. We have set up feeders for the animals in the area

5) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (L)Walkways. Walkways not less than 36 inches wide and constructed of concrete or other masonry construction shall be provided between the park streets to all community facilities provided for park residents and to all service buildings
   Request to remove this parag. One must think RV park not mobile home Park or subdivision. The design would be infringing on your neighbors RV lot because the walk way would go across where the cars are parked or where their picnic table would be at RE: a big Motor home would be next to the walkway possible disturbing their privacy.

   Revision #3 Jan. 9 2012:

6) **Sec. 46-22. - Nonconforming manufactured home parks and recreational vehicle parks.**

Manufactured home parks **and recreational vehicle parks** lawfully operating prior to the effective date of this article, but which do not conform with the regulations contained herein, may be continued. Provided however, no such park shall be extended or enlarged, and no such park shall be rebuilt or continued after abandonment or discontinuance for more than 90 days, except in full conformity with this article. Provided further, no such park shall be rebuilt in case of total destruction by fire or other causes except in conformity with the regulations contained in this article, and no such park which is partially destroyed by fire or other causes in excess of 50 percent of the value of the park's facilities shall restored, rebuilt, or repaired unless in conformity with this article.

(Ord. No. 2000-04, § 2, 6-17-00)

Request to remove " **Recreational Vehicle Parks** " from this section as Highlighted above

General Description of Property Affected by Amendment

Changing of the zoning ordinance will help the Corral RV Park to stay in compliance with the newly purposed schedule expansion schedule for next spring time.

Statement of facts Which the Applicant Believes Justify the Amendment

1) A major group of older retired and semi retired groups of people (RE: older generation but young at heart "our moto") have moved /joined a group of permanent RVer's. There cost of RV's range from $30,000 to over a million dollar RV's and these people need a place to stay for a unlimited amount of time to park their RV
2) Winter Texan's who come from the north stay from Sept. to June and sometimes leave their RV though the summer, these people need a unlimited amount of time to park their RV
3) With the city of Tomball expanding their medical facilities and the new VA medical clinic, these people need a unlimited amount of time to park their RV
4) With disasters from hurricanes and the most recent fires, City of Tomball is the location that the insurance adjusters stay and the families from the disaster stay these people need an unlimited amount of time to park their RV.
5) Apartments, mobile homes, rental homes, outdoor storage, and business do not require a limited time frame when they rent or lease a property.
6) People are moving to Texas from out of state and need temporary housing /RV Park

To: City Of Tomball Date: Sept. 16, 2011

Att: City Manager

Att: George Shackelford

From: Corral RV Park

1402 South Cherry

Tomball TX

Revision #1 Dated Dec. 12 ,2011: Revision #2 Dec. 19,2011 Revision #3 jan 9,2012

(Added #4 and #5 parg.)

RE: Expansion of Corral RV Park

In order to keep up with the growth of City of Tomball I am reviewing to add an additional 30+/- RV Pads to Corral RV Park. This will help City of Tomball to handle families moving into the area plus handling family emergencies from hurricanes to the most recent wild fires from people being evacuated/losing their homes…… plus in helping families with RV's for a place to stay for medical treatment from the growth of the new medical facilities we now have and don't forget about our retires which are a large portion which are now called permanent RVers .

I am asking to review the city ordinances for the expansion of Corral RV Park located at 1402 South Cherry Street. I have met with the city engineering group and they requested for me to meet with the city manager to review the points below to see what type of action we should/could take.

1) Re: to ordnances: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. J line 1 Distance to adjacent **Unit Boundary.** No portion of a **pad** shall be located nearer than **20 feet from a unit boundary.**

   Request to change**/Remove Unit Boundary and Boundary** from this line to: a designated area will be located on the portion of the concrete pad. Portion of a RV **designated** parking pad shall be located nearer than 20 feet from each adjacent RV designated parking pad. Additional concrete pad space for vehicle parking and or outdoor tables **will not** be considered as part of the RV designated parking pad. When the concrete pad is larger than the designated RV parking area then a location area on the concrete pad will be designated for the RV parking space only (9x40). These spaces shall not be located nearer than 20 feet from the next designated RV parking area.

   Why: The interpretation of the ordnance could mean that you are unable to get to the RV to the parking area. Above states that the RV pad must be 20 feet from the boundary. The RV concrete pad can't connect to the road because it has to be 20 feet from the boundary (RE. Has to be 20

feet from the road and the boundary is the edge of the road so the concrete pad can't connect to the road) Plus the RV Pad must be minimum 40 feet apart from the a jointing RV concrete pad. A house only requires 10 feet.

2) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (a) Unit size. No unit shall be less than 2500 square feet in area. Each unit shall **include** a **concrete pad**, which shall have a minimum size of nine feet by 40 feet, or 360 square feet, for the placement of each recreational vehicle.

   Request to change /add: "each unit shall include a designated area on the concrete pad when the pad is larger than the RV parking area RE: for the parking/and concrete area for picnic tables. **Remove the line: No Unit shall be less than 2500 square feet in area.** Why : because you have removed Boundary (from paragraph one request) there is no Square feet measurement required , the distance apart is the requirement now not sq. feet. Or request to 1200 Sq. feet if needed. Note this is a temporary parking lot not a permeate structure.

3) page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground** restricting the stay of a RV to only 90 days. But to remove the length of time to make it unlimited. There are two groups of people I have found that stay longer than the 90 days. The older generation but young at heart (our motto)….that has left their house and live permanently in RV's …..Plus as we call them "Winter Texans" who come to Tomball in the Oct. time and leave March time to go back north.

Revision one Dated to letter on Dec. 12.2011

4) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (h) Fence. A six foot high fence or wall, constructed of wood or masonry, shall be constructed **on the two sides and rear** of the recreational vehicle park, such fence or wall to be 95 percent impervious. A decorative enclose, not less than five feet in height shall be constructed along the front of the recreational vehicle park.
   Request: to remove ……on the Two sides and rear
   Putting up the fence around the park will remove the deer who have made their home in the woods in the park. We have set up feeders for the animals in the area

5) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (L)Walkways. Walkways not less than 36 inches wide and constructed of concrete or other masonry construction shall be provided between the park streets to all community facilities provided for park residents and to all service buildings
   Request to remove this parag. One must think RV park not mobile home Park or subdivision. The design would be infringing on your neighbors RV lot because the walk way would go across where the cars are parked or where their picnic table would be at RE: a big Motor home would be next to the walkway possible disturbing their privacy.

Revision #3 Jan. 9 2012:

6) **Sec. 46-22. - Nonconforming manufactured home parks <u>and recreational vehicle parks.</u>**

Manufactured home parks **<u>and recreational vehicle parks</u>** lawfully operating prior to the effective date of this article, but which do not conform with the regulations contained herein, may be continued. Provided however, no such park shall be extended or enlarged, and no such park shall be rebuilt or continued after abandonment or discontinuance for more than 90 days, except in full conformity with this article. Provided further, no such park shall be rebuilt in case of total destruction by fire or other causes except in conformity with the regulations contained in this article, and no such park which is partially destroyed by fire or other causes in excess of 50 percent of the value of the park's facilities shall restored, rebuilt, or repaired unless in conformity with this article.

(Ord. No. 2000-04, § 2, 6-17-00)

Request to remove " **<u>Recreational Vehicle Parks</u>** " from this section as Highlighted above

As of now these are the main points I have found that need to be review to move forward. I do have engineered expansion drawings I had completed a few years ago for your review. The City of Tomball engineering group had stated about using CUP; Text amendments; and possible other vehicles for the changes if they meet City of Tomball approvals. If additional information is required or if I can be of any help please call me on my cell phone at 713-557-1821 or the Corral RV Park office at 281-351-2761

Regards

Mike OBrien
President
KE JAMS Inv.
Corral RV Park
1402 South Cherry
Tomball TX. 77375
Off.281-351-2761 fax 281-351-2764
E-mail: mob@houstonrvpark.com

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Adopt, on Second Reading, Ordinance No. 2012-02, an Ordinance of the City Council of the City of Tomball, Texas, amending Section 46-22 ("Nonconforming Manufactured Home Parks and Recreational Vehicle Parks") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") by Removing any Reference to Recreational Vehicle Parks; amending Section 46-64 ("Technical and Physical Requirements") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") by Removing the Minimum Recreational Vehicle Unit Size, Removing the Requirement to have a Fence or Wall Constructed on the Two Sides and Rear of a Recreational Vehicle Park, Removing the Requirement that Recreational Vehicle Parking Pads be Constructed a Minimum of 20 Feet from an Adjacent Recreational Vehicle Unit Boundary and Replacing It with Language Allowing Recreational Vehicle Parking Pads to be a Minimum of 20 Feet Apart, and Removing the Requirement that Walkways be Constructed between the Recreational Vehicle Park Streets to all Community Facilities Provided for Park Residents and to all Service Buildings.

Background:

On September 16, 2011, the City of Tomball received a request from Mike O'Brien, on behalf of K.E. Jams Investments, Inc., to revise Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") of the Tomball Code of Ordinances. The proposed changes include:

1. Removing any reference to recreational vehicle parks from Section 46-22 thereby allowing the extension or enlargement of a nonconforming recreational vehicle park;
2. Removing the minimum recreational vehicle unit size (Section 46-64.A);
3. Removing the requirement to have a fence or wall constructed on the two sides and rear of a recreational vehicle park (Section 46-64.H);
4. Removing the requirement that recreational vehicle parking pads be constructed a minimum of 20 feet from an adjacent recreational vehicle unit boundary and replacing it with language allowing recreational vehicle parking pads to be a minimum of 20 feet apart (Section 46-64.J.1); and
5. Removing the requirement that walkways be constructed between the recreational vehicle park streets to all community facilities provided for park residents and to all service buildings (Section 46-64.L).

Following a determination by City Council on the requested text amendments, the applicant will then bring a conditional use permit application to the Planning & Zoning Commission and City Council requesting an expansion of Coral Recreational Vehicle Park at 1402 South Cherry Street.

On January 16, 2012, Council tabled consideration of Ordinance No. 2012-02; on February 6, 2012, Council adopted Ordinance No. 2012-02 on First Reading.

Origination:

Mike O'Brien, on behalf of K.E. Jams Investments, Inc.

Recommendation:

Adopt Ordinance No. 2012-02 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. 2012-02
Proposed Changes to Chapter 46
P11-382 and Chapter 46 Text Amendment Requests

ORDINANCE NO. 2012-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AMENDING SECTION 46-22 (“NONCONFORMING MANUFACTURED HOME PARKS AND RECREATIONAL VEHICLE PARKS”) OF CHAPTER 46 (“MANUFACTURED HOMES, MOBILE DWELLING STRUCTURES, AND RECREATIONAL VEHICLES”) BY REMOVING ANY REFERENCE TO RECREATIONAL VEHICLE PARKS; AMENDING SECTION 46-64 (“TECHNICAL AND PHYSICAL REQUIREMENTS”) OF CHAPTER 46 (“MANUFACTURED HOMES, MOBILE DWELLING STRUCTURES, AND RECREATIONAL VEHICLES”) BY REMOVING THE MINIMUM RECREATIONAL VEHICLE UNIT SIZE, REMOVING THE REQUIREMENT THAT RECREATIONAL VEHICLE PARKING PADS BE CONSTRUCTED A MINIMUM OF 20 FEET FROM AN ADJACENT RECREATIONAL VEHICLE UNIT BOUNDARY AND REPLACING IT WITH LANGUAGE ALLOWING RECREATIONAL VEHICLE PARKING PADS TO BE A MINIMUM OF 20 FEET APART, AND REMOVING THE REQUIREMENT THAT WALKWAYS BE CONSTRUCTED BETWEEN THE RECREATIONAL VEHICLE PARK STREETS TO ALL COMMUNITY FACILITIES PROVIDED FOR PARK RESIDENTS AND TO ALL SERVICE BUILDINGS; PROVIDING A PENALTY OF UP TO $2,000.00 FOR VIOLATIONS WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

* * * * * * * * * *

WHEREAS, the City Council has determined it appropriate to allow the extension or enlargement of nonconforming recreational vehicle parks;

WHEREAS, the City Council has determined it appropriate to remove the minimum recreational vehicle unit size;

WHEREAS, the City Council has determined it appropriate to remove the requirement that recreational vehicle parking pads be constructed a minimum of 20 feet from an adjacent recreational vehicle unit boundary and replacing it with language allowing recreational vehicle parking pads to be a minimum of 20 feet apart; and

WHEREAS, the City Council has determined it appropriate to remove the requirement that walkways be constructed between the recreational vehicle park streets to all community facilities provided for park residents and to all service buildings;

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. Section 46-22 ("Nonconforming Manufactured Home Parks and Recreational Vehicle Parks") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") of the Code of Ordinances of the City of Tomball, Texas is hereby deleted in its entirety and a new Section 46-22 ("Nonconforming Manufactured Home Parks") is hereby added with the new Section 46-22 to read as follows:

Sec. 46-22 - Nonconforming Manufactured Home Parks

Manufactured home parks lawfully operating prior to the effective date of this article, but which do not conform with the regulations contained herein, may be continued. Provided however, no such park shall be extended or enlarged, and no such park shall be rebuilt or continued after abandonment or discontinuance for more than 90 days, except in full conformity with this article. Provided further, no such park shall be rebuilt in case of total destruction by fire or other causes except in conformity with the regulations contained in this article, and no such park which is partially destroyed by fire or other causes in excess of 50 percent of the value of the park's facilities shall restored, rebuilt, or repaired unless in conformity with this article.

Section 3. Section 46-64 ("Technical and Physical Requirements") of Chapter 46 ("Manufactured Homes, Mobile Dwelling Structures, and Recreational Vehicles") of the Code of Ordinances of the City of Tomball, Texas is hereby deleted in its entirety and a new Section 46-64 ("Technical and Physical Requirements") is hereby added with the new Section 46-64 to read as follows:

Sec. 46-64 - Technical and Physical Requirements

a) Unit size. Each unit shall include a designated concrete recreational vehicle pad, which shall have a minimum size of nine (9) feet by 40 feet, or 360 square feet, for the placement of each recreational vehicle.

b) Street specifications. Each recreational vehicle park shall have hard surface streets, properly drained in accordance with the existing requirements of the city. All streets shall be at least 20 feet in width throughout.

c) Parking. Each unit shall be provided with a minimum of one (1) off-street parking Space. No on-street parking shall be permitted. Parking areas shall be constructed of the same material as the adjoining street unless the adjoining street does not contain a hard surface. In such event the parking areas shall be constructed with materials so as to provide a hard surface.

d) Pads. Each unit within a recreational vehicle park shall be provided with a concrete pad, a minimum of nine feet by 40 feet (360 square feet), to be constructed so that the pads will provide support and spaced as shown on the approved plat of the park. No recreational vehicle park within a recreational vehicle park shall be placed within such park except upon a pad.

e) No shared utility hookups. Two recreational vehicles shall not be permitted to share a unit or to share utility hookups.

f) Water lines and sewer connections. Each unit shall be provided with water lines and sanitary sewer connections, suitable for hookup to recreational vehicles, and subject to all applicable ordinances, rules and regulations of the city.

g) Public inspection. Duly authorized representatives of the city shall be permitted access to the recreational vehicle park, the street, utility lines and connections, and structures thereon, when performing city business, as a condition to the issuance, renewal, or suspension of a permit.

h) Fence. A six-foot high fence or wall, constructed of wood or masonry, shall be constructed on the two sides and rear of the recreational vehicle park, such fence or wall to be 95 percent impervious. A decorative enclosure, not less than five feet in height, shall be constructed along the front of the recreational vehicle park.

i) Utilities. All utilities, including but not limited to, electrical, telephone, television, and cable, shall be buried and shall conform to the ordinances of the city.

j) Density and set-back requirements. Each recreational vehicle park shall comply with the following minimum density and set-back requirements:

   1) Distance to adjacent designated concrete recreational vehicle pad. No portion of a designated concrete recreational vehicle pad shall be located nearer than 20 feet from an adjacent designated concrete recreational vehicle pad. Additional concrete pad space for vehicle parking and or outdoor tables will not be considered as part of the designated concrete recreational vehicle pad. When the concrete pad is larger than the minimum nine (9) feet by 40 feet (or 360 square feet) required for the designated concrete recreational vehicle pad, a minimum nine (9) feet by 40 feet (or 360 square feet) area will be designated as the recreational vehicle pad.

   2) Maximum number of units per acre. The total number of units within a recreational vehicle park shall not exceed 15 per acre. Partial acreage shall be calculated proportionately.

   3) Other city set-back requirements. No recreational vehicle shall be located so as to violate any set-back requirement as may otherwise be established by ordinance or regulation with respect to the area in which the recreational vehicle park is located.

k) Recreational area. There shall be provided additional open space not to be considered part of the minimum unit size for use as recreational area in ratio of 100 square feet per unit, located in a central location within the park boundaries. The recreational area shall be so located as to be free of traffic hazards and the ratio of length to width shall not exceed five to one. In the event playground space is provided, it shall be so designated and shall be protected from traffic, thoroughfares, and parking areas. Such space shall be maintained in a sanitary condition and free of safety hazards.

l) Electrical service. Each unit within the recreational vehicle park shall be provided with electrical service connections of at least one 30-amp connection and one 50-amp connection. Each service pole for each unit shall have fixed a permanent number, which number shall coincide with the number designated to that particular recreational vehicle by the park owner or operator.

m) Minimum size. No recreational vehicle park shall be permitted within the city unless the same shall be at least three acres in area.

n) Soil and ground cover. Exposed ground surfaces in all parts of every recreational vehicle park shall be protected with a vegetative growth that is capable of preventing soil erosion and of eliminating dust or shall be paved or covered with stone screening or other solid material.

o) Drainage. The ground surface in all parts of the recreational vehicle park shall be graded and equipped to drain all surface water in a safe, efficient manner, and in accordance with applicable ordinances of the city.

Section 4. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. Any person who shall 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 6. This Ordinance shall become effective fourteen days after the final reading and adoption of this Ordinance when the caption hereof is caused to be published once in the official newspaper of the City, by the City Secretary, as required by law. The City Secretary is directed to publish the caption of this Ordinance in the City's official newspaper within 14 days after the passage of the ordinance.

Section 7. 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 6TH DAY OF FEBRUARY 2012.

COUNCILMAN HUDGENS	NAY
COUNCILMAN STOLL	AYE
COUNCILMAN BROWN	AYE
COUNCILMAN TOWNSEND	AYE
COUNCILMAN DODSON	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 20TH DAY OF FEBRUARY 2012.

COUNCILMAN HUDGENS	______
COUNCILMAN STOLL	______
COUNCILMAN BROWN	______
COUNCILMAN TOWNSEND	______
COUNCILMAN DODSON	______

____
Gretchen Fagan, Mayor

ATTEST:

____
Doris Speer, City Secretary

Sec. 46-22. - Nonconforming manufactured home parks.

Deleted: and recreational vehicle parks

Manufactured home parks lawfully operating prior to the effective date of this article, but which do not conform with the regulations contained herein, may be continued. Provided however, no such park shall be extended or enlarged, and no such park shall be rebuilt or continued after abandonment or discontinuance for more than 90 days, except in full conformity with this article. Provided further, no such park shall be rebuilt in case of total destruction by fire or other causes except in conformity with the regulations contained in this article, and no such park which is partially destroyed by fire or other causes in excess of 50 percent of the value of the park's facilities shall restored, rebuilt, or repaired unless in conformity with this article.

Deleted: and recreational vehicle parks

Sec. 46-64. - Technical and physical requirements.

a) Unit size. Each unit shall include a designated concrete recreational vehicle pad, which shall have a minimum size of nine feet by 40 feet, or 360 square feet, for the placement of each recreational vehicle.

Deleted: No unit shall be less than 2500 square feet in area.

b) Street specifications. Each recreational vehicle park shall have hard surface streets, properly drained in accordance with the existing requirements of the city. All streets shall be at least 20 feet in width throughout.

c) Parking. Each unit shall be provided with a minimum of one (1) off-street parking Space. No on-street parking shall be permitted. Parking areas shall be constructed of the same material as the adjoining street unless the adjoining street does not contain a hard surface. In such event the parking areas shall be constructed with materials so as to provide a hard surface.

d) Pads. Each unit within a recreational vehicle park shall be provided with a concrete pad, a minimum of nine feet by 40 feet (360 square feet), to be constructed so that the pads will provide support and spaced as shown on the approved plat of the park. No recreational vehicle park within a recreational vehicle park shall be placed within such park except upon a pad.

e) No shared utility hookups. Two recreational vehicles shall not be permitted to share a unit or to share utility hookups.

f) Water lines and sewer connections. Each unit shall be provided with water lines and sanitary sewer connections, suitable for hookup to recreational vehicles, and subject to all applicable ordinances, rules and regulations of the city.

g) Public inspection. Duly authorized representatives of the city shall be permitted access to the recreational vehicle park, the street, utility lines and connections, and structures thereon, when performing city business, as a condition to the issuance, renewal, or suspension of a permit.

h) Fence. A decorative enclosure, not less than five feet in height, shall be constructed along the front of the recreational vehicle park.

Deleted: A six-foot high fence or wall, constructed of wood or masonry, shall be constructed on the two sides and rear of the recreational vehicle park, such fence or wall to be 95 percent impervious.

i) Utilities. All utilities, including but not limited to, electrical, telephone, television, and cable, shall be buried and shall conform to the ordinances of the city.

j) Density and set-back requirements. Each recreational vehicle park shall comply with the following minimum density and set-back requirements:

i) Distance to adjacent designated concrete recreational vehicle pad. No portion of a designated concrete recreational vehicle pad shall be located nearer than 20 feet from an adjacent designated concrete recreational vehicle pad. Additional concrete pad space for vehicle parking and or outdoor tables will not be considered as part of the designated concrete recreational vehicle pad. When the concrete pad is larger than the minimum nine feet by 40 feet (or 360 square feet) required for the designated concrete recreational vehicle pad, a minimum nine feet by 40 feet (or 360 square feet) area will be designated as the recreational vehicle pad.

Deleted: unit boundary

Deleted: pad

Deleted: unit boundary

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ii) Maximum number of units per acre. The total number of units within a recreational vehicle park shall not exceed 15 per acre. Partial acreage shall be calculated proportionately.

iii) Other city set-back requirements. No recreational vehicle shall be located so as to violate any set-back requirement as may otherwise be established by ordinance or regulation with respect to the area in which the recreational vehicle park is located.

k) Recreational area. There shall be provided additional open space not to be considered part of the minimum unit size for use as recreational area in ratio of 100 square feet per unit, located in a central location within the park boundaries. The recreational area shall be so located as to be free of traffic hazards and the ratio of length to width shall not exceed five to one. In the event playground space is provided, it shall be so designated and shall be protected from traffic, thoroughfares, and parking areas. Such space shall be maintained in a sanitary condition and free of safety hazards.

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Walkways. Walkways not less than 36 inches wide and constructed of concrete or other masonry construction shall be provided between the park streets to all community facilities provided for park residents and to all service buildings.

l) Electrical service. Each unit within the recreational vehicle park shall be provided with electrical service connections of at least one 30-amp connection and one 50-amp connection. Each service pole for each unit shall have fixed a permanent number, which number shall coincide with the number designated to that particular recreational vehicle by the park owner or operator.

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m) Minimum size. No recreational vehicle park shall be permitted within the city unless the same shall be at least three acres in area.

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n) Soil and ground cover. Exposed ground surfaces in all parts of every recreational vehicle park shall be protected with a vegetative growth that is capable of preventing soil erosion and of eliminating dust or shall be paved or covered with stone screening or other solid material.

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o) Drainage. The ground surface in all parts of the recreational vehicle park shall be graded and equipped to drain all surface water in a safe, efficient manner, and in accordance with applicable ordinances of the city.

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Zoning Text Amendment

Statement of Purpose/Affected by amendment/Justify the amendment

Date: Oct. 23, 2011

Corral RV Park expansion

1402 South Cherry

Tomball TX

Revision dated Dec. 12, 2011 (added #3;#4)

Location /existing section page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground**

Statement of Purpose

Statement of Purpose: Proposed revised request /reason why:

Line 1) RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis………..

To Change/Remove **"on a temporary bases"** (no replacement language)

Why: When you make a statement to rent or lease it refers / means it will be temporary.

Line 2) RECREATIONAL VEHICLE (RV) PARK/CAMPGROUND - An area or commercial campground for users of recreational vehicles, travel trailers, and similar vehicles to reside, park, rent or lease on a temporary basis. For the purpose of this definition, "temporary" means a maximum 90 calendar day time period………

To Remove / line 2: **For the purpose of this definition ," temporary " means a maximum 90 calendar days time period.** (No replacement language)

Why: to request to remove any reference to limiting the amount of time a RV can be parked in a RV Park.

Revision one Dated to letter on Dec. 12.2011

3) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (h) Fence. A six foot high fence or wall, constructed of wood or masonry, shall be constructed **on the two sides and rear** of the recreational vehicle park, such fence or wall to be 95 percent impervious. A decorative enclose, not less than five feet in height shall be constructed along the front of the recreational vehicle park.
   Request: to remove ……on the Two sides and rear

Why: Putting up the fence around the park will remove the deer who have made their home in the woods in the park. We have set up feeders for the animals in the area

4) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (L)Walkways. Walkways not less than 36 inches wide and constructed of concrete or other masonry construction shall be provided between the park streets to all community facilities provided for park residents and to all service buildings
Request to remove this parag.
Why: One must think RV park not mobile home Park or subdivision Walkways are better in large lots not RV pads. The design would be infringing on your neighbors RV lot because walking way would go across where the RV lot/next to their are parked or where their picnic table would be at RE: a big Motor home would be next to the walkway possible disturbing their privacy.

Below are the items request to change from the letter sent to City of Tomball manager

1) Re: to ordnances: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. J line 1 Distance to adjacent **Unit Boundary.** No portion of a **pad** shall be located nearer than **20 feet from a unit boundary.**

   Request to change**/Remove Unit Boundary and Boundary** from this line to: a designated area will be located on the portion of the concrete pad. Portion of a RV **designated** parking pad shall be located nearer than 20 feet from each adjacent RV designated parking pad. Additional concrete pad space for vehicle parking and or outdoor tables **will not** be considered as part of the RV designated parking pad. When the concrete pad is larger than the designated RV parking area then a location area on the concrete pad will be designated for the RV parking space only (9x40). These spaces shall not be located nearer than 20 feet from the next designated RV parking area.

   Why: The interpretation of the ordnance now is you are unable to get to the RV parking area. above states that the RV pad must be 20 feet from the boundary. The RV concrete pad can't connect to the road because it has to be 20 feet from the boundary. Plus the RV Pad must be minimum 40 feet apart from the a jointing RV concrete pad..

2) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (a) Unit size. No unit shall be less than 2500 square feet in area. Each unit shall **include** a **concrete pad**, which shall have a minimum size of nine feet by 40 feet, or 360 square feet, for the placement of each recreational vehicle.

   Request to change /add: "each unit shall include a designated area on the concrete pad when the pad is larger than the RV parking area RE: for the parking/and concrete area for picnic tables. Remove the line: No Unit shall be less than 2500 square feet in area. Why : because you have removed Boundary from paragraph one request there is no measurement required , the distance apart is the requirement now not sq. feet.

3) page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground** restricting the stay of a RV to only 90 days. But to remove the length of time to make it unlimited. There are two groups of people I have found that stay longer than the 90 days. The older generation but young at heart (our motto)….that has left their house and live permanently in RV's …..Plus as we call them "Winter Texans" who come to Tomball in the Oct. time and leave March time to go back north.

Revision one Dated to letter on Dec. 12.2011

4) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (h) Fence. A six foot high fence or wall, constructed of wood or masonry, shall be constructed **on the** **two sides and rear** of the recreational vehicle park, such fence or wall to be 95 percent impervious. A decorative enclose, not less than five feet in height shall be constructed along the front of the recreational vehicle park.
   Request: to remove ……on the Two sides and rear
   Putting up the fence around the park will remove the deer who have made their home in the woods in the park. We have set up feeders for the animals in the area

5) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles: Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (L)Walkways. Walkways not less than 36 inches wide and constructed of concrete or other masonry construction shall be provided between the park streets to all community facilities provided for park residents and to all service buildings
   Request to remove this parag. One must think RV park not mobile home Park or subdivision. The design would be infringing on your neighbors RV lot because the walk way would go across where the cars are parked or where their picnic table would be at RE: a big Motor home would be next to the walkway possible disturbing their privacy.

Revision #3 Jan. 9 2012:

6) **Sec. 46-22. - Nonconforming manufactured home parks** **and recreational vehicle parks.**

Manufactured home parks **and recreational vehicle parks** lawfully operating prior to the effective date of this article, but which do not conform with the regulations contained herein, may be continued. Provided however, no such park shall be extended or enlarged, and no such park shall be rebuilt or continued after abandonment or discontinuance for more than 90 days, except in full conformity with this article. Provided further, no such park shall be rebuilt in case of total destruction by fire or other causes except in conformity with the regulations contained in this article, and no such park which is partially destroyed by fire or other causes in excess of 50 percent of the value of the park's facilities shall restored, rebuilt, or repaired unless in conformity with this article.

(Ord. No. 2000-04, § 2, 6-17-00)

Request to remove " **Recreational Vehicle Parks** " from this section as Highlighted above

General Description of Property Affected by Amendment

Changing of the zoning ordinance will help the Corral RV Park to stay in compliance with the newly purposed schedule expansion schedule for next spring time.

Statement of facts Which the Applicant Believes Justify the Amendment

1) A major group of older retired and semi retired groups of people (RE: older generation but young at heart "our moto") have moved /joined a group of permanent RVer's. There cost of RV's range from $30,000 to over a million dollar RV's and these people need a place to stay for a unlimited amount of time to park their RV
2) Winter Texan's who come from the north stay from Sept. to June and sometimes leave their RV though the summer, these people need a unlimited amount of time to park their RV
3) With the city of Tomball expanding their medical facilities and the new VA medical clinic, these people need a unlimited amount of time to park their RV
4) With disasters from hurricanes and the most recent fires, City of Tomball is the location that the insurance adjusters stay and the families from the disaster stay these people need an unlimited amount of time to park their RV.
5) Apartments, mobile homes, rental homes, outdoor storage, and business do not require a limited time frame when they rent or lease a property.
6) People are moving to Texas from out of state and need temporary housing /RV Park

To: City Of Tomball Date: Sept. 16, 2011

Att: City Manager

Att: George Shackelford

From: Corral RV Park

1402 South Cherry

Tomball TX

Revision #1 Dated Dec. 12 ,2011: Revision #2 Dec. 19,2011 Revision #3 jan 9,2012

(Added #4 and #5 parg.)

RE: Expansion of Corral RV Park

In order to keep up with the growth of City of Tomball I am reviewing to add an additional 30+/- RV Pads to Corral RV Park. This will help City of Tomball to handle families moving into the area plus handling family emergencies from hurricanes to the most recent wild fires from people being evacuated/losing their homes…… plus in helping families with RV's for a place to stay for medical treatment from the growth of the new medical facilities we now have and don't forget about our retires which are a large portion which are now called permanent RVers .

I am asking to review the city ordinances for the expansion of Corral RV Park located at 1402 South Cherry Street. I have met with the city engineering group and they requested for me to meet with the city manager to review the points below to see what type of action we should/could take.

1) Re: to ordnances: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. J line 1 Distance to adjacent **Unit Boundary.** No portion of a **pad** shall be located nearer than **20 feet from a unit boundary.**

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   Why: The interpretation of the ordnance could mean that you are unable to get to the RV to the parking area. Above states that the RV pad must be 20 feet from the boundary. The RV concrete pad can't connect to the road because it has to be 20 feet from the boundary (RE. Has to be 20

feet from the road and the boundary is the edge of the road so the concrete pad can't connect to the road) Plus the RV Pad must be minimum 40 feet apart from the a jointing RV concrete pad. A house only requires 10 feet.

2) Re: to ordnance: chapter 46 Manufacture Homes mobile dwellings, Rec. Vehicles : Rec. vic. Parks and expansions Sec.46-64 Technical and physical requirements parg. (a) Unit size. No unit shall be less than 2500 square feet in area. Each unit shall **include** a **concrete pad**, which shall have a minimum size of nine feet by 40 feet, or 360 square feet, for the placement of each recreational vehicle.

   Request to change /add: "each unit shall include a designated area on the concrete pad when the pad is larger than the RV parking area RE: for the parking/and concrete area for picnic tables. **Remove the line: No Unit shall be less than 2500 square feet in area.** Why : because you have removed Boundary (from paragraph one request) there is no Square feet measurement required , the distance apart is the requirement now not sq. feet. Or request to 1200 Sq. feet if needed. Note this is a temporary parking lot not a permeate structure.

3) page 168: **Sec. 45 DEFINITIONS: 45.2 definitions: Recreational vehicle (RV) park/Campground** restricting the stay of a RV to only 90 days. But to remove the length of time to make it unlimited. There are two groups of people I have found that stay longer than the 90 days. The older generation but young at heart (our motto)….that has left their house and live permanently in RV's …..Plus as we call them "Winter Texans" who come to Tomball in the Oct. time and leave March time to go back north.

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(Ord. No. 2000-04, § 2, 6-17-00)

Request to remove " **<u>Recreational Vehicle Parks</u>** " from this section as Highlighted above

As of now these are the main points I have found that need to be review to move forward. I do have engineered expansion drawings I had completed a few years ago for your review. The City of Tomball engineering group had stated about using CUP; Text amendments; and possible other vehicles for the changes if they meet City of Tomball approvals. If additional information is required or if I can be of any help please call me on my cell phone at 713-557-1821 or the Corral RV Park office at 281-351-2761

Regards

Mike OBrien
President
KE JAMS Inv.
Corral RV Park
1402 South Cherry
Tomball TX. 77375
Off.281-351-2761 fax 281-351-2764
E-mail: mob@houstonrvpark.com

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Presentation and Acceptance of Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ending September 30, 2011, as Presented by the CPA firm of Belt Harris Pechacek, LLLP.

Background:

This item is for the presentation of the Comprehensive Annual Financial Report by the CPA firm of Belt Harris Pechacek, LLLP, our auditors for the fiscal year ending September 30, 2011. Council will be asked to act upon acceptance of the report after the presentation by Nathan Krupke, CPA, a partner with the firm.

The Comprehensive Annual Financial Report (CAFR) is actually prepared by the Finance Department and the audit is performed on the City's financial statements by the auditor. The "audit report" appears on pages 13 and 14 of the CAFR. There are four types of audit reports: Unqualified or "Clean" Opinion; Qualified Opinion or one which will include an additional paragraph that highlights the reason why the report is not unqualified; Adverse Opinion which basically means that the financial records of the business (city) are grossly misrepresented; and Disclaimer of Opinion which means that for some reason the auditor is not able to issue an opinion on the financial statements. We have received an Unqualified Opinion or also referred to as a "Clean" Opinion which means that, in the opinion of the auditor, our financial statements (CAFR) present fairly, in all material respects, the financial position of the City of Tomball.

Origination:

Finance Director

Recommendation:

Recommend acceptance of the 9/30/2011 report by Belt Harris Pechacek, LLLP.

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:

Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending 09/30/2011

COMPREHENSIVE
ANNUAL FINANCIAL REPORT

of the

CITY OF TOMBALL, TEXAS

For the Year Ended
September 30, 2011

CITY MANAGER

George Shackelford

Prepared by:

Glenn Windsor, CPA, CGFO
Finance Director

Kacie Richardson, CGFO
Senior Accountant

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CITY OF TOMBALL, TEXAS

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CITY OF TOMBALL, TEXAS

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September 30, 2011

INTRODUCTORY SECTION

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City of Tomball

Gretchen Fagan
Mayor

George Shackelford
City Manager

January 11, 2012

To the Honorable Mayor, Members of the City Council, and Citizens of the City of Tomball, Texas:

It is with great pleasure that we present to you a copy of the Comprehensive Annual Financial Report (CAFR) of the City of Tomball, Texas (the "City") for the fiscal year ended September 30, 2011. The responsibility for both the accuracy of the presented information and the completeness and fairness of the presentation of the data, including all disclosures, rests with the City. To the best of our knowledge and belief, the enclosed data is accurate in all material respects and is reported in a manner designed to present fairly the results of operations of the various funds of the City, as well as the fund balances. All disclosures necessary to enable the reader to gain an understanding of the City's financial activities have been included.

The CAFR is presented in three sections: Introductory, Financial, and Statistical. The Introductory Section includes this transmittal letter, the City's organizational chart, and a list of principal officials, elected and appointed. The Financial Section includes Management's Discussion and Analysis (MD&A), Basic Financial Statements, Required Supplementary Information, Combining and Individual Fund Financial Statements and Other Supplemental Information, as well as the independent auditors' report. The Statistical Section includes selected financial and demographic information generally presented on a multi-year basis.

Management's Discussion and Analysis (MD&A) immediately follows the independent auditors' report and provides a narrative introduction, overview, and analysis of the basic financial statements. MD&A complements this letter of transmittal and should be read in conjunction with it.

Profile of the Government

The City, incorporated on July 18, 1933, is located northwest of Houston, Texas, in a rapidly growing area of Harris County. The City currently occupies a land area of 11.71 square miles and serves an estimated population of 11,670. The City of Tomball is empowered to levy a property tax on both real and personal properties located within its boundaries. It also is empowered by state statute to extend its corporate limits by annexation, which occurs periodically when deemed appropriate by the governing council.

The City has operated under the council-manager form of government since 1980. Policy-making and legislative authority are vested in a governing council consisting of the mayor and five council members. The council is elected on a non-partisan basis. Council members serve three-year terms, with two council members elected every year. The mayor is elected to serve a three-year term. The mayor and council are elected at large. The governing council is responsible for, among other things, passing ordinances, adopting the budget, appointing committees, and hiring both the City Manager and City Attorney. The City Manager is responsible for carrying out the policies and ordinances of the governing council, for overseeing the day-to-day operations of the government, and for appointing the heads of the various departments.

The City provides a full range of services, including police and fire protection; the construction and maintenance of streets and other infrastructure; recreational activities and cultural events. Solid waste services are provided through a contract with Waste Corporation of America.

The annual budget serves as the foundation for the City's financial planning and control. All departments of the City are required to submit requests for appropriation to the Finance Director. These requests serve as a starting point for developing a proposed budget. The Finance Director provides the information to the City Manager who then presents this proposed budget to the council for review. The council is required to hold public hearings on the proposed budget and to adopt a final budget by no later than September 30, the close of the City's fiscal year. The appropriated budget is prepared by fund, function, and department. Department heads may make requests to the City Manager for transfers of appropriations within a department. Transfers of appropriations between departments, however, require the special approval of the City Council. Budget-to-actual comparisons are provided in this report for each individual governmental fund for which an appropriated annual budget has been adopted. For the general fund, this comparison is presented on page 64 as part of required supplementary information. For governmental funds, other than the general fund, with appropriated annual budgets, this comparison is presented in the governmental fund subsection of this report, which starts on page 71.

Factors Affecting Financial Condition

The information presented in the financial statements is better understood when it is considered from the broader perspective of the specific environment within which the City of Tomball operates.

Local Economy

The City is located approximately 32 miles northwest of Houston and is primarily surrounded by municipal utility districts, making it one of the only incorporated areas in this portion of Harris County. As a result, the City has evolved into the principal commercial center, fueling a property tax base growth of 8.3% on an average annual basis over the past five years. In fiscal 2011, the assessed values declined by 1.7%, in line with regional and national economic trends. Assessed values for Fiscal 2012 were received prior to September 30, 2011 and reflected a continued decline of 1.8% to $ 1.11 billion which excludes the value of properties remaining uncertified ($ 35 million) of which some percent of value is expected to be added back to the rolls thereby reducing the decline. BJ Services, which was recently acquired by Baker Hughes, is the City's primary taxpayer with 14% of the City's total assessed value. BJ Services provides technology and operational support for the company's natural gas related pressure pumping operation. Tomball has substantial land for further development both in the City limits and in its annexable extra-territorial jurisdictions.

After three years of declining sales tax revenues, the City experienced a 5.62% increase during 2011-2012. Additionally, several new retail businesses were opened including one large national retail store.

The region (which covers an area within a five-mile radius from the center of the City) has an employed labor force of approximately 46,457 which is anticipated to grow for the next several years. The largest groups of employers are in retail and in health services. There are three new subdivisions in the early development stages which show the prospect of continued residential growth.

Long-Term Financial Planning

The City continued to allocate funds to revitalize the historic downtown area of Tomball. At the end of the fiscal year, a scenic fountain was planned for the area with additional landscaping. The City also entered into a contract to exchange the existing tax office building for two other buildings that will be renovated and used for additional improvements to the Depot Plaza. The City believes that by improving this area, Tomball will attract more tourists and improve the revenues generated by an attractive and convenient atmosphere in the downtown area.

In conjunction with the Tomball Economic Development Corporation, the City continues to expand water, sewer, and gas utilities east, west, and south to accommodate the anticipated future commercial development. Utilities on the west side of the City are along the Texas Farm-to-Market Highway 2920 linking I-45 (which runs north to

Dallas from Houston) to SH290 (which runs west to Austin from Houston). This road is heavily traveled and attractive to commercial industry. During 2011-2012, the City will cash fund capital projects in the amount of $ 4,375,860 and shortly after year-end, $ 14.5 million in Certificates of Obligation will be issued to fund the construction of the M121 West drainage channel and the extension of the existing Medical Complex Drive to South Cherry Street.

Drainage detention and channels have been ongoing projects for several years and are designed to provide a means of flood control in the area to reduce the impact of increased real estate development. Because these projects are multi-million dollar endeavors, the City, partnering with private landowners and other governmental entities, is taking manageable steps to accomplish these flood control goals.

Major Initiatives

The largest revenue source in the General Fund is sales tax. The City has experienced a great deal of commercial retail growth over the last several years. Although additional retail establishments continue to come to Tomball, with the state of the national economy, the City chose to take a conservative approach for the 2012 fiscal year and submitted a budget with a three percent projected increase in sales tax revenues from the projected fiscal 2011 level.

In January 2008, the City Council completed a visioning and strategic planning session to chart a course for the City. In that session, the council decided that it wanted Tomball to be a destination city offering various activities and festivals throughout the year to draw people to town. In addition to being a destination, council indicated that economic development efforts should focus on making Tomball a regional hub for retail, medical, financial, and high-tech business. Infrastructure improvements and improving customer service were also slated as goals.

The City initiated a number of actions during 2008 aimed at responsibly planning for the City's future. In November 2008, the City completed an FM 2920 Access Management Study, in conjunction with the Texas Department of Transportation and the Houston Galveston Area Council, to address safety and mobility along the FM 2920 corridor from US 290 to Interstate 45. The City also completed a Livable Centers Downtown Plan in cooperation with a grant received through the Houston Galveston Area Council. The Plan addressed public improvements to preserve, promote, and enhance Tomball's Downtown as the identifiable physical, social, and cultural heart of Tomball. In 2009 the City completed its first citywide Comprehensive Plan to guide and shape the community's future physical growth and development. The Comprehensive Plan was the result of a year-long community involvement process that involved over 1,700 stakeholders. The City approved a Professional Services agreement for the development of a Downtown Specific Plan during 2011, which will address land use and zoning regulations for the downtown area.

Financial Information

The City's management team is responsible for establishing and maintaining internal controls designed to ensure that the assets of the City are protected from loss, theft, or misuse and to ensure that adequate accounting data is compiled to allow for the preparation of financial statements in conformity with generally accepted accounting principles. Internal controls are designed to provide reasonable but not absolute assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of the controls should not exceed the benefits likely to be derived and (2) the valuation of cost and benefits requires estimates and judgments to be made by management.

Budgeting Controls

The City maintains budgetary controls to ensure compliance with legal provisions embodied in the annual appropriated budget approved by the City Council. Activities of the General Fund, Debt Service Fund, Special Revenue Funds (Hotel Occupancy Tax Fund, Equipment Replacement Fund, Municipal Court Fund, Public Safety Fund, and Emergency Management Fund), Utility Fund, and Utility Interest and Sinking Fund are included in the annual operating budget. The Tomball Economic Development Corporation, a component unit of the City, is also included in the annual operating budget. A capital improvement plan is approved each year. The level of budgetary control (i.e., the level at which expenditures cannot legally exceed the appropriated amount) is established at the division level within an individual fund. The City maintains an encumbrance accounting system as a means of accomplishing budgetary controls and a technique of budgetary "lock out" which will prevent a transaction from exceeding legally appropriated budgetary amounts. As demonstrated by the statements and schedules included in the financial section of this report, the City continues to meet its responsibility for sound financial management.

Debt Administration

The City may issue General Obligation bonds that are approved by voters in a capital improvements plan. Certificates of Obligation can be used for short-term construction projects and for the financing of vehicles and equipment.

When available, sales tax revenue in excess of budgeted projections can be dedicated to one-time capital purchases.

Independent Audit

The City Charter requires an independent audit of the accounts of the City by an independent auditor. Belt Harris Pechacek, LLLP, Certified Public Accountants, have issued an unqualified ("clean") opinion on the City of Tomball's financial statements for the year ended September 30, 2011. The independent auditors' report is located at the front of the financial section of this report.

Awards

The Government Finance Officers' Association (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City for its Comprehensive Annual Financial Report for the fiscal year ended September 30, 2010. In order to be awarded the Certificate of Achievement, the City published an easily readable and efficiently organized Comprehensive Annual Financial Report. This report satisfies both generally accepted accounting principles and applicable legal requirements. The Certificate of Achievement is held for a period of one year only. Our current Comprehensive Annual Financial Report continues to meet the Certificate of Achievement requirements, and has been submitted to GFOA to determine its eligibility for another certificate.

The City also received the Distinguished Budget Presentation Award for the fiscal year beginning October 1, 2010. This is the third time the City has received this award from the GFOA. The award is made to those cities whose budget presentations meet very stringent presentation guidelines. The budget presentation must be of the very highest quality that reflects both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's recommended practices on budgeting.

Acknowledgements

The preparation of this report would not have been possible without the efficient and dedicated services of the administrative staff of the City. We would like to express our appreciation to all members of the departments who assisted and contributed to the preparation of this report. Credit also must be given to the mayor and the City Council for their unfailing support for maintaining the highest standards of professionalism in the management of the City of Tomball's finances.

Respectfully submitted,

Glenn Windsor, CPA
Finance Director

City of Tomball, Texas

ORGANIZATIONAL CHART

September 30, 2011

Staff Organizational Chart

Tomball Citizens

Mayor and City Council

- Economic Development
- Planning Commission
- Municipal Judge
- City Attorney
- Other Boards & Commissions
- **City Manager**
  - City Secretary
    - Reception/Vital Statistics
  - Assistant to City Manager
    - Municipal Court
    - Community Center
  - Human Resources
    - Personnel
    - Payroll
    - Risk Management
  - Director of Finance
    - Accounting
    - Budgeting
    - Purchasing
    - Utility Billing
  - Fire Chief
    - Fire Marshal
    - Firefighters
    - Emergency Management
  - Police Chief
    - Investigations
    - Patrol
  - Assistant City Manager
    - Building Official
      - Code Enforcement
      - Building Inspections
      - Permits
    - Director of Engineering & Planning
      - Engineering
      - Planning
      - Construction Inspection
      - GIS
    - Director of Public Works
      - General Services
        - Facilities
        - Streets
        - Parks
        - Garage
        - Sanitation
      - Utility Services
        - Water
        - Sewer
        - Gas

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Tomball Texas

For its Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2010

A Certificate of Achievement for Excellence in Financial Reporting is presented by the Government Finance Officers Association of the United States and Canada to government units and public employee retirement systems whose comprehensive annual financial reports (CAFRs) achieve the highest standards in government accounting and financial reporting.

GOVERNMENT FINANCE OFFICERS ASSOCIATION OF THE UNITED STATES AND CANADA CORPORATION SEAL CHICAGO

Linda C. Davidson

President

Jeffrey R. Esser

Executive Director

CITY OF TOMBALL, TEXAS

PRINCIPAL OFFICIALS

September 30, 2011

City Officials	Elected Position	Term Expires
Gretchen Fagan	Mayor	2013
F.S. Hudgens	Councilman Position 1	2014
Mark Stoll	Councilman Position 2	2012
Rick Brown	Councilman Position 3	2013
Derek Townsend, Sr.	Councilman Position 4	2012
Preston Dodson	Councilman Position 5	2014

Department Heads	Appointive Position
George Shackelford	City Manager
Christal Kliewer Weber	Assistant City Manager
Doris Speer	City Secretary
Robert Hauck	Chief of Police
David Kauffman	Director of Public Works
Randall Parr	Fire Chief
Lori Lakatos	Acting City Engineer
Glenn Windsor	Finance Director

FINANCIAL SECTION

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CERTIFIED PUBLIC ACCOUNTANTS
BELT HARRIS PECHACEK
WWW.TEXASAUDITORS.COM

INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and
City Council Members of the
City of Tomball, Texas:

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Tomball, Texas (the "City"), as of September 30, 2011, and for the year ended, which collectively comprise the City's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the City's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of September 30, 2011, and the respective changes in financial position and cash flows, where applicable, thereof for the year then ended in conformity with generally accepted accounting principles in the United States of America.

The Management's Discussion and Analysis, budgetary comparison information, and schedules of funding progress are not a required part of the basic financial statements but are supplementary information required by accounting principles generally accepted in the United States of America. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the Required Supplementary Information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, combining statements and schedules,

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Governmental Audit Quality Center
AICPA

and statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements. The combining fund statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole. The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

BELT HARRIS PECHACEK, LLLP

Belt Harris Pechacek, LLLP
Certified Public Accountants
Houston, Texas
January 11, 2012

MANAGEMENT'S DISCUSSION AND ANALYSIS

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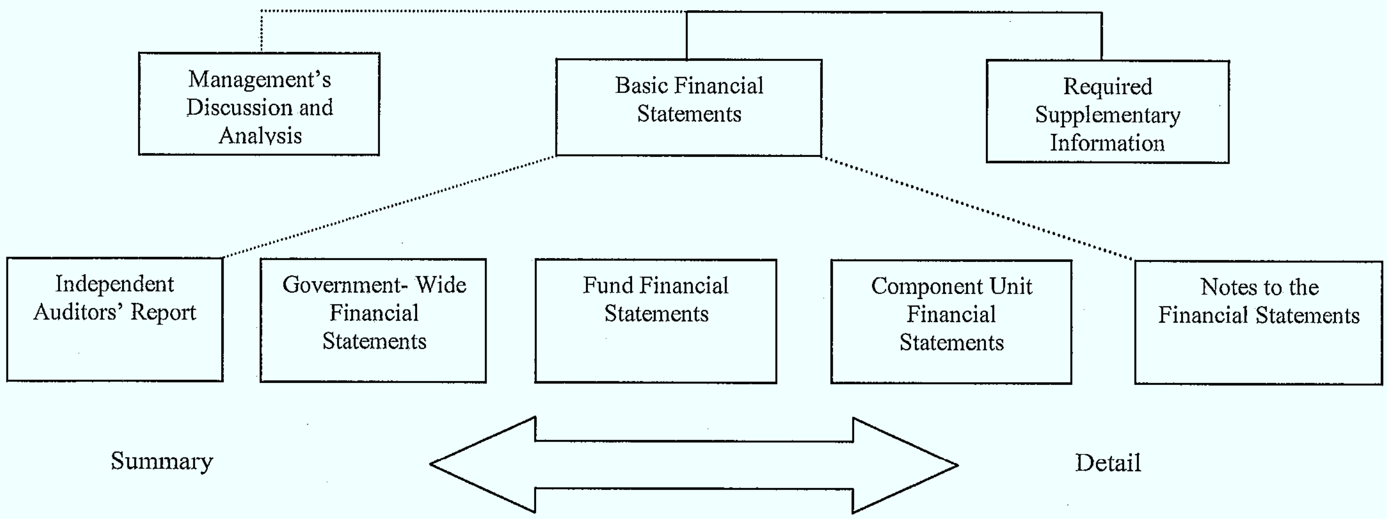
The purpose of the Management's Discussion and Analysis (MD&A) is to give the readers an objective and easily readable analysis of the City of Tomball, Texas (the "City") financial activities for the year ending September 30, 2011. The analysis is based on currently known facts, decisions, or economic conditions. It presents short and long-term analysis of the City's activities, compares current year results with those of the prior year, and discusses the positive and negative aspects of that comparison. Governmental Accounting Standards Board (GASB) Statement No. 34 establishes the content of the minimum requirements for MD&A. Please read the MD&A in conjunction with the transmittal letter at the front of this report and the City's financial statements, which follow this section.

THE STRUCTURE OF OUR ANNUAL REPORT

Components of the Financial Section



The comprehensive annual financial report is presented as compliant with the financial reporting model in effect pursuant to GASB Statement No. 34. This financial reporting model requires governments to present certain basic financial statements as well as the MD&A and certain other Required Supplementary Information (RSI). The basic financial statements include (1) government-wide financial statements, (2) individual fund financial statements, and (3) notes to the financial statements.

<u>Government-Wide Statements</u>

The government-wide statements report information for the City as a whole. These statements include transactions and balances relating to all assets, including infrastructure capital assets. These statements are designed to provide information about cost of services, operating results, and financial position of the City as an economic entity. The Statement of Net Assets and the Statement of Activities, which appear first in the City's financial statements report information on the City's activities that enable the reader to understand the financial condition of the City. These statements are prepared using the *accrual basis of accounting*, which is similar to the accounting used by most private-sector companies. All of the current year's revenues and expenses are taken into account even if cash has not yet changed hands.

The government-wide financial statements include not only the City itself (known as the primary government), but also the legally separate economic development corporation for which the City is financially accountable.

Financial information on the component unit is reported separately from the financial information presented for the primary government itself.

The Statement of Net Assets presents information on all of the City's assets and liabilities. The difference between the two is reported as *net assets*. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the City is improving or deteriorating. Other nonfinancial factors, such as the City's property tax base and the condition of the City's infrastructure, need to be considered in order to assess the overall health of the City.

The Statement of Activities presents information showing how the City's net assets changed during the most recent year. All changes in the net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows – the accrual method rather than modified accrual that is used in the fund level statements.

The Statement of Net Assets and the Statement of Activities divide the City into two classes of activities:

1. Governmental Activities – Most of the City's basic services are reported here including public safety, streets, garage, sanitation, parks and recreation, community services, and general administrative services. Interest payments on the City's debt are also reported here. Sales tax, property tax, franchise taxes, municipal court fines, and permit fees finance most of these activities.

2. Business-Type Activities – Services involving a fee for those services are reported here. These services include the City's water, sewer, and gas services.

The government-wide financial statements can be found after the MD&A.

FUND FINANCIAL STATEMENTS

Funds may be considered operating companies of the parent corporation, which is the City. They are usually segregated for specific activities or objectives. The City uses fund accounting to ensure and demonstrate compliance with finance related legal reporting requirements. The two categories of City funds are governmental and proprietary.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources,* as well as *on balances of spendable resources* available at the end of the year. Such information may be useful in evaluating the City's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City maintains twelve individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund and debt service fund, which are considered to be major funds. The City adopts an annual appropriated budget for its general fund, debt service fund, and all special revenue funds. Budgetary comparison schedules have been provided for general fund, debt service fund, court security, court technology, hotel occupancy tax, and special general funds to demonstrate compliance with these budgets.

Proprietary Funds

The City maintains two types of proprietary funds, an enterprise fund and internal service fund. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses the enterprise fund to account for its water distribution, wastewater collection/treatment, and natural gas operations. The proprietary fund financial statements provide separate information for the water distribution, wastewater collection/treatment, and gas operations. The basic proprietary fund financial statements can be found in the basic financial statements of this report.

The City uses internal service funds to account for its equipment replacement services as well as health benefits. The internal service funds have been included within governmental activities in the government-wide financial statements.

Notes to Financial Statements

The notes to the financial statements provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes are the last section of the basic financial statements.

Other Information

In addition to the basic financial statements, MD&A, and accompanying notes, this report also presents certain RSI. The RSI that GASB Statement No. 34 requires includes a budgetary comparison schedule for the general fund, schedule of funding progress for Texas Municipal Retirement System, schedule of funding progress for Texas Emergency Services Retirement System, and a schedule of funding progress for the City's other post employee benefits plan. RSI can be found after the basic financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net assets may serve over time as a useful indicator of the City's financial position. For the City, assets exceed liabilities by $72,359,093 as of September 30, 2011. As required by GASB Statement No. 34, a comparative analysis of government-wide data has been presented as a component of the MD&A for the year ending September 30, 2011.

A portion of the City's net assets reflects its investments in capital assets (e.g., land, building, equipment, improvements, construction in progress, and infrastructure), less any debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the assets themselves cannot be used to liquidate these liabilities.

Statement of Net Assets

The following table reflects the condensed statement of net assets:

SUMMARY OF STATEMENT OF NET ASSETS

	Governmental Activities		Business-Type Activities		Total Primary Government	
	2011	**2010**	**2011**	**2010**	**2011**	**2010**
Current and other assets	$ 17,483,455	$ 17,357,970	$ 12,087,941	$ 10,597,661	$ 29,571,396	$ 27,955,631
Capital assets, net	31,469,504	31,287,699	39,738,593	40,351,294	71,208,097	71,638,993
Total Assets	48,952,959	48,645,669	51,826,534	50,948,955	100,779,493	99,594,624
Long-term liabilities	14,630,358	15,990,680	10,692,344	11,549,058	25,322,702	27,539,738
Other liabilities	1,601,199	1,392,952	1,496,499	1,572,309	3,097,698	2,965,261
Total Liabilities	16,231,557	17,383,632	12,188,843	13,121,367	28,420,400	30,504,999
Net Assets:						
Invested in capital assets, net of related debt	18,306,705	16,790,199	29,338,053	29,073,794	47,644,758	45,863,993
Restricted	1,895,850	1,423,521	-	-	1,895,850	1,423,521
Unrestricted	12,518,847	13,048,317	10,299,638	8,753,794	22,818,485	21,802,111
Total Net Assets	$ 32,721,402	$ 31,262,037	$ 39,637,691	$ 37,827,588	$ 72,359,093	$ 69,089,625

A portion of the primary government's net assets, $1,895,850 or three (3) percent, represents resources that are subject to external restriction on how they may be used. This is an increase of 33 percent, primarily as a result of the City increasing these restricted funds. The remaining balance of unrestricted net assets, $22,818,485 or 32 percent may be used to meet the City's ongoing obligation to citizens and creditors.

The City's total net assets increased by $3,269,468 during the current fiscal year, an increase of five (5) percent in comparison to the prior year. This increase is primarily the result of a decrease in gas and public works expenses. While economic conditions were affected by the nation's economy, the City's overall condition improved.

Statement of Activities

The following table provides a summary of the City's changes in net assets:

CHANGES IN NET ASSETS

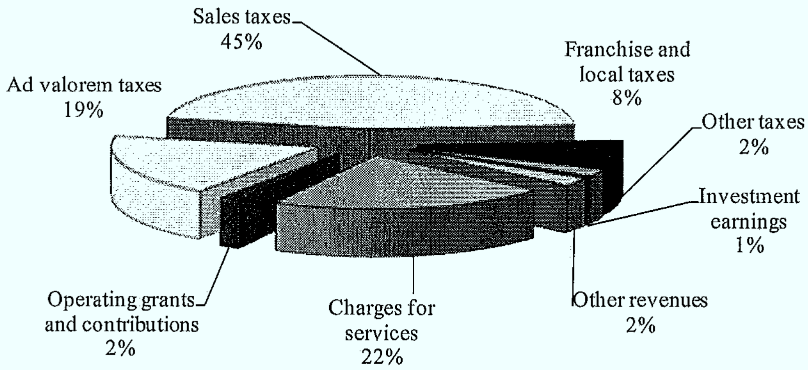
	Governmental Activities		Business-Type Activities		Total Primary Government	
	2011	2010	2011	2010	2011	2010
Revenues						
Program revenues:						
Charges for services	$ 3,367,890	$ 3,435,876	$ 11,519,709	$ 10,657,749	$ 14,887,599	$ 14,093,625
Operating grants and contributions	268,675	83,130	798,300	720,000	1,066,975	803,130
General revenues:						
Property taxes	2,857,563	2,922,913	-	-	2,857,563	2,922,913
Sales taxes	7,023,409	6,651,064	-	-	7,023,409	6,651,064
Franchise and local taxes	1,186,272	1,153,954	-	-	1,186,272	1,153,954
Other taxes	325,360	154,174	-	-	325,360	154,174
Investment earnings	43,035	80,426	30,414	93,361	73,449	173,787
Other revenues	361,026	254,615	121,344	43,076	482,370	297,691
Total Revenues	15,433,230	14,736,152	12,469,767	11,514,186	27,902,997	26,250,338
Expenses						
General government	4,472,541	3,476,001	2,207,488	1,843,501	6,680,029	5,319,502
Public safety	6,546,562	5,907,235	-	-	6,546,562	5,907,235
Public works	4,739,268	5,205,824	-	-	4,739,268	5,205,824
Community services	255,764	272,034	-	-	255,764	272,034
Interest and fiscal agent fees	353,188	658,304	481,542	512,851	834,730	1,171,155
Water	-	-	2,549,230	2,197,679	2,549,230	2,197,679
Sewer	-	-	1,226,582	1,134,907	1,226,582	1,134,907
Gas	-	-	1,801,364	2,374,227	1,801,364	2,374,227
Total Expenses	16,367,323	15,519,398	8,266,206	8,063,165	24,633,529	23,582,563
Increase in Net Assets Before Transfers	(934,093)	(783,246)	4,203,561	3,451,021	3,269,468	2,667,775
Transfers in (out)	2,393,458	2,260,134	(2,393,458)	(2,260,134)	-	-
Change in Net Assets	1,459,365	1,476,888	1,810,103	1,190,887	3,269,468	2,667,775
Beginning net assets	31,262,037	29,785,149	37,827,588	36,636,701	69,089,625	66,421,850
Ending net assets	$ 32,721,402	$ 31,262,037	$ 39,637,691	$ 37,827,588	$ 72,359,093	$ 69,089,625

For the year ended September 30, 2011, revenues from governmental activities totaled $15,433,230. Increases in sales taxes, franchise and local taxes, and other taxes contributed to the increase in revenues during the year.

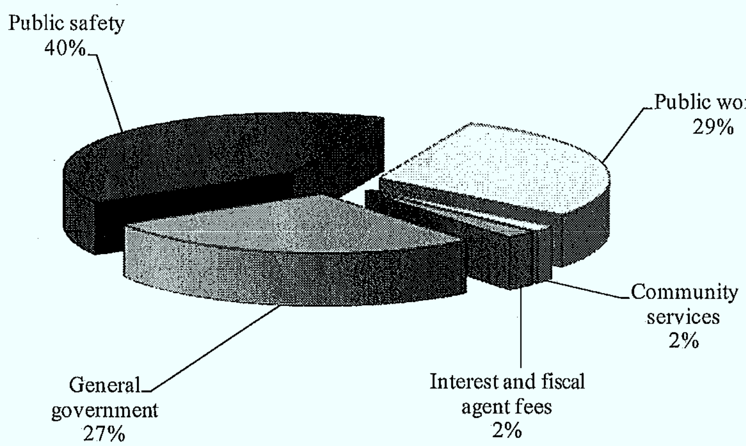
Expenses for governmental activities totaled $16,367,323, an increase of $847,925 from last year. A contributing factor is the increase in personnel for general government and public safety.

Graphic presentations of selected data from the summary tables follow to assist in the analysis of the City's activities.

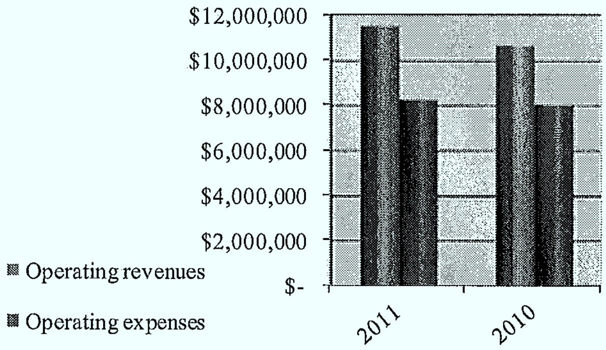
Governmental Activities - Revenues



Governmental Activities - Expenses



Business-Type Activities - Revenues and Expenses



Business-type activities are shown comparing operating costs to revenues generated by related services.

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As noted earlier, fund accounting is used to demonstrate and ensure compliance with finance-related legal requirements.

Governmental Funds – The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of the City's net resources available for spending at the end of the year.

The City's governmental funds reflect a combined fund balance of $13,970,653. Of this, $771,274 is restricted for debt service and $1,125,106 for enabling legislation.

There was a decrease in the combined fund balance of $502,870 in comparison to the prior year. The decrease is related to the City's plan to use existing fund balance in the general fund.

The general fund is the chief operating fund of the City. At the end of the current year, unassigned fund balance of the general fund was $11,764,596. As a measure of the general fund's liquidity, it may be useful to compare unassigned fund balance to total fund expenditures. Unassigned fund balance represents 73 percent of total general fund expenditures.

The debt service fund has a total fund balance of $771,274, all of which is restricted for the payment of debt service. The net decrease in fund balance during the current year in the debt service fund was $154,681. This decrease can be attributed to the additional debt service requirements for the City.

GENERAL FUND BUDGETARY HIGHLIGHTS

There had been a planned decrease in budgeted fund balance in the amount of $3,363,496 in the general fund. However, the net change in fund balance decreased by $364,146 resulting in a positive variance of $2,999,350 from final budgeted over actual.

Actual revenues exceeded final budgeted revenues by $731,026 during 2011. This variance includes a positive variance of $424,681 for sales tax revenue and a negative variance of $312,974 for investment revenue.

Final budgeted expenditures exceeded actual amounts by $2,268,324 for the fiscal year, which is a positive variance. The City did not expend as much as expected in the streets department as evidenced by the positive variance of $783,836.

Proprietary Funds – The City's proprietary funds financial statements provide the same type of information found in the government-wide financial statements, but in more detail.

CAPITAL ASSETS

At the end of the year, the City's governmental activities funds had invested $31,469,504 in a variety of capital assets and infrastructure (net of accumulated depreciation). Depreciation is included with the governmental capital assets as required by GASB Statement No. 34.

Major capital asset events during the current year include the following:

- Continued street construction

More detailed information about the City's capital assets is presented in note III. C to the financial statements.

LONG-TERM DEBT

At the end of the current year, the City had total certificates of obligation outstanding of $13,284,000 in governmental activities and $10,271,000 in revenue bonds for business-type activities.

During the year, the City had a net reduction in the long-term debt of $2,211,661.

More detailed information about the City's long-term liabilities is presented in note III. D to the financial statements.

ECONOMIC FACTORS

The City strives to offer a positive business environment and home town feel through excellent public safety services, utilities, public facilities and good mobility. In continuing the vision of Tomball, the City plans to expand and improve quality infrastructure, facilities and public services to meet current and future needs. The City will implement economic development strategies to increase revenues to the City, diversify the tax base, create quality employment and housing opportunities, grow local businesses and maximize the community's economic assets. The City continues to experience growth due to new construction and developments and will continue to focus on maintaining an even balance within the City limits.

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

This financial report is designed to provide a general overview of the City. Questions concerning this report or requests for additional financial information should be directed to Finance Department, 501 James Street, Tomball, Texas 77375, telephone 281.351.5484, or for general City information, visit the City's website at www.ci.tomball.tx.us.

BASIC FINANCIAL STATEMENTS

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CITY OF TOMBALL, TEXAS

STATEMENT OF NET ASSETS

September 30, 2011

	Primary Government			
	Governmental Activities	Business-Type Activities	Total	Component Unit
Assets				
Cash and cash equivalents	$ 13,045,016	$ 7,985,876	$ 21,030,892	$ 5,210,703
Investments	1,970,361	2,516,588	4,486,949	4,290,767
Receivables, net	2,025,526	1,436,260	3,461,786	412,441
Internal balances	29,087	(29,087)	-	-
Inventory	-	97,787	97,787	-
Prepaid expenses	32,939	-	32,939	-
Investments restricted for:				
Debt service	266,754	-	266,754	-
Deferred charges	113,772	80,517	194,289	-
Capital assets:				
Nondepreciable	14,760,139	2,476,562	17,236,701	-
Depreciable capital assets, net	16,709,365	37,262,031	53,971,396	-
Total Assets	48,952,959	51,826,534	100,779,493	9,913,911
Liabilities				
Accounts payable and other current liabilities	1,528,314	694,638	2,222,952	52,374
Accrued interest payable	72,885	64,276	137,161	-
Customer deposits	-	737,585	737,585	-
Noncurrent liabilities:				
Due within one year	1,568,318	1,081,504	2,649,822	-
Due in more than one year	13,062,040	9,610,840	22,672,880	-
Total Liabilities	16,231,557	12,188,843	28,420,400	52,374
Net Assets				
Invested in capital assets, net of related debt	18,306,705	29,338,053	47,644,758	-
Restricted for:				
Debt service	770,744	-	770,744	-
Enabling legislation	1,125,106	-	1,125,106	-
Unrestricted	12,518,847	10,299,638	22,818,485	9,861,537
Total Net Assets	$ 32,721,402	$ 39,637,691	$ 72,359,093	$ 9,861,537

See Notes to Financial Statements.

CITY OF TOMBALL, TEXAS

STATEMENT OF ACTIVITIES

For the Year Ended September 30, 2011

		Program Revenues	
Functions/Programs	**Expenses**	**Charges for Services**	**Operating Grants and Contributions**
Primary Government			
Governmental Activities			
General government	$ 4,472,541	$ -	$ -
Public safety	6,546,562	1,083,408	268,675
Public works	4,739,268	2,284,482	-
Community services	255,764	-	-
Interest and fiscal agent fees	353,188	-	-
Total Governmental Activities	16,367,323	3,367,890	268,675
Business-Type Activities			
General government	2,207,488	413,523	798,300
Water	2,549,230	5,199,565	-
Sewer	1,226,582	2,368,469	-
Gas	1,801,364	3,538,152	-
Interest and fiscal agent fees	481,542	-	-
Total Business-Type Activities	8,266,206	11,519,709	798,300
Total Primary Government	$ 24,633,529	$ 14,887,599	$ 1,066,975
Component Unit			
Tomball Industrial Development Corporation	$ 1,486,422	$ -	$ -

General Revenues

Property taxes

Sales taxes

Franchise taxes

Other taxes

Miscellaneous

Unrestricted investment earnings

Transfers

Total General Revenues and Transfers

Change in Net Assets

Beginning Net Assets

Ending Net Assets

See Notes to Financial Statements.

Net Revenue (Expense) and Changes in Net Assets			
Primary Government			
Governmental Activities	Business-Type Activities	Total	Component Unit
$ (4,472,541)	$ -	$ (4,472,541)	$ -
(5,194,479)	-	(5,194,479)	-
(2,454,786)	-	(2,454,786)	-
(255,764)	-	(255,764)	-
(353,188)	-	(353,188)	-
(12,730,758)	-	(12,730,758)	-
-	(995,665)	(995,665)	-
-	2,650,335	2,650,335	-
-	1,141,887	1,141,887	-
-	1,736,788	1,736,788	-
-	(481,542)	(481,542)	-
-	4,051,803	4,051,803	-
(12,730,758)	4,051,803	(8,678,955)	-
-	-	-	(1,486,422)
2,857,563	-	2,857,563	-
7,023,409	-	7,023,409	2,333,383
1,186,272	-	1,186,272	-
325,360	-	325,360	-
361,026	121,344	482,370	-
43,035	30,414	73,449	62,225
2,393,458	(2,393,458)	-	-
14,190,123	(2,241,700)	11,948,423	2,395,608
1,459,365	1,810,103	3,269,468	909,186
31,262,037	37,827,588	69,089,625	8,952,351
$ 32,721,402	$ 39,637,691	$ 72,359,093	$ 9,861,537

CITY OF TOMBALL, TEXAS

BALANCE SHEET

GOVERNMENTAL FUNDS

September 30, 2011

	General	Debt Service	Nonmajor Governmental Funds	Total Governmental Funds
Assets				
Current assets:				
Cash and cash equivalents	$ 9,378,675	$ 503,143	$ 1,558,442	$ 11,440,260
Investments	1,970,361	-	-	1,970,361
Receivables, net	1,835,633	147,432	35,233	2,018,298
Restricted investments for:				
Debt service	-	266,754	-	266,754
Prepaid costs	32,939	-	-	32,939
Total Assets	$ 13,217,608	$ 917,329	$ 1,593,675	$ 15,728,612
Liabilities and Fund Balances				
Liabilities:				
Accounts payable	$ 1,326,078	$ -	$ 191,831	$ 1,517,909
Deferred revenue	93,995	146,055	-	240,050
Total Liabilities	1,420,073	146,055	191,831	1,757,959
Fund balances:				
Nonspendable:				
Prepaid costs	32,939	-	-	32,939
Restricted for:				
Debt service	-	771,274	-	771,274
Enabling legislation	-	-	1,125,106	1,125,106
Assigned to:				
Special revenue funds	-	-	141,129	141,129
Capital projects funds	-	-	135,609	135,609
Unassigned:				
General fund	11,764,596	-	-	11,764,596
Total Fund Balances	11,797,535	771,274	1,401,844	13,970,653
Total Liabilities and Fund Balances	$ 13,217,608	$ 917,329	$ 1,593,675	

Amounts reported for governmental activities in the statement of net assets are different, because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	
Nondepreciable capital assets	14,760,139
Depreciable capital assets, net	16,109,730
Other long-term assets are not available to pay for current period expenditures and, therefore, are deferred in the funds.	240,050
Internal service funds are used by management to charge the costs of certain capital assets to individual funds.	2,230,301
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds.	
Accrued interest payable	(72,885)
Deferred charges	113,772
Noncurrent liabilities due in one year	(1,568,318)
Noncurrent liabilities due in more than one year	(13,062,040)
Net Assets of Governmental Activities	$ 32,721,402

See Notes to Financial Statements

City of Tomball, Texas

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES

GOVERNMENTAL FUNDS

For the Year Ended September 30, 2011

	General	Debt Service	Nonmajor Governmental Funds	Total Governmental Funds
Revenues				
Property taxes	$ 1,274,350	$ 1,591,573	$ -	$ 2,865,923
Sales, franchise, and other taxes	8,209,681	-	325,360	8,535,041
Permits and licenses	262,713	-	-	262,713
Fines and forfeitures	818,956	-	264,452	1,083,408
Service revenue	2,021,769	-	-	2,021,769
Intergovernmental	164,886	-	3,896	168,782
Contributions from component unit	99,893	-	-	99,893
Interest on investments	37,026	1,492	2,242	40,760
Other revenue	334,077	-	52,858	386,935
Total Revenues	13,223,351	1,593,065	648,808	15,465,224
Expenditures				
Current:				
Administrative	4,019,906	-	487,384	4,507,290
Police	4,268,811	-	-	4,268,811
Fire	1,732,351	-	-	1,732,351
Court	377,702	-	12,152	389,854
Public works	1,302,857	-	-	1,302,857
Sanitation	1,787,733	-	-	1,787,733
Streets	1,576,899	-	-	1,576,899
Permits	358,155	-	-	358,155
Garage	126,159	-	-	126,159
Parks	313,394	-	-	313,394
Community services	116,988	-	133,315	250,303
Debt service:				
Principal	-	1,195,500	-	1,195,500
Interest and fiscal agent fees	-	560,370	-	560,370
Issuance cost	-	65,877	-	65,877
Total Expenditures	15,980,955	1,821,747	632,851	18,435,553
Excess (Deficiency) of Revenues Over (Under) Expenditures	(2,757,604)	(228,682)	15,957	(2,970,329)
Other Financing Sources (Uses)				
Refunding bonds issued	-	3,892,500	-	3,892,500
Premium on refunding bonds	-	278,253	-	278,253
Payment to refunded bond escrow agent	-	(4,096,752)	-	(4,096,752)
Transfers in	2,393,458	-	-	2,393,458
Total Other Financing Sources (Uses)	2,393,458	74,001	-	2,467,459
Net Change in Fund Balances	(364,146)	(154,681)	15,957	(502,870)
Beginning fund balances	12,161,681	925,955	1,385,887	14,473,523
Ending Fund Balances	$ 11,797,535	$ 771,274	$ 1,401,844	$ 13,970,653

See Notes to Financial Statements.

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CITY OF TOMBALL, TEXAS

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES

For the Year Ended September 30, 2011

Amounts reported for governmental activities in the Statement of Activities are different because:

Net changes in fund balances - total governmental funds	$	(502,870)
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period.		
Capital outlay		1,445,273
Depreciation		(1,067,792)
Loss on disposal of capital assets		(25,909)
The issuance of long-term debt (e.g., bonds, certificates of obligation) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net assets. Also, governmental funds report the effect of issuance costs, premiums, discounts, and similar items when debt is first issued; whereas, these amounts are deferred and amortized in the Statement of Activities.		
Principal payments		1,195,500
Issuance of refunding bonds		(3,892,500)
Premium on bonds issued		(255,065)
Bond issuance costs		60,387
Payment to refunded bond escrow agent		3,910,500
Other debt items		376,266
Revenue in the Statement of Activities that does not provide current financial resources are not reported as revenue in the funds.		(8,360)
Internal service funds are used by management to charge the costs of certain capital assets to individual funds. The net revenue (expense) is reported with governmental activities.		198,844
Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.		25,091
Change in Net Assets of Governmental Activities	$	1,459,365

See Notes to Financial Statements.

CITY OF TOMBALL, TEXAS

STATEMENT OF NET ASSETS

PROPRIETARY FUND

September 30, 2011

	Business-Type Activities		Governmental Activities	
	Enterprise Fund		**Internal Service Fund**	
Assets				
Current assets:				
Cash and cash equivalents	$	7,985,876	$	1,604,756
Investments		2,516,588		-
Accounts receivable, net		1,436,260		7,228
Inventory		97,787		-
Total Current Assets		12,036,511		1,611,984
Noncurrent assets:				
Deferred charges		80,517		-
Nondepreciable capital assets		2,476,562		-
Depreciable capital assets		55,252,948		1,306,125
Less: accumulated depreciation		(18,159,010)		(538,397)
Total Capital Assets (Net of Accumulated Depreciation)		39,651,017		767,728
Total Noncurrent Assets		39,651,017		767,728
Total Assets	$	51,687,528	$	2,379,712
Liabilities				
Current liabilities:				
Accounts payable and accrued liabilities	$	694,638	$	10,405
Customer deposits		737,585		-
Current portion of bonds and other debt		1,081,504		-
Accrued interest payable		64,276		-
Total Current Liabilities		2,578,003		10,405
Noncurrent liabilities:				
Compensated absences		251,017		-
Long-term portion of bonds payable (net of deferred charges)		9,359,823		-
Total Noncurrent Liabilities		9,610,840		-
Total Liabilities		12,188,843		10,405
Net Assets				
Invested in capital assets, net of related debt		29,338,053		767,728
Unrestricted		10,160,632		1,601,579
Total Net Assets	$	39,498,685	$	2,369,307
Reconciliation to government-wide Statement of Net Assets:				
Adjustment to reflect the consolidation of internal service fund activities related to enterprise funds		139,006		
Net Assets of Business-Type Activities	$	39,637,691		

See Notes to Financial Statements.

CITY OF TOMBALL, TEXAS

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET ASSETS
PROPRIETARY FUND

For the Year Ended September 30, 2011

	Business-Type Activities	Governmental Activities
	Enterprise Fund	**Internal Service Fund**
Operating Revenues		
Charges for sales and services	$ 11,106,186	$ 1,890,295
Taps and connections	89,282	-
Penalties	109,348	-
Capital recovery fees	214,893	-
Miscellaneous	121,344	-
Total Operating Revenues	11,641,053	1,890,295
Operating Expenses		
Costs of sales and services	6,165,226	1,752,218
Depreciation	1,370,016	190,930
Total Operating Expenses	7,535,242	1,943,148
Operating Income	4,105,811	(52,853)
Non-Operating Revenues (Expenses)		
Investment income	49,397	2,275
Unrealized gain (loss) on investments	(18,983)	-
Interest expense	(481,542)	-
Contribution from component unit	798,300	-
Total Non-Operating Revenues (Expenses)	347,172	2,275
Income (Loss) Before Transfers	4,452,983	(50,578)
Transfers (out)	(2,393,458)	-
Change in Net Assets	2,059,525	(50,578)
Beginning net assets	37,439,160	2,419,885
Ending Net Assets	$ 39,498,685	$ 2,369,307

Reconciliation to government-wide Statement of Activities:	
Adjustment to reflect the consolidation of internal service fund activities related to enterprise funds	(249,422)
Change in Net Assets of Business-Type Activities	$ 1,810,103

See Notes to Financial Statements.

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CITY OF TOMBALL, TEXAS

STATEMENT OF CASH FLOWS

PROPRIETARY FUND

For the Year Ended September 30, 2011

		Business-Type Activities		Governmental Activities
				Internal
		Enterprise Fund		Service Funds
Cash Flows from Operating Activities				
Receipts from customers	$	11,439,255	$	1,888,331
Payments to suppliers		(4,265,618)		(1,765,270)
Payments to employees		(1,467,877)		-
Net Cash Provided by Operating Activities		5,705,760		123,061
Cash Flows from Noncapital Financing Activities				
Transfers		(2,393,458)		-
Contribution from component unit		798,300		-
Net Cash (Used) by Noncapital Financing Activities		(1,595,158)		-
Cash Flows from Capital and Related Financing Activities				
Acquisition and construction of capital assets		(589,222)		(189,256)
Principal paid on capital debt		(879,455)		-
Interest paid on capital debt		(481,542)		-
		(80,517)		-
Net Cash (Used) by Capital and Related Financing Activities		(2,030,736)		(189,256)
Cash Flows from Investing Activities				
Investment earnings		30,414		2,275
Net Cash Provided (Used) by Investing Activities		30,414		2,275
Net Increase in Cash and Cash Equivalents		2,110,280		(63,920)
Beginning cash and cash equivalents		5,875,596		1,668,676
Ending Cash and Cash Equivalents	$	7,985,876	$	1,604,756
Reconciliation of Operating Income to Net Cash Provided by Operating Activities				
Operating income	$	4,105,811	$	(52,853)
Adjustments to reconcile operating income to net cash provided (used) by operating activities:				
Depreciation		1,370,016		190,930
Changes in Operating Assets and Liabilities:				
(Increase) Decrease in Current Assets:				
Investments		545,403		-
Accounts receivable		(252,998)		(1,964)
Inventory		(9,403)		-
Increase (Decrease) in Current Liabilities:				
Accounts payable and accrued liabilities		(127,010)		(13,052)
Customer deposits		51,200		-
Compensated absences		22,741		-
Net Cash Provided by Operating Activities	$	5,705,760	$	123,061

See Notes to Financial Statements.

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I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The City of Tomball, Texas (the "City") was incorporated on July 18, 1933. The City has operated under a "Home Rule Charter", which provides for a Council-City Manager form of government, since 1987. The City Council is the principal legislative body of the City. The City Manager is appointed by a majority vote of the City Council and is responsible to the Council for the administration of all the affairs of the City. The City Manager is responsible for the appointment and removal of department directors and employees, supervision and control of all City departments, and preparation of the annual budget.

The City provides the following services: public safety to include police and fire services; municipal court; streets; drainage; water and sewer services; solid waste collection and disposal; community development; and general administration.

The City is an independent political subdivision of the State of Texas governed by an elected council and a mayor and is considered a primary government. As required by generally accepted accounting principles, these basic financial statements have been prepared based on considerations regarding the potential for inclusion of other entities, organizations, or functions as part of the City's financial reporting entity. The Tomball Economic Development Corporation, although legally separate, is considered part of the reporting entity. No other entities have been included in the City's reporting entity. Additionally, as the City is considered a primary government for financial reporting purposes, its activities are not considered a part of any other governmental or other type of reporting entity.

Considerations regarding the potential for inclusion of other entities, organizations, or functions in the City's financial reporting entity are based on criteria prescribed by generally accepted accounting principles. These same criteria are evaluated in considering whether the City is a part of any other governmental or other type of reporting entity. The overriding elements associated with prescribed criteria considered in determining that the City's financial reporting entity status is that of a primary government are that it has a separately elected governing body; it is legally separate; and it is fiscally independent of other state and local governments. Additionally, prescribed criteria under generally accepted accounting principles include considerations pertaining to organizations for which the primary government is financially accountable and considerations pertaining to organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete.

Discretely Presented Component Unit

Tomball Economic Development Corporation – This Corporation was formed in 1994 pursuant to the Development Corporation Act of 1979, governed under Section 4B of the Act. It receives and utilizes the proceeds of a one-half cent sales tax to promote and assist in the economic development of the City. The seven directors of the Corporation are appointed by the governing body of the City. Directors are removable by the governing body of the City at any time without cause.

Financial information for the Tomball Economic Development Corporation may be obtained from the following address:

Tomball Economic Development Corporation
401 West Market Street
Tomball, Texas 77375

Blended Component Unit

Employee Benefits Trust

Employee Benefits Trust (the "Trust") has been included in the reporting entity as a blended component unit. The Trust is a not-for-profit entity and is a trust organized under Section 222.002(c)(5) of the Texas Insurance Code. The Trust's Board of Trustees are the members of City Council. The Trust is organized for the purpose of providing or offering City officers, employees, and qualified retirees and their dependents with life, disability, sickness, accident, and other health benefits either directly or through the purchase of insurance. The operations of the Trust are presented as a proprietary fund type as an internal service fund.

B. Financial Statement Presentation

These financial statements include implementation of Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments.* Certain of the significant changes in the statement include the following:

- A Management's Discussion and Analysis (MD&A) section providing an analysis of the City's overall financial position and results of operations.
- Financial statements prepared using full accrual accounting for all of the City's activities.
- A change in the fund financial statements to focus on the major funds.

GASB Statement No. 34 established standards for external financial reporting for all state and local governmental entities, which includes a statement of net assets and a statement of activities. It requires the classification of net assets into three components: invested in capital assets, net of related debt; restricted; and unrestricted. These classifications are defined as follows:

- **Invested in capital assets, net of related debt** – This component of net assets consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- **Restricted** – This component of net assets consists of constraints placed on net asset use through external constraints imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.
- **Unrestricted** – This component of net assets consists of net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt."

C. Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the Statement of Net Assets and the Statement of Activities) report information about the City as a whole. These statements include all activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

The statement of activities presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include charges paid by the recipients of goods or services offered by the programs and grants that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, such as taxes and investment earnings, are presented as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements. In the fund financial statements, the accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses, as appropriate. Following is a description of the various funds:

Governmental Funds

Governmental funds are those funds through which most governmental functions are typically financed.

General Fund

The general fund is used to account for and report all financial resources not accounted for and reported in another fund. The principal sources of revenues include local property taxes, sales and franchise taxes, licenses and permits, fines and forfeitures, and charges for services. Expenditures include administrative, police, fire, municipal court, public works, sanitation, streets, permits, garage, parks, and community services.

Special Revenue Funds

The special revenue funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. The special revenue funds include Court Security Fund, Court Technology Fund, Housing Trust Fund, Hotel Occupancy Tax Fund, Red Light Camera Fund, and Disaster Preparedness Fund and the Special General Fund. The special revenue funds are considered nonmajor funds for reporting purposes.

Debt Service Fund

The debt service fund is used to account for and report the payment of interest and principal on all general obligation bonds and other long-term debt of the City. The primary source of revenue for debt service is local property taxes. The debt service fund is considered a major fund for reporting purposes.

Capital Projects Fund

The capital projects funds are used to account for and report the expenditures of resources accumulated from sales tax revenues and the sale of bonds and related interest earnings for capital improvement projects. The capital projects fund is considered a nonmajor fund for reporting purposes.

Proprietary Fund Types

Proprietary funds are used to account for activities that are similar to those often found in the private sector. All assets, liabilities, equities, revenues, expenses, and transfers relating to the government's business activities are accounted for through proprietary funds. The measurement focus is on determination of net income, financial position, and cash flows. Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues include charges for services. Operating expenses include costs of materials, contracts, personnel, and depreciation. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses. Proprietary fund types follow generally accepted accounting principles (GAAP) prescribed by the GASB and all Financial Accounting Standards Board's standards issued prior to November 30, 1989. Subsequent to this date, the City accounts for its enterprise funds as presented by GASB.

The proprietary fund types used by the City include the following:

Enterprise Fund

The enterprise fund is used to account for the operations that provide water and wastewater collection, wastewater treatment operations, and solid waste collection and disposal. The services are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses including depreciation) of providing goods or services to the general public on a continuing basis will be financed or recovered primarily through user charges. The enterprise fund is considered a major fund for reporting purposes.

Internal Service Funds

Internal service funds account for services provided to other departments or agencies of the government, or to other governments, on a cost reimbursement basis. The fleet replacement and health benefits funds are used to account for vehicle and equipment replacement and employee benefits.

D. Measurement Focus and Basis of Accounting

The government-wide Statements of Net Assets and Statements of Activities and all proprietary funds are accounted for on a flow of economic resources measurement focus, accrual basis of accounting. With this measurement focus, all assets and all liabilities associated with the operations of these activities are included on the balance sheet. Proprietary fund equity consists of net assets. Proprietary fund-type operating statements present increases (i.e., revenues) and decreases (i.e., expenses) in net total assets.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds and component units are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. Operating statements of these funds present increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in net current assets.

The City uses the modified accrual basis of accounting in the governmental fund type and component units. Under the modified accrual basis of accounting, revenues are recognized in the accounting period when they are susceptible to accrual (i.e., when they are measurable and available). Measurable means the amount of the transaction can be determined and available means collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues available if they are collected within 60 days of the end of the current period. Revenues susceptible to accrual include charges for services and interest on temporary investments.

Property taxes, sales taxes, franchise taxes, and interest associated with the current period are all considered to be susceptible to accrual and so have been recognized as revenues of the current period. Other receipts and other taxes become measurable and available when cash is received by the government and are recognized as revenue at that time.

Under modified accrual accounting, expenditures are recognized in the accounting period in which the liability is incurred, if measurable, except for interest on general long-term debt, which is recognized when due.

The accrual basis of accounting is used for the proprietary fund types. This basis of accounting recognizes revenues in the accounting period in which they are earned and become measurable, and expenses in the accounting period in which they are incurred and become measurable.

The statements of net assets, statements of activities, and financial statements of proprietary fund types are presented on the accrual basis of accounting. Under this method of accounting, revenues are recognized in the accounting period in which they are earned, and expenses in the accounting period in which they are incurred. Generally, the effect of interfund activity has been eliminated from the government-wide financial statements.

E. Assets, Liabilities, and Net Assets or Fund Equity

1. Deposits and Investments

The City maintains a pooled cash and investments account. Each fund whose monies are deposited in the pooled cash and investment account has equity therein, and interest earned on the investment of these monies is allocated based upon relative equity at the previous month end. Amounts on deposit in interest-bearing accounts and other investments are displayed on the combined balance sheet as "Cash and cash equivalents."

In accordance with GASB Statement No. 31, *Accounting and Reporting for Certain Investments and External Investment Pools*, the City reports all investments at fair value, except for "money market investments" and "2a7-like pools." Money market investments, which are short-term highly liquid debt instruments that may include U.S. Treasury and agency obligations, are reported at amortized costs. Investment positions in external investment pools that are operated in a manner consistent with the SEC's Rule 2a7 of the Investment Company Act of 1940, such as TexPool, are reported using the pools' share price.

The City has adopted a written investment policy regarding the investment of its funds as defined in the Public Funds Investment Act, Chapter 2256, Texas Governmental Code. In summary, the City is authorized to invest in the following:

Direct obligations of the U.S. government
Money market mutual funds that meet certain criteria
Statewide investment pools

2. Receivables

Transactions between funds that are representative of lending/borrowing arrangements outstanding at the end of the year are referred to as either "interfund receivables/payables" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the noncurrent portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds" in the fund financial statements. If the transactions are between the primary government and its component unit, these receivables and payables are classified as "due to/from component unit/primary government." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

Advances between funds are offset by a fund balance reserve account in applicable governmental funds to indicate they are not available for appropriation and are not expendable available financial resources.

All trade receivables are shown net of an allowance for uncollectibles.

Property taxes

Property taxes are levied during October of each year and are due upon receipt of the City's tax bill. Taxes become delinquent, with an enforceable lien on property, on February 1 of the following year.

3. Inventories and Prepaid Items

The costs of governmental fund type inventories are recorded as expenditures when the related liability is incurred (i.e., the purchase method). Certain payments to vendors reflect costs applicable to future accounting periods (prepaid expenditures) are recognized as expenditures when utilized.

4. Capital Assets

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. In accordance with GASB Statement No. 34, infrastructure has been capitalized retroactively. Capital assets are defined by the government as assets with an initial, individual cost of more than $20,000 and an estimated useful life in excess of three years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Interest costs incurred in connection with construction of enterprise fund capital assets are capitalized when the effects of capitalization materially impact the financial statements.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized.

Property, plant, and equipment of the primary government, as well as the component units, are depreciated using the straight-line method over the following estimated useful years:

Asset Description	Estimated Useful Life
Buildings and improvements	20 to 50 years
Machinery and equipment	3 to 10 years
Vehicles	5 years
Water, sewer, and gas system	20 to 30 years
Infrastructure	40 to 50 years

5. Compensated Employee Absences

It is the City's policy to permit employees to accumulate earned but unused vacation, sick pay benefits, and compensatory time. Amounts accumulated, up to certain amounts, may be paid to employees upon termination of employment. The estimated amount of compensation for services provided that is expected to be liquidated with expendable available financial resources are reported as an expenditure and a fund liability of the governmental fund that will pay it when it matures or becomes due. Amounts of vested or accumulated vacation leave that are not expected to be liquidated with expendable available financial resources are maintained separately and represent a reconciling item between the fund and government-wide presentations.

6. Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities statement of net assets. The long-term debt consists primarily of bonds payable and accrued compensated absences.

Long-term debt for governmental funds is not reported as liabilities in the fund financial statements until due. The debt proceeds are reported as other financing sources, net of the applicable premium or discount and payments of principal and interest are reported as expenditures. In the governmental fund types, issuance costs, even if withheld from the actual net proceeds received, are reported as debt service expenditures. However, claims and judgments paid from governmental funds are reported as a liability in the fund financial statements only for the portion expected to be financed from expendable available financial resources.

Long-term debt and other obligations financed by proprietary funds are reported as liabilities in the appropriate funds. For proprietary fund types, bond premiums, discounts and issuance costs are deferred and amortized over the life of the bonds using the effective interest method, if material. Bonds payable are reported net of the applicable bond premium or discount. Issuance costs are reported as deferred charges.

The property tax rate is allocated each year between the general and debt service funds. The full amount estimated to be required for debt service on general obligation debt is provided by the tax along with interest earned in the debt service fund. Though a portion of the general obligation debt was directly related to the purchase of water and sewer infrastructure, the debt service expenditures are included in the governmental fund financial statements as they are expected to be paid from debt service tax revenues instead of water system revenues.

Assets acquired under the terms of capital leases are recorded as liabilities and capitalized in the government-wide financial statements at the present value of net minimum lease payments at inception of the lease. In the year of acquisition, capital lease transactions are recorded as other financing sources and as capital outlay expenditures in the applicable fund. Lease payments representing both principal and interest are recorded as expenditures in the general fund upon payment with an appropriate reduction of principal recorded in the government-wide financial statements.

7. Landfill Post-Closure Care Costs

The City reports municipal solid waste landfill costs in accordance with GASB Statement No. 18, *Accounting for Municipal Solid Waste Landfill Closure and Post-Closure Care Costs*. The liability for landfill post-closure costs is reported in long-term debt.

8. Fund Equity

Fund balances of governmental funds are classified as follows:

Nonspendable fund balance – represents amounts that cannot be spent because they are either in nonspendable form (such as inventory or prepaid insurance) or are legally required to remain intact (such as notes receivable or principal of a permanent fund).

Restricted fund balance – represents amounts that are constrained by external parties, constitutional provisions, or by enabling legislation.

Committed fund balance – represents amounts constrained to specific purposes by the City itself, using its highest level of decision-making authority (i.e., City Council). To be reported as committed, amounts cannot be used for any other purpose unless the City takes the same highest level action to remove or change the constraint. The commitment must be made prior to year end.

Assigned fund balance – represents amounts the City intends to use for a specific purpose. Intent can be expressed by the City Council or by an official or body to which the City Council delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund. Assignments can be made at any time.

Unassigned fund balance – represents amounts that are available for any purpose. Positive amounts are reported only in the general fund. Other governmental funds might report a negative balance in this classification because of overspending for specific purposes for which amounts had been restricted, committed, or assigned.

When an expenditure is incurred for which committed, assigned, or unassigned fund balances are available, the City considers amounts to have been spent first out of committed, then assigned funds, and finally unassigned funds.

The City Council is the government's highest level of decision-making authority and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Council. The resolution must either be approved or rescinded, as applicable, prior to the last day of the fiscal year for which the commitment is made. The amount subject to the constraint may be determined in the subsequent period.

By resolution, the Council has also authorized the City Manager and Director of Finance to assign fund balance. Assignments of fund balance by the City Manager and Director of Finance do not require formal action by the City Council; however, each assignment must be approved by both authorized officials before the item can be presented in the financial statements.

The City strives to maintain an unassigned fund balance of not less than 25% of the budgeted operational expenditures in all City funds. Due to the volatile nature of a majority of its revenues, it is not deemed excessive for the City to maintain an unassigned fund balance in the General Fund at levels greater than 33 percent of the budgeted operational expenditures. The purpose of this unassigned balance is to alleviate significant unanticipated budget shortfalls and to ensure the orderly provisions of services to citizens. Should unassigned fund balance fall below the goal or has a deficiency, the City will seek to reduce expenditures prior to increasing revenues to replenish fund balance within a reasonable timeframe.

9. Estimates

The preparation of financial statements, in conformity with GAAP, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

II. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

Annual budgets are adopted on a basis consistent with GAAP for the general fund, debt service fund, court security fund, court technology fund, hotel occupancy tax fund, special general funds, and the housing trust fund. All other adopted budgets are used as a management tool. The original budget is adopted by the City Council prior to the beginning of the year. The legal level of control as defined by the charter in the approved budget is the department level in the general fund and all others are the fund level. The City Manager may transfer appropriations between divisions within a department without seeking the approval of City Council. Appropriations lapse at the end of the year. Supplemental budget appropriations were made for the year ended.

A. Excess of Expenditures Over Appropriations

General government:	
Permits	$ 926
Debt service:	
Principal	$ 30,000
Issuance costs	$ 57,877
Payment to refunded bond escrow agent	$ 4,096,752
Court technology	$ 217
Hotel occupancy tax	$ 51,655

III. DETAILED NOTES ON ALL FUNDS

A. Deposits and Investments

As of year end, the City and component unit had the following investments:

Investment Type	Fair Value	Weighted Average Maturity (Years)	Credit Risk
City			
U.S. Agencies	$ 4,486,949	0.25	AAA
TexPool	14,241,298	0.00	AAAM
TEXAS Class	6,113,505	0.00	AAAM
Total fair value	$ 24,841,752		
Portfolio weighted average maturity		0.25	
Component Unit			
U.S. Agencies	$ 4,290,767	0.97	AAA
TexPool	2,180,474	0.00	AAAM
TEXAS Class	2,009,369	0.00	AAAM
Total fair value	$ 8,480,610		
Portfolio weighted average maturity		0.97	

Custodial credit risk – deposits. In the case of deposits, this is the risk that in the event of a bank failure, the City's deposits may not be returned to it. The City's investment policy requires funds on deposit at the depository bank to be collateralized by securities. As of year end, market values of pledged securities were $2,839,909 and bank balances were $2,328,395 for the City and the component unit combined.

<u>TexPool</u>

TexPool was established as a trust company with the Treasurer of the State of Texas as trustee, segregated from all other trustees, investments, and activities of the trust company. The State Comptroller of Public Accounts exercises oversight responsibility over TexPool. Oversight includes the ability to significantly influence operations, designation of management, and accountability for fiscal matters. Additionally, the State Comptroller has established an advisory board composed of both participants in TexPool and other persons who do not have a business relationship with TexPool. The advisory board members review the investment policy and management fee structure. Finally, Standard & Poor's rates TexPool AAAm. As a requirement to maintain the rating, weekly portfolio information must be submitted to Standard & Poor's as well as to the office of the Comptroller of Public Accounts for review.

TexPool operates in a manner consistent with the SEC's Rule 2a7 of the Investment Company Act of 1940. TexPool uses amortized cost rather than market value to report net assets to compute share prices. Accordingly, the fair value of the position in TexPool is the same as the value of TexPool shares.

MBIA Texas CLASS

The Cooperative Liquid Assets Securities System – Texas ("CLASS") is a public funds investment pool under Section 2256.016 of the Public Funds Investment Act, Texas Government Code, as amended (the "Act"). CLASS is created under an Amended and Restated Trust Agreement, dated as of May 1, 2001 (the "Agreement") among certain Texas governmental entities investing in the pool (the "Participants"), MBIA Municipal Investors Service Corporation ("MBIA-MISC") as Program Administrator, and Wells Fargo as Custodian. CLASS is not SEC-registered and is not subject to regulation by the State of Texas. The fair value of the City's position in the pool is the same as the value of the pool shares. Under the Agreement, however, CLASS is administered and supervised by a seven member board of trustees (the "Board"), whose members are investment officers of the Participants, elected by the Participants for overlapping two-year terms. In the Agreement and by resolution of the Board, CLASS has contracted with MBIS-MISC to provide for the investment and management of the public funds of CLASS. Separate financial statements for TEXAS CLASS may be obtained by contacting MBIA Asset Management at 815-A Brazos Street, Suite 345, Austin, TX 78701-9996, (800)707-6242.

Interest rate risk. In compliance with the City's Investment Policy, as of year end, the City minimized the interest rate risk related to the decline in market value of securities due to rising interest rates in the portfolio by limiting the effective duration of security types not to exceed two years, with the exception of securities purchased related to reserve funds; structuring the investment portfolio so that securities matured to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the secondary market prior to maturity; monitoring credit ratings of portfolio positions to assure compliance with rating requirements imposed by the Public Funds Investment Act; and investing operating funds primarily in shorter-term securities, money market mutual funds, or similar government investment pools.

Credit risk. The City's investment policy limits investments in money market mutual funds rated as to investment quality not less than AAA by Standard & Poor's. As of September 30, 2011, the City's investment in TexPool and Texas CLASS was rated AAAm by Standard & Poor's. All other investments are guaranteed (either express or implied) by the full faith and credit of the United States government or the issuing U.S. agency. More specifically, the U.S. agencies held by the City as of September 30, 2011, consist of a variety of bonds and discount notes issued by the Federal Home Loan Bank, Federal Home Loan Mortgage Corporation, and the Federal National Mortgage Association. These investments were rated not less than AAA by, Moody's and Standard & Poor's.

B. Receivables

The following comprise receivable balances at year end:

	General	Debt Service	Enterprise	Nonmajor Governmental	Component Unit	Internal Service
Property taxes	$ 95,126	$ 147,432	$ -	$ -	$ -	$ -
Sales taxes	1,237,324	-	-	-	-	-
Other taxes	55,080	-	-	-	-	-
Accounts	467,841	-	1,521,461	-	-	-
Interest	12,342	-	11,046	-	-	-
Intergovernmental	-	-	-	-	-	-
Other	-	-	-	35,233	412,441	7,228
Less allowance	(32,080)	-	(96,247)	-	-	-
	$ 1,835,633	$ 147,432	$ 1,436,260	$ 35,233	$ 412,441	$ 7,228

C. Capital Assets

A summary of changes in capital assets at year end is as follows:

	Primary Government			
	Beginning Balance	**Increases**	**Reclassifications /(Decreases)**	**Ending Balance**
Governmental Activities:				
Capital assets not being depreciated:				
Land	$ 4,521,005	$ -	$ -	$ 4,521,005
Construction in progress	8,999,111	1,240,023	-	10,239,134
Total capital assets not being depreciated	13,520,116	1,240,023	-	14,760,139
Other capital assets:				
Buildings and improvements	10,227,826	-	-	10,227,826
Machinery and equipment	5,567,945	226,413	-	5,794,358
Vehicles	3,185,479	-	(450,989)	2,734,490
Infrastructure	13,186,915	-	-	13,186,915
Total other capital assets	32,168,165	226,413	(450,989)	31,943,589
Less accumulated depreciation for:				
Buildings and improvements	(2,376,597)	(263,918)	-	(2,640,515)
Machinery and equipment	(4,056,148)	(481,528)	-	(4,537,676)
Vehicles	(2,875,695)	(156,785)	425,080	(2,607,400)
Infrastructure	(5,092,142)	(356,491)	-	(5,448,633)
Total accumulated depreciation	(14,400,582)	(1,258,722)	425,080	(15,234,224)
Other capital assets, net	17,767,583	(1,032,309)	(25,909)	16,709,365
Totals	$ 31,287,699	$ 207,714	$ (25,909)	31,469,504
		Less associated debt		(13,162,799)
		Invested in Capital Assets, Net of Related Debt		$ 18,306,705

All capital assets constructed or paid for with funds of the component units are titled in the City's name. Accordingly, component unit capital assets and construction in progress are recorded in the governmental activities totals.

Depreciation was charged to governmental functions as follows:

Police	$ 302,084
Streets	263,918
Public works	501,790
Internal service	190,930
Total Governmental Activities Depreciation Expense	$ 1,258,722

Capital assets for governmental activities include capital assets held in the fleet replacement (internal service) fund.

Construction in progress and remaining commitments under related construction contracts for general governmental construction projects at year end were as follows:

Governmental Activities:

Project Description	Authorized Contract	Contract Expenditures	Remaining Commitment
Agg Road Extension (Medical Complex)	$ 1,141,234	$ 612,011	$ 529,223
Brown-Hufsmith Road Utilities	254,370	156,332	98,038
Central Fire Station Renovation	441,000	298,936	142,064
Utilities GIS	98,000	94,678	3,322
M124 Drainage Ditch	545,235	338,517	206,718
Rudolph Road Utilities Phase II	145,000	116,996	28,004
Floodplain & Drainage Ordinance	47,358	47,210	148
Master Drainage Plan	125,000	5,570	119,430
Downtown Specific Plan	177,400	154,157	23,243
Utilities Extension Brown Rd. West of 249	65,160	47,301	17,859
Downtown Parking Lots (3)	105,249	48,784	56,465
Business Park	58,405	33,446	24,959
Total	$ 3,203,411	$ 1,953,938	$ 1,249,473

The following is a summary of changes in capital assets for business-type activities for the year ended:

	Beginning Balance	Increases	(Decreases)	Ending Balance
Business-Type Activities:				
Capital assets not being depreciated:				
Land	$ 795,205	$ 233,079	$ -	$ 1,028,284
Construction in progress	5,352,520	545,955	(4,450,197)	1,448,278
Total capital assets not being depreciated	6,147,725	779,034	(4,450,197)	2,476,562
Other capital assets:				
Gas system	5,806,157	-	-	5,806,157
Water and sewer system	41,622,192	4,260,385	-	45,882,577
Machinery and equipment	3,660,193	246,320	(95,979)	3,810,534
Total other capital assets	51,088,542	4,506,705	(95,979)	55,499,268
Less accumulated depreciation for:				
Gas system	(2,154,926)	(139,530)	-	(2,294,456)
Water and sewer system	(13,164,404)	(1,126,977)	-	(14,291,381)
Machinery and equipment	(1,565,643)	(181,736)	95,979	(1,651,400)
Total accumulated depreciation	(16,884,973)	(1,448,243)	95,979	(18,237,237)
Other capital assets, net	34,203,569	3,058,462	-	37,262,031
Totals	$ 40,351,294	$ 3,837,496	$ (4,450,197)	39,738,593
Less associated debt				(10,400,540)
Invested in Capital Assets, Net of Related Debt				$ 29,338,053

Depreciation was charged to business-type functions as follows:

Water and sewer	$	1,308,713
Gas		139,530
Total Business-Type Activities Depreciation Expense	$	1,448,243

Capital assets for the business-type activities include capital assets held in the fleet replacement (internal service) fund.

Construction in progress and remaining commitments under related construction contracts for enterprise fund projects at year end were as follows:

Business-Type Activities:

Project Description	Authorized Contract	Contract Expenditures	Remaining Commitment
Hufsmith Sanitary Sewer Improvements	$ 52,600	$ 21,986	$ 30,614
Hufsmith Water and Gas Improvements	264,625	199,192	65,433
Rudolph Road Utilities Phase II	208,700	128,128	80,572
Tomball Hills Lift Station	405,375	149,938	255,437
Water Well #5	405,415	379,986	25,429
Utilities Extension Brown Rd. West of 249	7,000	6,104	896
Total	$ 1,343,715	$ 885,334	$ 458,381

D. Long-Term Debt

The following is a summary of changes in the City's total governmental long-term liabilities for the year ended. In general, the City uses the general and debt service funds to liquidate governmental long-term liabilities.

Long-term liabilities applicable to the City's governmental activities are not due and payable in the current period and, accordingly, are not reported as fund liabilities in the governmental funds. The governmental activities compensated absences, net pension obligation, and net other postemployment benefit obligation are generally liquidated by the general fund. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due.

CITY OF TOMBALL, TEXAS

NOTES TO FINANCIAL STATEMENTS (Continued)

For the Year Ended September 30, 2011

	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due within One Year
Governmental Activities					
Bonds, notes and other payables:					
Certificates of obligation	$ 14,497,500	$ 3,892,500	$ 5,106,000	$ 13,284,000 *	$ 1,131,250
Premiums	-	278,253	23,188	255,065 *	-
Other debt items	-	(413,893)	(37,627)	(376,266) *	-
	14,497,500	3,756,860	5,091,561	13,162,799	1,131,250
Other liabilities:					
Net OPEB obligation	197,583	-	11,750	185,833	-
Compensated absences	1,031,097	179,537	115,408	1,095,226	328,568
Landfill postclosure costs	264,500	-	78,000	186,500	108,500
Total Governmental Activities	$ 15,990,680	$ 3,936,397	$ 5,296,719	$ 14,630,358	$ 1,568,318
Long-term debt due in more than one year				$ 13,062,040	
Business-Type Activities					
Revenue bonds	$ 11,277,500	$ 4,757,500	$ 5,764,000	$ 10,271,000 **	$ 1,018,750
Premiums	-	129,540	-	129,540 **	-
	11,277,500	4,887,040	5,764,000	10,400,540	1,018,750
Other liabilities:					
Net OPEB obligation	43,282	-	2,495	40,787	-
Compensated absences	228,276	40,446	17,705	251,017	62,754
Total Business-Type Activities	$ 11,549,058	$ 4,927,486	$ 5,784,200	$ 10,692,344	$ 1,081,504
Long-term debt due in more than one year				$ 9,610,840	
***Debt associated with governmental activity capital assets**				$ 13,162,799	
****Debt associated with business-type activity capital assets**				$ 10,400,540	

Long-term debt at year end was comprised of the following debt issues:

Description	Interest Rates	Balance
Governmental Activities		
Certificates of Obligation		
Series 2002	4.25-4.5%	$ 1,471,500
Series 2003	3.5-4.5%	6,045,000
Series 2010	1.5-2.2%	1,875,000
Series 2011	2-4%	3,892,500
Total Certificates of Obligation		13,284,000
Total Governmental Activities Long-Term Debt		$ 13,284,000
Business-Type Activities		
Revenue Bonds		
Series 1999	3.65-4.1%	$ 3,715,000
Series 2002	4.25-4.5%	1,798,500
Series 2011	2-4%	4,757,500
Total Business-Type Activities Long-Term Debt		$ 10,271,000

The annual requirements to amortize bond and certificate debt issues outstanding at year end were as follows:

Year Ending Sep 30	Governmental Activity Principal	Governmental Activity Interest	Business-Type Activity Principal	Business-Type Activity Interest
2012	$ 1,131,250	$ 461,065	$ 1,018,750	$ 368,854
2013	1,172,500	406,676	1,047,500	309,448
2014	1,194,750	365,599	1,070,250	266,036
2015	1,223,000	328,563	1,082,000	228,783
2016	1,231,750	294,598	1,083,250	196,574
2017-2021	5,605,750	894,749	4,419,250	462,767
2022-2023	1,725,000	66,853	550,000	11,000
	$ 13,284,000	$ 2,818,103	$ 10,271,000	$ 1,843,462

Current Refunding

The City issued $8,650,000 of general obligation refunding bond, series 2011 for a current refunding of $8,690,000 certificates of obligation, series 2002. The reacquisition price exceeded the net carrying amount of the old debt by $413,893. The transaction also resulted in an economic gain of $868,480 and a reduction of $1,020,657 in future debt service payments.

General obligation bonds are direct obligations of the City for which its full faith and credit are pledged. Repayment of general obligation bonds are from taxes levied on all taxable property located within the City. The City also issued bonds where the government pledges income derived from the acquired or constructed assets to pay debt service. The City is not obligated in any manner for special assessment debt.

Federal Arbitrage

The Tax Reform Act of 1986 instituted certain arbitrage restrictions consisting of complex regulations with respect to issuance of tax-exempt bonds after August 31, 1986. Arbitrage regulations deal with the investment of tax-exempt bond proceeds at an interest yield greater than the interest yield paid to bondholders. Generally, all interest paid to bondholders can be retroactively rendered taxable if applicable rebates are not reported and paid to the Internal Revenue Service at least every five years for applicable bond issues. Accordingly, there is the risk that if such calculations are not performed or are not performed correctly, a substantial liability to the City could result. The City periodically engages an arbitrage consultant to perform the calculations in accordance with the IRS's rules and regulations.

E. Interfund Transactions

Transfers between the primary government funds during the year were as follows:

Transfer Out	Transfer In	Amounts
Enterprise fund	General fund	$ 2,393,458

The enterprise fund reimbursed the general fund for the administrative costs incurred in supporting enterprise fund operations.

F. Landfill Post-Closure Liability

State and federal regulations required the City to place a final cover on the City's landfill site when it stopped accepting waste and to perform certain maintenance and monitoring functions at the site until determined by the State. The $186,500 reported as accrued landfill post-closure costs at year end represent the remaining estimated post-closure costs. The landfill is in the post-closure process as the landfill has been closed. These amounts are based on what it would cost to perform all post-closure care. Actual costs may be higher due to inflation, changes in technology, or changes in regulations. State and federal laws require owners to demonstrate financial assurance for closure, post-closure, and/or corrective action. The City complies with the financial and public notice components of the local government financial test and government-guarantee of the test.

IV. OTHER INFORMATION

A. Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters for which the City participates along with 2,696 other entities in the Texas Municipal League's Intergovernmental Risk Pools (the "Pool"). The Pool purchases commercial insurance at group rates for participants in the Pool. The City has no additional risk or responsibility to the Pool, outside of the payment of insurance premiums. The City has not significantly reduced insurance coverage or had settlements which exceeded coverage amounts for the past three years.

B. Contingent Liabilities

The City is a defendant in several lawsuits. Although the outcome of these lawsuits is not presently determinable, it is the opinion of the City's management that resolution of these matters will not have a material adverse effect on the financial condition of the City.

Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. Liabilities include an amount for claims that have been incurred but not reported. Claim liabilities are calculated considering the effects of inflation, recent claim settlement trends, including frequency and amount of payouts, and other economic and social factors. No claim liabilities are reported at year end.

C. Pension Plans

1. Texas Municipal Retirement System

Plan Description

The City provides pension benefits for all of its full-time employees through a non-traditional, joint contributory, hybrid defined benefit plan in the state-wide Texas Municipal Retirement System (TMRS), one of 842 administered by TMRS, an agent multiple-employer public employee retirement system. The plan provisions that have been adopted by the City are within the options available in the governing state statutes of TMRS.

TMRS issues a publicly available comprehensive annual financial report that includes financial statements and required supplementary information (RSI) for TMRS. The report also provides detailed explanations of the contributions, benefits and actuarial methods and assumptions used by the System. This report may be obtained by writing to TMRS, P.O. Box 149153, Austin, TX 78714-9153 or by calling 800-924-8677; in addition the report is available on TMRS' website at *www.TMRS.com*.

The plan provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS. Plan provisions for the City were as follows:

	2011	2010
Employee deposit rate	7.00%	7.00%
Matching ratio (city to employee)	2 to 1	2 to 1
Years required for vesting	5	5
Service requirement eligibility (expressed as age/yrs of service)	60/5, 0/20	60/5, 0/20
Updated service credit	100% Repeating, Transfers	100% Repeating, Transfers
Annuity increase (to retirees)	70% of CPI Repeating	70% of CPI Repeating

Benefits

Upon retirement, benefits depend upon the sum of the employee's contributions to the plan, with interest, and the City-financed monetary credits, with interest. City financed monetary credits are composed of three sources: prior service credits, current service credits, and updated service credits. At the date the plan began, the City granted monetary credits for service rendered before the plan began of a theoretical amount at least equal to two times what would have been contributed by the employee, with interest, prior to establishment of the plan. Monetary credits for service since the plan began are a percent (100%, 150%, or 200%) of the employee's accumulated contributions. In addition, the City can grant, as often as annually, another type of monetary credit referred to as an updated service credit. This is a theoretical amount which, when added to the employee's accumulated contributions and the monetary credits for service since the plan began, would be the total monetary credits and employee contributions accumulated with interest if the current employee contribution rate and city matching percent had always been in existence, and if the employee's salary had always been the average of his salary in the last three years that are one year before the effective date. At retirement, the benefit is calculated as if the sum of the employee's accumulated contributions, with interest, and the employer-financed monetary credits, with interest, were used to purchase an annuity.

Contributions

Under the state law governing TMRS, the contribution rate for each city is determined annually by the actuary, using the Projected Unit Credit actuarial cost method. This rate consists of the normal cost contribution and the prior service cost contribution rate, which is calculated to be a level percent of payroll from year to year. The normal cost contribution rate finances the portion of an active member's projected benefit allocated annually; the prior service contribution rate amortizes the unfunded (overfunded) actuarial liability (asset) over the remainder of the plan's 28-year amortization period. Both the normal cost and prior service contribution rates include recognition of the projected impact of annually repeating benefits such as Updated Service Credits and Annuity Increases.

The City contributes to the TMRS Plan at an actuarially determined rate. Both the employees and the City make contributions monthly. Since the City needs to know its contribution rate in advance for budgetary purposes, there is a one-year delay between the actuarial valuation that serves as the basis for the rate and the calendar year when the rate goes into effect (i.e., December 31, 2008 valuation is effective for rates beginning January 2010).

Three-year trend information for the annual pension cost (APC) is as follows:

Fiscal year	Annual Pension Cost (APC)	Actual Contribution Made	Percentage of APC Contributed	Net Pension Obligation
2009	$ 944,327	$ 944,327	$ 100.00%	$ -
2010	$ 969,758	$ 969,758	$ 100.00%	$ -
2011	$ 1,089,566	$ 1,089,566	$ 100.00%	$ -

The required contribution rates for fiscal year 2011 were determined as part of the December 31, 2009 actuarial valuations. Additional information as of the latest actuarial valuation, December 31, 2010, also follows:

	2011	**2011**	**2010**	**2009**
Actuarial Valuation Date	12/31/2010 - Restructured	12/31/2010 - Prior to Restructuring	12/31/2009	12/31/2008
Actuarial Cost Method	Projected Unit Credit	Projected Unit Credit	Projected Unit Credit	Projected Unit Credit
Amortization Method	Level % of Payroll	Level % of Payroll	Level % of Payroll	Level % of Payroll
Remaining Amortization Period	27.2 Years - Closed period	27.1 Years - Closed period	28 Years - Closed period	29 Years - Closed period
Asset Valuation Method	Smoothed market	Smoothed market	Smoothed market	Amortized cost
Investment Rate of Return	7.00%	7.50%	7.50%	7.50%
Projected Salary Increases	Varies by age and service	Varies by age and service	Varies by age and service	Varies by age and service
Includes Inflation at	3.00%	3.00%	3.00%	3.00%
Cost of Living Adjustments	2.10%	2.10%	2.10%	2.10%

The funded status as of December 31, 2010, the most recent valuation date, is as follows:

	New Fund Structure	**Original Fund Structure**
Actuarial Valuation Date	12/31/2010	12/31/2010
Actuarial Value of Assets	$ 17,806,137	$ 12,543,963
Actuarial Accrued Liability	$ 23,168,802	$ 18,376,637
Percentage Funded	76.9%	68.3%
Unfunded Actuarial Accrued Liability (UAAL)	$ 5,362,665	$ 5,832,674
Annual Covered Payroll	$ 7,188,172	$ 7,188,172
UAAL as a Percentage of Covered Payroll	74.6%	81.1%

The schedule of funding progress, presented as Required Supplementary Information following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability of benefits.

D. Other Post-Employment Benefits (OPEB)

Plan Description

In order to recognize and reward long-term employees, as well as to provide an incentive for remaining in the City's employment, the City administers a single-employer defined benefit Other Post-Employment Benefits (OPEB) plan that will pay a portion of the premium for continuation of the medical and dental insurance coverage of certain retirees. The plan is known as the City of Tomball Retirement Health Care Plan. Enrollment for retiree coverage must be completed no later than 30 days after the date of retirement. Later enrollment is not permitted. Any retiree eligible for medical coverage with another group plan shall not qualify for medical coverage with the City.

In order to be eligible for this benefit, the retiree must be vested, age 55 or older and a current recipient of retirement benefits from the Texas Municipal Retirement System; have been a full-time employee of the City for ten consecutive years immediately prior to retirement; and satisfy the applicable plan requirements for the extension of retiree coverage under the medical and dental insurance benefit plan offered by the City at the time of retirement.

Beginning with retirement and ending when the person is eligible for Medicare coverage, the City shall pay a portion of the retiree medical and dental coverage premiums in accordance with the following: 40 percent of the premium costs for retirees having at least ten years, but less than 15 years, of full-time service with the City; 55 percent of the premium costs for retirees having at least 15 years, but less than 20 years, of full-time service with the City; 70 percent of the premium costs for retirees having at least 20 years, but less than 25 years, of full-time service with the City; or 85 percent of the premium costs for retirees having at least 25 years of full-time service with the City. To cover their spouses, eligible retirees must pay 100 percent of the cost for their eligible spouse. Eligible retirees shall pay 100 percent of the premiums for basic life insurance ($2,000).

Benefit continuation of medical, dental, and life insurance coverage provided at the City's expense to retirees ends when the retiree is eligible for Medicare coverage. Retirees who are eligible for Medicare coverage may, at their sole expense, continue to purchase coverage for themselves and their eligible dependents as provided under the applicable terms of City's policies. The policy will be a secondary policy only. A separate postemployment benefit plan report is not available for the City of Tomball Retirement Health Care Plan.

Funding Policy

The City has elected to finance the OPEB plan on a pay-as-you-go basis. The City paid $22,606 related to the plan for four retirees during the year.

Actuarial Information

The contribution requirement has been actuarially determined. The actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events far into the future, and that actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimate are made about the future. The required schedule of funding progress immediately following the notes presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liability for benefits. Projections of benefits are based on the types of benefits provided under the substantive plan at the time of each valuation and on the pattern of sharing of benefit costs between the employer and plan members to that point, and the projections of benefits for financial reporting purposes do not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost sharing between the employer and plan members in the future. Actuarial calculations reflect a long-term perspective, and consistent with that perspective, actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets. As of the actuarial valuation date of December 31, 2009, the actuarial value of plan assets is zero dollars, the actuarial accrued liability is $780,043, the total unfunded actuarial liability is $780,043, and the actuarial value of assets as a percentage of the actuarial accrued liability is zero percent. The annual covered payroll at December 31, 2009 was $7,171,519 and the unfunded actuarial accrued liability as a percentage of covered payroll is 10.9%. The actuarial determined annual required contribution (ARC) is $103,610. The components of the ARC consist of the employer's normal cost and the amortization of the unfunded actuarial accrued liabilities.

The following table shows the components of the City's annual OPEB cost of the year, the amount actually contributed to the plan, and the City's net OPEB obligation.

Annual required contribution	$	103,610
Interest on OPEB Obligation		10,839
Adjustment to ARC		(10,839)
Contribution made		(117,940)
Increase in net OPEB Obligation		(14,330)
Net OPEB obligation-beginning of year		240,865
Net OPEB obligation-end of year	$	226,535

The following is a summary of the actuarial assumptions:

Actuarial Cost Method	Projected Unit Credit
Amortization Method	Level % of Payroll
Remaining Amortization Period	30 Years - Open amortization
Asset Valuation Method	Market value smoothed
Investment Rate of Return	4.5%
Projected Salary Increases	3.0%
Healthcare Cost Trend Rate (Initial/Ultimate)	9.0%/4.5%

Three-Year Contribution Information

Fiscal year	Annual OPEB Cost (ARC)	Percentage of ARC Contributions	Net Pension Obligation Beginning	Net Pension Obligation Ending
2009	$ 89,777	12.90%	$ 82,052	$ 160,252
2010	$ 99,818	19.64%	$ 160,252	$ 240,865
2011	$ 103,610	113.80%	$ 240,865	$ 226,535

1. TMRS – Supplemental Death Benefit Fund

Plan Description

The City also participates in the cost sharing multiple-employer defined benefit group-term life insurance plan operated by the Texas Municipal Retirement System (TMRS) known as the Supplemental Death Benefits Fund (SDBF). The City elected, by ordinance, to provide group-term life insurance coverage to both current and retired employees. The City may terminate coverage under and discontinue participation in the SDBF by adopting an ordinance before November 1 of any year to be effective the following January 1.

The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death); retired employees are insured for $7,500; this coverage is an "other post employment benefit," or OPEB. The obligations of this plan are payable only from the SDBF and are not an obligation of, or a claim against, the Pension Trust Fund. For the year ended September 30, 2011, the City offered the supplemental death benefit to both active and retired employees.

Contributions

The City contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to pre-fund retiree term life insurance during employees' entire careers.

The City's contribution rate to the TMRS SDBF, for the retiree portion, for the years ended 2011, 2010, and 2009 were $1,509, $1,631, and $2,193, respectively. The City's contribution rates for the past three years are shown below:

	2011	**2010**	**2009**
Annual Req. Contrib. (Rate)	0.02%	0.02%	0.03%
Actual Contribution Made	0.02%	0.02%	0.03%
Percentage of ARC Contrib.	100.00%	100.00%	100.00%

E. Subsequent Events

On December 5, 2012, subsequent to year end, the City issued series 2012 combination tax and revenue certificates of obligation in the amount of $14,500,000. Proceeds from the sale of the certificates will be used to pay for various construction and improvement project. In addition, the proceeds will be used for the right-of-way acquisition for the M121 West Drainage project.

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REQUIRED SUPPLEMENTARY INFORMATION

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CITY OF TOMBALL, TEXAS

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL

GENERAL FUND

For the year ended September 30, 2011

	Original Budget Amounts	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues				
Property taxes	$ 1,228,925	$ 1,228,925	$ 1,274,350	$ 45,425
Sales, franchise, and other taxes	7,785,000	7,785,000	8,209,681	424,681
Permits and licenses	228,750	228,750	262,713	33,963
Fines and forfeitures	885,000	885,000	818,956	(66,044)
Services revenue	1,868,000	1,868,000	2,021,769	153,769
Intergovernmental	50,000	50,000	164,886	114,886
Contributions from component unit	20,000	20,000	99,893	79,893
Interest on investments	350,000	350,000	37,026	(312,974)
Other revenues	76,650	76,650	334,077	257,427
Total Revenues	12,492,325	12,492,325	13,223,351	731,026
Expenditures				
Administrative	4,411,055	4,411,055	4,019,906	391,149
Police	4,430,565	4,430,565	4,268,811	161,754
Fire	1,793,765	1,793,765	1,732,351	61,414
Court	470,459	470,459	377,702	92,757
Public works	1,769,920	1,769,920	1,302,857	467,063
Sanitation	2,045,000	2,045,000	1,787,733	257,267
Streets	2,360,735	2,360,735	1,576,899	783,836
Permits	357,229	357,229	358,155	(926) *
Garage	149,824	149,824	126,159	23,665
Parks	320,639	320,639	313,394	7,245
Community services	140,088	140,088	116,988	23,100
Total Expenditures	18,249,279	18,249,279	15,980,955	2,268,324
Excess of Revenues Over (Under) Expenditures	(5,756,954)	(5,756,954)	(2,757,604)	2,999,350
Other Financing Sources				
Transfers in	2,393,458	2,393,458	2,393,458	-
Total Other Financing Sources	2,393,458	2,393,458	2,393,458	-
Net Change in Fund Balance	$ (3,363,496)	$ (3,363,496)	(364,146)	$ 2,999,350
Beginning fund balance			12,161,681	
Ending Fund Balance			$ 11,797,535	

Notes to Required Supplementary Information:

1. Annual budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP).
2. *Expenditures exceeded appropriations at the legal level of control.

CITY OF TOMBALL, TEXAS

SCHEDULE OF FUNDING PROGRESS

TEXAS MUNICIPAL RETIREMENT SYSTEM

For the year ended September 30, 2011

The City's annual covered payroll and pension costs are actuarially valued on a calendar year basis. Because the City makes all the annually required contributions, no net pension obligation (NPO) exists. The information presented below represents the City's Schedule of Funding Progress.

Fiscal Year	**2011 (2)**	**2011 (1)**	**2010**	**2009**
Actuarial Valuation Date	12/31/2010	12/31/2010	12/31/2009	12/31/2008
Actuarial Value of Assets	$ 17,806,137	$ 12,543,963	$ 11,538,535	$ 10,293,118
Actuarial Accrued Liability	$ 23,168,802	$ 18,376,637	$ 17,190,687	$ 15,605,065
Percentage Funded	76.9%	68.3%	67.1%	66.0%
Unfunded Actuarial Accrued Liability	$ 5,362,665	$ 5,832,674	$ 5,652,152	$ 5,311,947
Annual Covered Payroll	$ 7,188,172	$ 7,188,172	$ 7,278,133	$ 7,040,733
Unfunded Actuarial Accrued Liability (UAAL) % of Covered Payroll	74.6%	81.1%	77.7%	75.4%
Net Pension Obligation (NPO) at the Beginning of Period	$ -	$ -	$ -	$ -
Annual Req. Contrib. (ARC)	$ 1,089,566	$ 1,089,566	$ 969,758	$ 944,327
Contributions Made	$ 1,089,566	$ 1,089,566	$ 969,758	$ 944,327
NPO at the End of Period	$ -	$ -	$ -	$ -

(1) Actuarial valuation performed under the original fund structure

(2) Actuarial valuation performed under the new fund structure

CITY OF TOMBALL, TEXAS

SCHEDULE OF FUNDING PROGRESS
OTHER POST-EMPLOYMENT BENEFITS (OPEB) PLAN

For the Year Ended September 30, 2011

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) - Projected Unit Credit (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Annual Covered Payroll (c)	UAAL as a Percentage of Covered Payroll [(b-a)/c]
04/30/08	$ -	$ 698,417	$ 698,417	0.0%	$ 7,419,044	9.4%
12/31/09	$ -	$ 780,043	$ 780,043	0.0%	$ 7,171,519	10.9%

[1] The City implemented GASB Statement No. 45 and the requirements have been implemented prospectively.

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COMBINING STATEMENTS AND SCHEDULES

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CITY OF TOMBALL, TEXAS

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL DEBT SERVICE FUND

For the Year Ended September 30, 2011

	Original and Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)	
Revenues				
Property taxes	$ 1,545,423	$ 1,591,573	$ 46,150	
Interest on investments	15,000	1,492	(13,508)	
Total Revenues	1,560,423	1,593,065	32,642	
Expenditures				
Debt service:				
Principal	1,165,500	1,195,500	(30,000)	*
Interest and fiscal agent fees	612,036	560,370	51,666	
Issuance costs	8,000	65,877	(57,877)	*
Total Expenditures	1,785,536	1,821,747	(36,211)	
Excess (Deficiency) of Revenues Over Expenditures	(225,113)	(228,682)	68,853	
Other Financing Sources (Uses)				
Refunding bonds issued	-	3,892,500	3,892,500	
Premium on refunding bond	-	278,253	278,253	
Payment to refunded bond escrow agent	-	(4,096,752)	(4,096,752)	*
Total Other Financing Sources (Uses)	-	74,001	74,001	
Net Change in Fund Balance	$ (225,113)	(154,681)	$ 70,432	
Beginning fund balance		925,955		
Ending Fund Balance		$ 771,274		

1. *Expenditures exceeded appropriations at the legal level of control.

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SPECIAL REVENUE FUNDS

Special Revenue Funds are used to account for specific revenues that are legally restricted to expenditures for particular purposes.

CAPITAL PROJECTS FUNDS

Capital Projects Fund is used to account for resources used in the acquisition or construction of major general capital assets.

CITY OF TOMBALL, TEXAS

COMBINING BALANCE SHEET

NONMAJOR GOVERNMENTAL FUNDS (Page 1 of 2)

September 30, 2011

	Special General	Capital Projects	Court Security	Court Technology
Assets				
Current assets:				
Cash and cash equivalents	$ 138,810	$ 135,609	$ 162,323	$ 200,226
Accounts receivable	-	-	-	-
Total Assets	$ 138,810	$ 135,609	$ 162,323	$ 200,226
Liabilities and Fund Balances				
Liabilities:				
Accounts payable	$ -	$ -	$ -	$ -
Total Liabilities	-	-	-	-
Fund balances:				
Restricted for enabling legislation	-	-	162,323	200,226
Assigned	138,810	135,609	-	-
Total Fund Balances	138,810	135,609	162,323	200,226
Total Liabilities and Fund Balances	$ 138,810	$ 135,609	$ 162,323	$ 200,226

	Housing Trust	Hotel Occupancy Tax	Red Light Camera	District Attorney	Bunny Run
	$ -	$ 315,650	$ 599,474	$ 440	$ 2,319
	-	3,400	31,833	-	-
	$ -	$ 319,050	$ 631,307	$ 440	$ 2,319
	$ -	$ 11,000	$ 180,831	$ -	$ -
	-	11,000	180,831	-	-
	-	308,050	450,476	440	-
	-	-	-	-	2,319
	-	308,050	450,476	440	2,319
	$ -	$ 319,050	$ 631,307	$ 440	$ 2,319

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CITY OF TOMBALL, TEXAS

COMBINING BALANCE SHEET

NONMAJOR GOVERNMENTAL FUNDS (Page 2 of 2)

September 30, 2011

	Department of Justice Grant	Total Nonmajor Governmental Funds
Assets		
Current assets:		
Cash and cash equivalents	$ 3,591	$ 1,558,442
Accounts receivable	-	35,233
Total Assets	$ 3,591	$ 1,593,675
Liabilities and Fund Balances		
Liabilities:		
Accounts payable	$ -	$ 191,831
Total Liabilities	-	191,831
Fund balances:		
Restricted for enabling legislation	3,591	1,125,106
Assigned	-	276,738
Total Fund Balances	3,591	1,401,844
Total Liabilities and Fund Balances	$ 3,591	$ 1,593,675

CITY OF TOMBALL, TEXAS

COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS (Page 1 of 2)

For the Year Ended September 30, 2011

	Special General	Capital Projects	Court Security	Court Technology
Revenues				
Other taxes	$ -	$ -	$ -	$ -
Fines and forfeitures	-	-	22,935	30,582
Intergovernmental	-	-	-	-
Interest on investments	233	199	281	263
Other revenues	11,236	1,620	-	-
Total Revenue	11,469	1,819	23,216	30,845
Expenditures				
Current:				
Administrative	26,479	-	40,486	1,717
Court	-	-	-	-
Community services	-	-	-	-
Total Expenditures	26,479	-	40,486	1,717
Excess (Deficiency) of Revenues Over (Under) Expenditures	(15,010)	1,819	(17,270)	29,128
Net Change in Fund Balances	(15,010)	1,819	(17,270)	29,128
Beginning fund balances	153,820	133,790	179,593	171,098
Ending Fund Balances	$ 138,810	$ 135,609	$ 162,323	$ 200,226

Housing Trust	Hotel Occupancy Tax	Red Light Camera	District Attorney	Bunny Run
$ -	$ 325,360	$ -	$ -	$ -
-	-	210,935	-	-
-	-	-	-	3,896
-	459	802	3	-
-	-	40,002	-	-
-	325,819	251,739	3	3,896
2,515	145,808	264,801	-	394
-	-	-	12,152	-
-	129,655	-	-	3,660
2,515	275,463	264,801	12,152	4,054
(2,515)	50,356	(13,062)	(12,149)	(158)
(2,515)	50,356	(13,062)	(12,149)	(158)
2,515	257,694	463,538	12,589	2,477
$ -	$ 308,050	$ 450,476	$ 440	$ 2,319

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CITY OF TOMBALL, TEXAS

COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES

NONMAJOR GOVERNMENTAL FUNDS (Page 2 of 2)

For the Year Ended September 30, 2011

	Department of Justice Grant	Total Nonmajor Governmental Funds
Revenues		
Other taxes	$ -	$ 325,360
Fines and forfeitures	-	264,452
Intergovernmental	-	3,896
Interest on investments	2	2,242
Other revenues	-	52,858
Total Revenue	2	648,808
Expenditures		
Current:		
Administrative	5,184	487,384
Court	-	12,152
Community services	-	133,315
Total Expenditures	5,184	632,851
Excess (Deficiency) of Revenues Over (Under) Expenditures	(5,182)	15,957
Net Change in Fund Balances	(5,182)	15,957
Beginning fund balances	8,773	1,385,887
Ending Fund Balances	$ 3,591	$ 1,401,844

City of Tomball, Texas

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL NONMAJOR SPECIAL REVENUE FUNDS

For the Year Ended September 30, 2011

COURT SECURITY

	Original Budget Amounts	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues				
Fines and forfeitures	$ 25,000	$ 25,000	$ 22,935	$ (2,065)
Interest on investments	500	500	281	(219)
Total Revenues	25,500	25,500	23,216	(2,284)
Expenditures				
Administrative	57,000	57,000	40,486	16,514
Total Expenditures	57,000	57,000	40,486	16,514
Net Change in Fund Balance	$ (31,500)	$ (31,500)	(17,270)	$ 14,230
Beginning fund balance			179,593	
Ending Fund Balance			$ 162,323	

COURT TECHNOLOGY

	Original Budget Amounts	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues				
Fines and forfeitures	$ 32,000	$ 32,000	$ 30,582	$ (1,418)
Interest on investments	500	500	263	(237)
Total Revenues	32,500	32,500	30,845	(1,655)
Expenditures				
Administrative	1,500	1,500	1,717	(217) *
Total Expenditures	1,500	1,500	1,717	(217)
Net Change in Fund Balance	$ 31,000	$ 31,000	29,128	$ (1,872)
Beginning fund balance			171,098	
Ending Fund Balance			$ 200,226	

1. *Expenditures exceeded appropriations at the legal level of control.

CITY OF TOMBALL, TEXAS

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL NONMAJOR SPECIAL REVENUE FUNDS

For the Year Ended September 30, 2011

HOTEL OCCUPANCY TAX

	Original Budget Amounts	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues				
Other taxes	$ 251,000	$ 251,000	$ 325,360	$ 74,360
Interest and fiscal agent fees	1,000	1,000	459	(541)
Total Revenues	252,000	252,000	325,819	73,819
Expenditures				
Administrative	278,000	278,000	145,808	132,192
Community services	78,000	78,000	129,655	(51,655) *
Total Expenditures	356,000	356,000	275,463	80,537
Net Change in Fund Balance	$ (104,000)	$ (104,000)	50,356	$ 154,356
Beginning fund balance			257,694	
Ending Fund Balance			$ 308,050	

1. *Expenditures exceeded appropriations at the legal level of control.

SPECIAL GENERAL

	Original Budget Amounts	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues				
Other revenues	$ 10,000	$ 10,000	$ 11,236	$ 1,236
Interest on investments	500	500	233	(267)
Total Revenues	10,500	10,500	11,469	969
Expenditures				
Administrative	34,500	34,500	26,479	8,021
Total Expenditures	34,500	34,500	26,479	8,021
Net Change in Fund Balance	$ (24,000)	$ (24,000)	(15,010)	$ 8,990
Beginning fund balance			153,820	
Ending Fund Balance			$ 138,810	

CITY OF TOMBALL, TEXAS

SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL NONMAJOR SPECIAL REVENUE FUNDS

For the Year Ended September 30, 2011

	HOUSING TRUST			
	Original Budget Amounts	Final Budget Amounts	Actual Amounts	Variance with Final Budget Positive (Negative)
Revenues				
Interest on investments	$ 30	$ 30	$ -	$ (30)
Total Revenues	30	30	-	(30)
Expenditures				
Administrative	2,673	2,673	2,515	158
Total Expenditures	2,673	2,673	2,515	158
Excess (Deficiency) of Revenues Over Expenditures	(2,643)	(2,643)	(2,515)	128
Net Change in Fund Balance	$ (2,643)	$ (2,643)	(2,515)	$ 128
Beginning fund balance			2,515	
Ending Fund Balance			$ -	

Fleet Replacement Fund

This internal service fund is used to account for fleet replacement to departments or agencies of the City on a cost reimbursement basis.

Health Benefits Fund

This internal service fund is used to account for the costs associated with health benefits to departments or agencies of the City on a cost reimbursement basis as well as costs associated with retiring and separating employees.

CITY OF TOMBALL, TEXAS

COMBINING STATEMENT OF NET ASSETS

INTERNAL SERVICE FUNDS

September 30, 2011

	Fleet Replacement	Health Benefits	Total
Assets			
Current assets:			
Cash and cash equivalents	$ 1,207,925	$ 396,831	$ 1,604,756
Accounts receivable, net	-	7,228	7,228
Total Current Assets	1,207,925	404,059	1,611,984
Noncurrent assets:			
Depreciable capital assets	1,306,125	-	1,306,125
Less: accumulated depreciation	(538,397)	-	(538,397)
Total Capital Assets (Net of Accumulated Depreciation)	767,728	-	767,728
Total Noncurrent Assets	767,728	-	767,728
Total Assets	$ 1,975,653	$ 404,059	$ 2,379,712
Liabilities			
Current liabilities:			
Accounts payable and accrued liabilities	$ -	$ 10,405	$ 10,405
Total Current Liabilities	-	10,405	10,405
Net Assets			
Invested in capital assets	767,728	-	767,728
Unrestricted	1,207,925	393,654	1,601,579
Total Net Assets	$ 1,975,653	$ 393,654	$ 2,369,307

CITY OF TOMBALL, TEXAS

COMBINING STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET ASSETS
INTERNAL SERVICE FUNDS

For the Year Ended September 30, 2011

	Fleet Replacement	Health Benefits	Total
Operating Revenues			
Charges for sales and services	$ 43,827	$ 1,846,468	$ 1,890,295
Total Operating Revenues	43,827	1,846,468	1,890,295
Operating Expenses			
Costs of sales and services	102,319	1,649,899	1,752,218
Depreciation	190,930	-	190,930
Total Operating Expenses	293,249	1,649,899	1,943,148
Operating Income	(249,422)	196,569	(52,853)
Non-Operating Revenues (Expenses)			
Investment income	1,987	288	2,275
Total Non-Operating Revenues (Expenses)	1,987	288	2,275
Change in Net Assets	(247,435)	196,857	(50,578)
Beginning net assets	2,223,088	196,797	2,419,885
Ending Net Assets	$ 1,975,653	$ 393,654	$ 2,369,307

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CITY OF TOMBALL, TEXAS

COMBINING STATEMENT OF CASH FLOWS

INTERNAL SERVICE FUNDS

For the Year Ended September 30, 2011

	Fleet Replacement	Health Benefits	Total
Cash Flows from Operating Activities			
Receipts from customers	$ 43,827	$ 1,844,504	$ 1,888,331
Payments to suppliers	(121,460)	(1,643,810)	(1,765,270)
Net Cash Provided by Operating Activities	(77,633)	200,694	123,061
Cash Flows from Capital and Related Financing Activities			
Acquisition and construction of capital assets	(189,256)	-	(189,256)
Net Cash Provided by Capital and Related Financing Activities	(189,256)	-	(189,256)
Cash Flows from Investing Activities			
Investment earnings	1,987	288	2,275
Net Cash Provided (Used) by Investing Activities	1,987	288	2,275
Net Increase in Cash and Cash Equivalents	(264,902)	200,982	(63,920)
Beginning cash and cash equivalents	1,472,827	195,849	1,668,676
Ending Cash and Cash Equivalents	$ 1,207,925	$ 396,831	$ 1,604,756
Reconciliation of Operating Income to Net Cash Provided by Operating Activities			
Operating income	$ (249,422)	$ 196,569	$ (52,853)
Adjustments to reconcile operating income to net cash provided by operating activities:			
Depreciation	190,930	-	190,930
Changes in Operating Assets and Liabilities:			
(Increase) Decrease in Current Assets:			
Accounts receivable	-	(1,964)	(1,964)
Increase (Decrease) in Current Liabilities:			
Accounts payable and accrued liabilities	(19,141)	6,089	(13,052)
Net Cash Provided by Operating Activities	$ (77,633)	$ 200,694	$ 123,061

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STATISTICAL SECTION

This part of the City's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

Contents **Page**

CITY OF TOMBALL, TEXAS

NET ASSETS BY COMPONENT

Last Nine Years (1)
(Accrual basis of accounting)

	Fiscal Year			
	2003	2004	2005	2006
Governmental activities				
Invested in capital assets,				
net of related debt	$ 1,181,805	$ 4,441,423	$ 4,007,407	$ 2,886,256
Restricted	8,853,454	7,957,216	4,802,952	2,323,077
Unrestricted	14,288,573	8,565,864	13,761,452	20,707,302
Total governmental activities net assets	$ 24,323,832	$ 20,964,503	$ 22,571,811	$ 25,916,635
Business-type activities				
Invested in capital assets,				
net of related debt	$ 6,353,013	$ 10,928,309	$ 16,178,138	$ 23,478,199
Restricted	10,045,644	10,409,786	7,760,255	2,305,729
Unrestricted	4,857,704	5,055,643	5,379,709	6,386,872
Total business-type activities net assets	$ 21,256,361	$ 26,393,738	$ 29,318,102	$ 32,170,800
Primary government				
Invested in capital assets,				
net of related debt	$ 7,534,818	$ 15,369,732	$ 20,185,545	$ 26,364,455
Restricted	18,899,098	18,367,002	12,563,207	4,628,806
Unrestricted	19,146,277	13,621,507	19,141,161	27,094,174
Total primary government net assets	$ 45,580,193	$ 47,358,241	$ 51,889,913	$ 58,087,435

(1) The requirement for statistical data is ten years; only nine years are available at this time.

Fiscal Year				
2007	2008	2009	2010	2011
$ 7,175,862	$ 10,206,785	$ 16,143,552	$ 16,790,199	$ 18,306,705
3,686,000	2,474,658	2,278,695	1,423,521	1,895,850
17,884,555	15,642,887	11,362,902	13,048,317	12,518,847
$ 28,746,417	$ 28,324,330	$ 29,785,149	$ 31,262,037	$ 32,721,402
$ 25,045,502	$ 24,774,972	$ 26,080,707	$ 29,073,794	$ 29,338,053
876,468	-	-	-	-
7,493,793	9,610,968	10,555,994	8,753,794	10,299,638
$ 33,415,763	$ 34,385,940	$ 36,636,701	$ 37,827,588	$ 39,637,691
$ 32,221,364	$ 34,981,757	$ 42,224,259	$ 45,863,993	$ 47,644,758
4,562,468	2,474,658	2,278,695	1,423,521	1,895,850
25,378,348	25,253,855	21,918,896	21,802,111	22,818,485
$ 62,162,180	$ 62,710,270	$ 66,421,850	$ 69,089,625	$ 72,359,093

CITY OF TOMBALL, TEXAS

CHANGES IN NET ASSETS

Last Nine Years (1)

(Accrual basis of accounting)

	Fiscal Year 2003	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006
Expenses				
Governmental activities				
General government	$ 1,609,976	$ 1,808,900	$ 1,878,285	$ 1,889,935
Public safety	3,674,996	4,248,752	5,053,045	5,057,268
Public works	2,923,519	3,326,545	3,435,589	3,709,054
Community services	366,273	394,829	510,454	512,679
Interest and fiscal agent fees	711,446	984,989	938,772	873,035
Total governmental activities expenses	9,286,210	10,764,015	11,816,145	12,041,971
Business-type activities				
General government	895,288	1,038,905	1,670,035	1,309,655
Water	1,273,146	1,520,015	1,742,380	1,488,771
Sewer	1,376,314	1,620,045	2,089,770	2,575,820
Gas	1,888,619	1,955,713	1,223,218	2,048,247
Interest and fiscal agent fees	-	-	-	-
Total business-type activities expenses	5,433,367	6,134,678	6,725,403	7,422,493
Total primary government expenses	$ 14,719,577	$ 16,898,693	$ 18,541,548	$ 19,464,464
Program Revenues				
Governmental activities				
Charges for services				
Public safety	$ 984,789	$ 1,027,034	$ 1,203,548	$ 1,443,068
Public works	1,584,663	1,689,041	1,787,578	1,749,695
Operating grants and contributions	1,170,684	96,279	93,897	93,042
Total governmental activities program revenues	3,740,136	2,812,354	3,085,023	3,285,805
Business-type activities				
Charges for services				
General government	-	-	-	-
Water	2,018,000	2,363,284	2,637,614	3,041,240
Sewer	1,261,810	1,259,970	1,309,939	1,587,786
Gas	1,787,152	2,110,902	2,173,694	2,460,885
Capital grants and contributions	-	280,785	2,439,084	137,444
Total business-type activities program revenues	5,066,962	6,014,941	8,560,331	7,227,355
Total primary government program revenues	$ 8,807,098	$ 8,827,295	$ 11,645,354	$ 10,513,160
Net (Expense)/Revenue				
Governmental activities	$ (5,546,074)	$ (7,951,661)	$ (8,731,122)	$ (8,756,166)
Business-type activities	(366,405)	(119,737)	1,834,928	(195,138)
Total primary government net expense	$ (5,912,479)	$ (8,071,398)	$ (6,896,194)	$ (8,951,304)

Fiscal Year				
2007	2008	2009	2010	2011
$ 1,438,117	$ 1,734,307	$ 3,091,652	$ 3,476,001	$ 4,472,541
5,449,912	7,224,244	6,720,247	5,907,235	6,546,562
5,076,429	6,325,789	5,692,269	5,205,824	4,739,268
355,348	471,539	260,561	272,034	255,764
824,168	790,736	708,109	658,304	353,188
13,143,974	16,546,615	16,472,838	15,519,398	16,367,323
2,744,139	2,775,923	2,235,193	1,843,501	2,207,488
1,259,961	1,720,131	2,215,841	2,197,679	2,549,230
1,081,343	1,164,702	1,402,558	1,134,907	1,226,582
2,496,747	2,727,066	2,486,336	2,374,227	1,801,364
630,735	585,710	-	512,851	481,542
8,212,925	8,973,532	8,339,928	8,063,165	8,266,206
$ 21,356,899	$ 25,520,147	$ 24,812,766	$ 23,582,563	$ 24,633,529
$ 1,352,444	$ 922,073	$ 1,044,706	$ 1,204,099	$ 1,083,408
1,938,750	2,612,619	2,596,344	2,231,777	2,284,482
135,750	259,047	278,350	83,130	268,675
3,426,944	3,793,739	3,919,400	3,519,006	3,636,565
-	118,192	-	427,519	413,523
3,208,398	3,317,403	4,547,803	3,985,231	5,199,565
1,401,640	1,725,839	2,468,377	2,233,364	2,368,469
3,675,752	3,792,717	4,426,091	4,011,635	3,538,152
-	-	720,000	720,000	798,300
8,285,790	8,954,151	12,162,271	11,377,749	12,318,009
$ 11,712,734	$ 12,747,890	$ 16,081,671	$ 14,896,755	$ 15,954,574
$ (9,717,030)	$ (12,752,876)	$ (12,553,438)	$ (12,000,392)	$ (12,730,758)
72,865	(19,381)	3,822,343	3,314,584	4,051,803
$ (9,644,165)	$ (12,772,257)	$ (8,731,095)	$ (8,685,808)	$ (8,678,955)

CITY OF TOMBALL, TEXAS

CHANGES IN NET ASSETS (Continued)

Last Nine Years (1)

(accrual basis of accounting)

	Fiscal Year			
	2003	**2004**	**2005**	**2006**
General Revenues and Other Changes in Net Assets				
Governmental activities				
Taxes				
Property taxes, levied for general purposes	$ 101,356	$ 721,527	$ 805,285	$ 952,673
Property taxes, levied for debt service	1,721,414	1,243,803	1,238,004	1,286,693
Sales taxes	5,134,332	5,556,890	6,479,974	7,491,415
Franchise and local taxes	1,011,342	1,020,001	1,067,621	1,069,381
Other taxes	50,312	95,995	100,056	112,527
Contributions	402,958	34,052	36,320	114,909
Investment earnings	159,714	291,197	558,759	988,431
Other revenues	25,581	119,949	43,774	62,362
Gain (loss) on sale of capital assets	-	8,920	8,637	22,599
Transfers	-	(4,500,000)	-	-
Total governmental activities	8,607,009	4,592,334	10,338,430	12,100,990
Business-type activities				
Investment earnings	231,462	175,176	366,816	477,600
Other revenues	869,862	760,976	722,620	2,570,236
Transfers	-	4,500,000	-	-
Total business-type activities	1,101,324	5,436,152	1,089,436	3,047,836
Total primary government	$ 9,708,333	$ 10,028,486	$ 11,427,866	$ 15,148,826
Change in Net Assets				
Governmental activities	$ 3,060,935	$ (3,359,327)	$ 1,607,308	$ 3,344,824
Business-type activities	734,919	5,316,415	2,924,364	2,852,698
Total primary government	$ 3,795,854	$ 1,957,088	$ 4,531,672	$ 6,197,522

(1) The requirement for statistical data is ten years; only nine years are available at this time.

Fiscal Year				
2007	2008	2009	2010	2011
$ 1,168,491	$ 933,885	$ 1,587,560	$ 1,422,603	$ 1,270,645
1,299,344	1,511,139	1,449,089	1,500,310	1,586,918
7,304,280	7,100,293	7,038,176	6,651,064	7,023,409
1,140,734	1,201,401	1,150,591	1,153,954	1,186,272
181,503	267,133	308,100	229,636	325,360
6,000	6,000	-	-	-
1,222,816	756,431	325,789	80,426	43,035
223,644	515,216	405,391	166,287	361,026
-	-	-	-	-
-	39,291	1,749,561	2,260,134	2,393,458
12,546,812	12,330,789	14,014,257	13,464,414	14,190,123
452,098	308,849	175,119	93,361	30,414
720,000	720,000	2,860	43,076	121,344
-	(39,291)	(1,749,561)	(2,260,134)	(2,393,458)
1,172,098	989,558	(1,571,582)	(2,123,697)	(2,241,700)
$ 13,718,910	$ 13,320,347	$ 12,442,675	$ 11,340,717	$ 11,948,423
$ 2,829,782	$ (422,087)	$ 1,460,819	$ 1,464,022	$ 1,459,365
1,244,963	970,177	2,250,761	1,190,887	1,810,103
$ 4,074,745	$ 548,090	$ 3,711,580	$ 2,654,909	$ 3,269,468

City of Tomball, Texas

FUND BALANCES, GOVERNMENTAL FUNDS

Last Ten Years

(Modified accrual basis of accounting)

	Fiscal Year			
	2002	2003	2004	2005
General Fund				
Restricted	$ 3,314,775	$ 7,877,234	$ 7,274,055	$ 4,268,304
Unassigned	18,571,716	14,046,018	15,224,108	18,009,256
Total general fund	$ 21,886,491	$ 21,923,252	$ 22,498,163	$ 22,277,560
All Other Governmental Funds				
Restricted	$ 1,383,613	$ 1,629,739	$ 1,253,170	$ 915,699
Assigned, reported in:				
Capital project funds	-	612	9,218	9,637
Nonmajor governmental funds	15,716	21,429	38,108	34,187
Total all other governmental funds	$ 1,399,329	$ 1,651,780	$ 1,300,496	$ 959,523

Fiscal Year					
2006	2007	2008	2009	2010	2011
$ 1,646,027	$ -	$ -	$ 23,724	$ -	$ -
21,048,552	21,199,234	16,676,502	12,194,969	12,161,681	11,797,535
$ 22,694,579	$ 21,199,234	$ 16,676,502	$ 12,218,693	$ 12,161,681	$ 11,797,535
$ 1,205,549	$ 2,407,556	$ 2,097,709	$ 1,530,276	$ 1,276,646	$ 1,896,380
9,757	79,883	121,425	133,498	133,790	135,609
23,333	138,137	353,527	742,340	901,406	141,129
$ 1,238,639	$ 2,625,576	$ 2,572,661	$ 2,406,114	$ 2,311,842	$ 2,173,118

CITY OF TOMBALL, TEXAS

CHANGES IN FUND BALANCE, GOVERNMENTAL FUNDS

Last Ten Years

(Modified accrual basis of accounting)

	Fiscal Year			
	2002	**2003**	**2004**	**2005**
Revenues				
Taxes	$ 7,507,370	$ 8,090,360	$ 8,012,912	$ 9,716,624
Permits, licenses, and fees	495,521	372,621	317,369	331,660
Fines and forfeitures	683,007	537,494	531,439	700,112
Charges for services	1,577,404	1,626,644	1,749,537	1,850,595
Intergovernmental	140,536	1,242,684	202,331	202,217
Contributions from Component Unit	-	-	-	-
Investment earnings	630,748	402,958	291,197	558,759
Other revenues	77,525	121,119	187,369	81,671
Total revenues	11,112,111	12,393,880	11,292,154	13,441,638
Expenditures				
General government	1,259,828	1,366,138	1,628,722	1,727,172
Public safety	3,072,942	3,236,266	3,777,556	4,548,579
Public works	2,170,635	2,095,207	2,764,994	2,734,706
Public service	346,732	369,130	385,465	449,795
Capital outlay	3,026,723	4,466,088	4,850,051	2,236,496
Debt service				
Principal	813,061	861,452	1,373,838	1,391,273
Interest and paying agent	437,206	719,307	949,814	948,260
Total expenditures	11,127,127	13,113,588	15,730,440	14,036,281
Excess of revenues over (under) expenditures	(15,016)	(719,708)	(4,438,286)	(594,643)
Other Financing Sources (Uses)				
Transfers in	180,000	-	-	-
Transfers out	-	-	(4,500,000)	-
Issuance of debt	9,500,147	-	8,500,000	-
Premium on debt issued	-	-	-	-
Payment to refunded bond escrow agent	-	-	-	-
Sale of capital assets	-	42,972	23,413	33,064
Total other financing sources	9,680,147	42,972	4,023,413	33,064
Net change in fund balances	$ 9,665,131	$ (676,736)	$ (414,873)	$ (561,579)
Debt service as a percentage of noncapital expenditures	15.43%	18.28%	21.36%	19.83%

Fiscal Year					
2006	2007	2008	2009	2010	2011
$ 10,931,747	$ 10,936,779	$ 11,193,185	$ 11,442,297	$ 10,897,786	$ 11,400,964
409,694	414,713	319,177	247,548	311,563	262,713
832,314	728,148	922,073	1,044,706	1,204,099	1,083,408
1,850,925	2,059,958	2,293,442	2,348,796	1,920,214	2,021,769
279,950	213,750	265,047	278,350	73,130	168,782
-	-	-	-	10,000	99,893
878,636	1,222,817	713,433	312,290	99,837	40,760
98,866	168,216	332,551	361,992	254,615	386,935
15,282,132	15,744,381	16,038,908	16,035,979	14,771,244	15,465,224
1,800,747	1,837,112	3,822,202	2,606,885	3,990,931	4,507,290
4,741,965	5,130,493	6,010,899	7,770,127	5,851,013	6,391,016
2,856,974	3,112,853	3,635,764	3,713,018	2,982,362	3,090,590
424,129	1,113,084	550,513	932,492	1,731,723	1,179,637
2,814,130	2,762,545	3,521,127	5,387,966	821,359	1,445,273
1,194,405	1,138,174	1,158,174	1,328,619	1,135,500	1,195,500
891,842	830,330	795,482	714,188	723,159	626,247
14,724,192	15,924,591	19,494,161	22,453,295	17,236,047	18,435,553
557,940	(180,210)	(3,455,253)	(6,417,316)	(2,464,803)	(2,970,329)
-	-	-	1,749,561	2,260,134	2,393,458
-	-	(1,248,846)	-	-	-
-	-	-	-	2,120,000	3,892,500
-	-	-	-	4,945	278,253
-	-	-	-	(2,071,560)	(4,096,752)
28,399	-	182,665	43,399	-	
28,399	-	(1,066,181)	1,792,960	2,313,519	2,467,459
$ 586,339	$ (180,210)	$ (4,521,434)	$ (4,624,356)	$ (151,284)	$ (502,870)
17.52%	14.96%	12.26%	12.27%	11.33%	10.99%

CITY OF TOMBALL, TEXAS

TAX REVENUES BY SOURCE, GOVERNMENTAL ACTIVITIES

Last Ten Years

(Accrual basis of accounting)

Function	2002	2003	2004	2005	2006
Property	$ 1,656,767	$ 1,894,374	$ 1,978,526	$ 2,068,974	$ 2,258,424
Sales	4,725,338	5,134,332	4,918,390	6,479,974	7,491,415
Franchise fee	1,060,206	1,011,342	1,020,001	1,067,620	1,069,381
Other taxes	65,059	50,312	95,995	100,056	112,527
	$ 7,507,370	$ 8,090,360	$ 8,012,912	$ 9,716,624	$ 10,931,747

2007	2008	2009	2010	2011	Change 2010-2011
$ 2,310,262	$ 2,570,145	$ 2,945,430	$ 2,938,594	$ 2,865,923	-2.47%
7,304,280	7,206,713	7,038,176	6,651,064	6,976,875	4.90%
1,140,734	1,149,261	1,150,591	1,153,954	1,262,187	9.38%
181,503	212,853	308,100	154,174	295,979	91.98%
$ 10,936,779	$ 11,138,972	$ 11,442,297	$ 10,897,786	$ 11,400,964	4.62%

CITY OF TOMBALL, TEXAS

ASSESSED VALUE AND ACTUAL VALUE OF TAXABLE PROPERTY

Last Eight Years (2)

	2004	2005	2006	2007
Residential Property	$ 312,970,420	$ 346,417,520	$ 534,830,588	$ 548,645,926
Commercial Property	349,489,260	362,762,930	439,434,785	420,414,851
Less: Tax Exempt Property	(35,756,520)	(36,272,730)	(192,670,546)	(221,138,305)
Total Taxable Assessed Value (1)	$ 626,703,160	$ 672,907,720	$ 781,594,827	$ 747,922,472
Total Direct Tax Rate	0.280000	0.280000	0.251455	0.251455

Source: Harris County Certified / Uncertified Tax Roll.

(1) Property is assessed at actual value; therefore, the assessed values are equal to actual value.
(2) The requirement for statistical data is ten years; only eight years are available at this time
Tax rates are per $100 of assessed value.

	2008	2009	2010	2011
	$ 562,126,135	$ 494,490,612	$ 431,346,771	$ 410,091,337
	516,025,633	962,896,368	1,041,882,736	897,086,386
	(213,059,540)	(302,822,021)	(317,120,571)	(299,024,613)
	$ 865,092,228	$ 1,154,564,959	$ 1,156,108,936	$ 1,008,153,110
	0.251455	0.251455	0.251455	0.251455

CITY OF TOMBALL, TEXAS

PROPERTY TAX RATES - DIRECT AND OVERLAPPING GOVERNMENTS

Last Ten Years

	2002	2003	2004	2005
City of Tomball by fund:				
General	$ 0.114000	$ 0.015410	$ 0.100000	$ 0.108000
Debt service	0.166000	0.264590	0.180000	0.172000
Total Direct Rates	0.280000	0.280000	0.280000	0.280000
Tomball Independent School District	1.680000	1.750000	1.730000	1.730000
Harris County	0.359000	0.383900	0.388100	0.388000
Harris County Flood Control District	0.061700	0.047600	0.041700	0.041700
Port of Houston Authority	0.018300	0.018300	0.019900	0.020000
Harris County Hospital District	0.202700	0.190200	0.190200	0.190200
Harris County Dept. of Education	0.006290	0.006290	0.006290	0.006290
Lone Star College System District	0.001100	0.001055	0.001055	0.114500
Emergency Service District #8	-	-	-	0.030000
Total Direct and Overlapping Rates (1)	$ 2.609090	$ 2.677345	$ 2.657245	$ 2.800690

Tax rates per $100 of assessed valuation
Source: Harris County Appraisal District

(1) Overlapping rates are those of local and county governments that apply within the City of Tomball.

2006	2007	2008	2009	2010	2011
$ 0.116640	$ 0.106468	$ 0.101455	$ 0.131455	$ 0.121455	$ 0.111455
0.163360	0.144987	0.150000	0.120000	0.130000	0.140000
0.280000	0.251455	0.251455	0.251455	0.251455	0.251455
1.710000	1.580000	1.275000	1.360000	1.360000	1.360000
0.399860	0.402390	0.392390	0.389230	0.392240	0.388050
0.033220	0.032410	0.031060	0.030860	0.029220	0.029230
0.014740	0.013020	0.014370	0.017730	0.016360	0.020540
0.192160	0.192160	0.192160	0.192160	0.192160	0.192160
0.006290	0.006290	0.005853	0.005840	0.006050	0.006581
0.120700	0.114400	0.114400	0.110100	0.110100	0.117600
0.030000	0.030000	0.030000	0.050000	0.050000	0.050000
$ 2.786970	$ 2.622125	$ 2.306688	$ 2.407375	$ 2.407585	$ 2.415616

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CITY OF TOMBALL, TEXAS

PRINCIPAL PROPERTY TAXPAYERS

Current Year and Nine Years Ago

	2011			2002		
Property Tax Payer	**Taxable Assessed Value**	**Rank**	**% of Taxable Assessed Value**	**Taxable Assessed Value**	**Rank**	**% of Taxable Assessed Value**
B. J. Services	$ 143,360,751	1	14.22%	$ 54,662,220	1	9.42%
Wal-Mart	18,141,178	2	1.80%	22,655,999	2	3.90%
MSR TX Tomball LP	16,593,203	3	1.65%		n/a	
Weingarten Investments Inc.	15,258,558	4	1.51%		n/a	
Centerpoint Energy	14,893,289	5	1.48%	13,830,260	4	2.38%
Lowe's	13,234,575	6	1.31%	14,343,810	3	2.47%
HEB Grocery	11,447,514	7	1.14%		n/a	
Target Corporation	10,591,803	8	1.05%		n/a	
NNN Park at Spring Creek LLC	9,500,000	9	0.94%		n/a	
Kroger Co.	9,493,791	10	0.94%		n/a	
Southwestern Bell Telephone		n/a		7,281,350	5	1.25%
Tomball Center		n/a		6,937,830	6	1.20%
Number One Fountains		n/a		6,800,000	7	1.17%
American National Carbide		n/a		6,560,408	8	1.13%
Parkway Chevrolet Properties		n/a		6,533,890	9	1.13%
CFD 1 LP		n/a		5,733,770	10	0.99%
Subtotal	$ 262,514,662		26.04%	$ 145,339,537		25.04%
Other Taxpayers	745,638,448		73.96%	435,019,203		74.96%
Total	$ 1,008,153,110		100.00%	$ 580,358,740		100.00%

Source: Harris County Tax Assessor-Collector's records.

CITY OF TOMBALL, TEXAS

PROPERTY TAX LEVIES AND COLLECTIONS

Last Ten Years

	2002	2003	2004	2005
Tax levy	$ 1,549,800	$ 1,600,000	$ 1,915,562	$ 2,013,497
Current tax collected	$ 1,411,192	$ 1,425,600	$ 1,771,895	$ 1,834,296
Percent of current tax collections	91.06%	89.10%	92.50%	91.10%
Delinquent tax collections	$ 136,512	$ 169,413	$ 136,423	$ 171,096
Total tax collections	$ 1,547,704	$ 1,595,013	$ 1,908,318	$ 2,005,392
Total collections as a percentage of current levy	99.86%	99.69%	99.62%	99.60%

2006	2007	2008	2009	2010	2011
$ 1,993,481	$ 2,130,000	$ 2,517,121	$ 2,903,211	$ 2,907,289	$ 2,813,700
$ 1,798,120	$ 1,904,220	$ 2,469,639	$ 2,843,461	$ 2,850,087	$ 2,776,954
90.20%	89.40%	98.11%	97.40%	98.03%	98.69%
$ 184,577	$ 212,660	$ 30,853	$ 37,482	$ 50,654	$ -
$ 1,982,697	$ 2,116,880	$ 2,500,492	$ 2,880,943	$ 2,900,741	$ 2,776,954
99.46%	99.38%	99.34%	99.23%	99.77%	98.69%

CITY OF TOMBALL, TEXAS

SALES TAX REVENUE BY INDUSTRY

Current Year and Eight Years Ago
(dollars are in thousands)

	Calendar Year 2011			
Sales Tax Remitter	**Number of Outlets**	**Percentage of Total**	**Tax Liability**	**Percentage of Total**
Retail Trade	1,221	25.13%	$ 3,919	41.17%
Services	926	19.06%	1,440	15.12%
Wholesale Trade	729	15.01%	498	5.23%
Utilities, Transportation, Communications	335	6.90%	527	5.53%
Manufacturing	427	8.79%	321	3.38%
Construction	275	5.66%	198	2.08%
Finance, Insurance, Real Estate	196	4.03%	361	3.79%
All other outlets	749	15.42%	2,256	23.70%
Total	4,858	100.00%	$ 9,520	100.00%

Source: Texas State Comptroller of Public Accounts

Notes: Due to confidentiality issues, the names of the ten largest revenue payers are not available. The categories presented are intended to provide alternative information regarding the sources of the City's revenue.

Tax liability information is not available on a fiscal-year basis.

Only the current year and eight years ago is available.

Calendar Year 2003			
Number of Outlets	Percentage of Total	Tax Liability	Percentage of Total
1,023	28.69%	$ 3,775	53.61%
706	19.80%	1,132	16.08%
410	11.50%	136	1.93%
164	4.60%	219	3.11%
191	5.36%	169	2.39%
186	5.22%	66	0.93%
164	4.60%	211	2.99%
722	20.25%	1,334	18.95%
3,566	100.00%	$ 7,042	100.00%

CITY OF TOMBALL, TEXAS

RATIOS OF OUTSTANDING DEBT BY TYPE

Last Nine Years (1)

	2003	2004	2005	2006
PRIMARY GOVERNMENT				
Governmental Activities:				
General obligation bonds	$ 13,920,000	$ 21,170,000	$ 19,905,000	$ 18,839,500
Capital leases	742,483	618,645	492,372	363,467
Subtotal	14,662,483	21,788,645	20,397,372	19,202,967
Business-Type Activities:				
Revenue bonds	17,110,000	16,590,000	16,005,000	15,085,500
TOTAL PRIMARY GOVERNMENT	$ 31,772,483	$ 38,378,645	$ 36,402,372	$ 34,288,467
PERSONAL INCOME	$ 371,937,441	$ 220,726,922	$ 300,104,460	$ 280,510,625
DEBT AS A PERCENTAGE OF PERSONAL INCOME	8.542%	17.387%	12.130%	12.224%
POPULATION	9,843	9,883	9,930	10,625
DEBT PER CAPITA	$ 3,228	$ 3,883	$ 3,666	$ 3,227

(1) The requirement for statistical data is ten years; only nine years are available at this time.

Note: Details regarding the City's outstanding debt can be found in the notes to the financial statements.

	2007	2008	2009	2010	2011
	$ 17,774,000	$ 16,688,500	$ 15,578,000	$ 14,497,500	$ 13,284,000
	290,793	218,540	-	-	-
	18,064,793	16,907,040	15,578,000	14,497,500	13,284,000
	14,151,000	13,206,500	12,247,000	11,277,500	10,271,000
	$ 32,215,793	$ 30,113,540	$ 27,825,000	$ 25,775,000	$ 23,555,000
	$ 282,486,000	$ 276,767,062	$ 285,081,600	$ 290,186,220	$ 273,663,850
	11.404%	10.880%	9.760%	8.882%	8.607%
	11,500	11,531	11,600	11,670	10,753
	$ 2,801	$ 2,612	$ 2,399	$ 2,209	$ 2,191

CITY OF TOMBALL, TEXAS

RATIO OF NET BONDED DEBT TO ASSESSED VALUE, NET BONDED DEBT PER CAPITA, AND ASSESSED AND ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY

Last Ten Years

	2002	2003	2004	2005
NET TAXABLE ASSESSED VALUE				
All property	$ 561,181,320	$ 580,358,740	$ 683,847,570	$ 672,907,720
NET BONDED DEBT				
Gross bonded debt	32,780,000	31,030,000	37,760,000	35,910,000
Less debt service funds	-	-	-	-
Net Bonded Debt	$ 32,780,000	$ 31,030,000	$ 37,760,000	$ 35,910,000
RATIO OF NET BONDED DEBT TO ASSESSED VALUE	5.84%	5.35%	5.52%	5.34%
POPULATION	9,829	9,843	9,883	9,930
NET BONDED DEBT PER CAPITA	$ 3,335	$ 3,152	$ 3,821	$ 3,616

2006	2007	2008	2009	2010	2011
$ 783,134,388	$ 981,484,973	$ 1,078,151,768	$ 1,154,564,959	$ 1,156,108,936	$ 1,008,153,110
33,925,000	31,925,000	29,895,000	27,825,000	25,775,000	23,555,000
-	-	-	-	-	-
$ 33,925,000	$ 31,925,000	$ 29,895,000	$ 27,825,000	$ 25,775,000	$ 23,555,000
4.33%	3.25%	2.77%	2.41%	2.23%	2.34%
10,625	11,500	11,531	11,600	11,670	11,740
$ 3,193	$ 2,776	$ 2,593	$ 2,399	$ 2,209	$ 2,006

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CITY OF TOMBALL, TEXAS

DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES DEBT

September 30, 2011

Governmental Unit	Net Bonded Debt Outstanding	Estimated Percentage Applicable (1)	Estimated Share of Overlapping Debt
Debt repaid with property taxes			
Tomball ISD	$ 305,365,000	22.00%	$ 67,180,300
Harris County	2,339,501,628	0.42%	9,825,907
Harris Co. Flood Control District	102,539,024	0.42%	430,664
Port of Houston Authority	763,619,397	0.42%	3,207,201
Harris County Dept of Education	7,980,000	0.42%	33,516
Lone Star College System	526,035,000	0.98%	5,155,143
Subtotal, overlapping debt			85,832,731
City direct debt (2)		100.000%	13,284,000
Total direct and overlapping debt			$ 99,116,731

Source: First Southwest Company

Notes:
(1) Estimated Percentage Applicable obtained from Municipal Advisory Council of Texas.
(2) City Direct Debt is comprised of debt obligations supported by a pledge of ad valorem taxes.

CITY OF TOMBALL, TEXAS

LEGAL DEBT MARGIN INFORMATION

Last Nine Years (1)

	Fiscal Year 2003	2004	2005	2006
Debt limit	$ 58,035,874	$ 68,384,757	$ 67,290,772	$ 78,313,439
Total net debt applicable to limit	13,920,000	21,170,000	19,905,000	18,839,500
Legal debt margin	$ 44,115,874	$ 47,214,757	$ 47,385,772	$ 59,473,939
Total net debt applicable to the limit as a percentage of debt limit	23.99%	30.96%	29.58%	24.06%

Legal Debt Margin Calculation for Fiscal Year 2011

Assessed value	$ 1,008,153,110	
Debt limit (10% of assessed value)	100,815,311	(2)
Debt applicable to limit:		
General obligation bonds	13,284,000	
Less: amount set aside for repayment of general obligation debt	-	
Total net debt applicable to limit	13,284,000	
Legal debt margin	$ 87,531,311	

Note: The City's Home Rule Charter (1987) does not limit bonded debt.

(1) The requirement for statistical data is ten years; only nine years are available at this time.
(2) According to the City Charter, the City has no legal debt limit

Fiscal Year				
2007	2008	2009	2010	2011
$ 98,148,497	$ 107,815,177	$ 115,456,496	$ 115,610,894	$ 100,815,311
17,774,000	16,688,500	15,578,000	14,497,500	13,284,000
$ 80,374,497	$ 91,126,677	$ 99,878,496	$ 101,113,394	$ 114,099,311
18.11%	15.48%	13.49%	12.54%	13.18%

CITY OF TOMBALL, TEXAS

PLEDGED-REVENUE COVERAGE

Last Ten Years

	2002	2003	2004	2005
Gross revenues	$ 5,748,215	$ 6,204,814	$ 7,005,922	$ 9,637,212
Operating expenses (1)	3,070,238	3,850,816	4,539,346	4,941,774
Net revenues available for debt service	$ 2,677,977	$ 2,353,998	$ 2,466,576	$ 4,695,438
DEBT SERVICE REQUIREMENTS (2)				
Principal and interest	$ 538,239	$ 538,846	$ 538,846	$ 540,020
Total	$ 538,239	$ 538,846	$ 538,846	$ 540,020
Coverage	4.98	4.37	4.58	8.69

(1) Total operating expenses less depreciation
(2) Includes revenue bonds only

	2006	2007	2008	2009	2010	2011
	$ 7,014,177	$ 9,450,511	$ 9,987,545	$ 12,327,602	$ 11,493,769	$ 12,488,750
	5,603,456	6,238,127	7,039,498	6,593,348	6,338,235	6,165,226
	$ 1,410,721	$ 3,212,384	$ 2,948,047	$ 4,599,281	$ 5,155,534	$ 6,323,524
	$ 540,674	$ 541,047	$ 541,575	$ 538,595	$ 542,505	$ 481,542
	$ 540,674	$ 541,047	$ 541,575	$ 538,595	$ 542,505	$ 481,542
	2.61	5.94	5.44	8.54	9.50	13.13

CITY OF TOMBALL, TEXAS

DEMOGRAPHIC AND ECONOMIC STATISTICS

Last Ten Years

Fiscal Year Ended Sept 30	Population(1)	Personal Income	Per Capita Personal Income(5)	Median Age(2)	School Enrollment(3)	Unemployment Rate(4)
2002	9,829	321,418,129	32,701	36.3	8,048	6.50%
2003	9,843	371,937,441	37,787	34.6	8,394	6.90%
2004	9,883	220,726,922	22,334	34.6	8,730	5.50%
2005	9,930	300,104,460	30,222	36.3	8,968	5.30%
2006	10,625	280,510,625	26,401	34.1	9,075	4.70%
2007	11,500	282,486,000	24,564	35.6	9,358	4.30%
2008	11,531	276,767,062	24,002	36.8	9,311	5.10%
2009	11,600	285,081,600	34,576	36.8	9,691	8.40%
2010	11,670	290,186,220	24,866	36.8	10,229	8.70%
2011	10,753	273,663,850	25,450	36.0	10,633	8.50%

Data sources:

(1) Estimated (2000 census adjusted for growth for fiscal years 2002-2010). Actual 2011 census popilation shown for fiscal year 20

(2) Tomball Economic Development Corporation

(3) Tomball Independent School District

(4) Texas Employment Commission, Houston Primary Metropolitan Statistical Area

(5) Tomball Economic Development Corporation

CITY OF TOMBALL, TEXAS

PRINCIPAL EMPLOYERS

Current Year and Ten Years Ago

	2011			2001		
Employer	**Employees**	**Rank**	**Percentage of Total City Employment**	**Employees**	**Rank**	**Percentage of Total City Employment**
Tomball Regional Hospital	1,600	1	33.74%	1,200	1	25.31%
Tomball ISD	1,436	2	30.28%	958	2	20.20%
Tomball College (NHMCCD)	800	3	16.87%	471	4	9.93%
BJ Services Company, USA	600	4	12.65%	330	5	6.96%
Wal-Mart	457	5	9.64%	500	3	10.54%
HEB	262	6	5.53%	-	n/a	0.00%
City of Tomball	161	7	3.40%	86	6	1.81%
Kroger	138	8	2.91%	-	n/a	0.00%
Lowes	124	9	2.61%	-	n/a	0.00%
Target	118	10	2.49%	-	n/a	0.00%

Note: The residents of the City of Tomball are primarily employed outside of the City limits.
Percentages are based on the labor force statistic from the 2000 census data (4742).
Data was only available for the top six employees ranked in 2001.

Sources:
Tomball Area Chamber of Commerce
Tomball Economic Development Corporation
Tomball Independent School District
Human Resource Department of Listed Companies

CITY OF TOMBALL, TEXAS

FULL-TIME EQUIVALENT CITY GOVERNMENT EMPLOYEES BY FUNCTION/PROGRAM

Last Ten Years

	Fiscal Year									
	2002	**2003**	**2004**	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
General Fund:										
Administration	7.5	7.5	8	8.5	8.5	9.5	10	15	14.5	14.5
Permits & Inspection	3.5	3.5	4.5	4.5	5	6	6	5	5	5
Police Department	44	44	47.5	50.5	50.5	52.5	55	55	55	57
Municipal Court	7	6	5.5	4.5	4	4	5	5	5	5.5
Community Center	4	3	3	3	3	3	3	3	3	3
Fire Department	1.5	5.5	8.5	9	9	12	14	14	14	16
Public Works Admin.	4	4.5	4.5	6	5.5	6	9	9	9	9
Garage	1.5	1.5	1	1	1	1	1	1	1	2
Parks	3.5	3.5	3.2	4.2	4.2	4.2	5.2	5.2	5.2	5.2
Streets	7.3	8.3	10.2	9.2	9.2	7.2	7.2	8.2	8.2	8.2
General Fund Total	83.8	87.3	95.9	100.4	99.9	105.4	115.4	120.4	119.9	125.4
Enterprise Fund:										
Utility Administration	8.5	8.5	9	11.25	11.5	11.5	12	10	9	9
Water	5.76	5.92	6.82	6.83	8.2	7.2	8.2	6.2	7.2	7.2
Wastewater	7.62	7.79	9.64	9.64	10.2	10.2	10.2	10.2	10.2	10.2
Gas	4.62	5.29	7.14	7.14	6.2	7.2	7.2	6.2	6.2	6.2
Enterprise Fund Total	26.5	27.5	32.6	34.86	36.1	36.1	37.6	32.6	32.6	32.6
Special Revenue Fund:	0	0	0	0	0	0	0	0	0	3
Special Revenue Fund Total	0	0	0	0	0	0	0	0	0	3
TOTAL CITY POSITIONS	110.3	114.8	128.5	135.26	136	141.5	153	153	152.5	161

NOTES:

Temporary and seasonal employees are hired during the summer months.
This count is not reflected above.
Police reserves are not included.
Fire Department volunteers (60) are not included.

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CITY OF TOMBALL, TEXAS

OPERATING INDICATORS BY FUNCTION/PROGRAM

Last Nine Years (1)

	Fiscal Year								
	2003	**2004**	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
Function/Program									
Police									
Arrests	2,034	1,804	1,766	1,611	1,812	1,840	1,625	2,049	2,012
Accident reports	704	650	563	523	609	499	440	330	334
Citations	5,518	8,153	13,194	12,473	7,602	12,445	10,820	14,694	12,798
Offense reports	2,319	2,959	2,130	2,321	2,174	2,398	2,050	1,705	1,915
Calls for service	9,323	8,553	8,804	8,861	8,558	8,299	7,688	7,348	6,774
Fire									
Emergency responses	N/A	647	623	860	1,028	1,241	1,056	1,341	1,364
Fire incidents	N/A	113	170	278	170	206	218	220	207
Average response time	N/A	6:19	6:17	6:07	5:40	5:34	4:38	5:15	5:54
Water									
New accounts	597	639	674	875	719	663	532	89	79
Source:									
Water	597	639	674	875	719	663	532	89	79
Sewer	597	639	674	875	719	663	532	89	79
Average daily consumption (millions of gallons)	1,798	1,798	1,851	2,002	1,897	1,980	2,166	1,941	2.525
Number of million gallons of well water pumped	656,384	675,448	751,880	730,198	692,163	722,788	790,409	708,565	923.261
Total consumption (millions of gallons)	656,384	675,448	751,880	730,198	692,363	722,788	790,409	708,565	923.261
Peak daily consumption (millions of gallons)	3,492	3,492	3,322	3,395	3,241	4,425	3,791	3,480	4,392
Sewer									
Average daily sewage treatment (millions of gallons)	1.339	1.595	1.468	1.500	1.636	1.422	1.428	1.362	1.174
Total consumption (millions of gallons)	488.735	582.175	535.820	547.500	597.140	519.030	521.220	497.166	429.608
Peak daily consumption (millions of gallons)	3.30	4.50	4.30	4.50	5.10	5.90	5.10	3.72	2.18

Source: Various City departments

(1) The requirement for statistical data is ten years; only nine years are available at this time.

CITY OF TOMBALL, TEXAS

CAPITAL ASSET STATISTICS BY FUNCTION/PROGRAM

Last Nine Years (1)

	Fiscal Year								
	2003	**2004**	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**
Function/Program									
Police									
Stations	1	1	1	1	1	1	1	1	1
Patrol units	26	26	27	31	32	26	28	30	32
Fire stations	2	2	2	2	2	2	2	2	2
Other public works									
Streets (miles - centerlines)	69.9	71.0	71.0	72.0	72.0	72.6	73.0	56.2	56.2
Streetlights	462	462	639	642	648	648	648	650	654
Parks and recreation									
Parks	4	4	4	4	4	4	4	4	4
Parks acreage	24 acres	24 acres	24 acres	24 acres	24 acres	24 acres	24 acres	24 acres	24 acres
Swimming pools	1	1	1	1	1	1	1	1	1
Baseball/softball diamonds	8	8	8	8	8	8	8	8	8
Tennis courts	4	4	4	4	4	4	4	4	4
Basketball courts	1	1	1	1	1	1	1	1	1
Water									
Water mains (miles)	59	59	74	86	88	89	91.29	91.59	91.79
Fire hydrants	630	630	668	802	831	831	869	874	878
Storage capacity (millions of gallons)	N/A	N/A	N/A	N/A	1.85	1.85	1.85	1.85	2.35
Sewer									
Sanitary sewers (miles)	48.0	48.0	51.5	54.5	56.0	56.17	58.6	58.86	59.44
Storm sewers (miles)	15.0	16.2	16.9	16.9	16.9	16.9	17.2	17.4	17.4
Open ditch/creek/canal drainage (miles)	N/A	N/A	N/A	N/A	52.00	53	53.4	53.7	54
Treatment capacity (millions of gallons)	3	3	3	3	3	3	3	3	3

Source: Various City departments

(1) The requirement for statistical data is ten years; only nine years are available at this time.

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Appoint Members to the City of Tomball Board of Adjustments (BOA) Regular and Alternate Positions for Terms Expiring March 2, 2012

Background:

The City Council is authorized, under Section 9 of the Zoning Ordinance, to appoint five (5) regular members and up to four (4) alternate members to serve as the Board of Adjustments (BOA). Members of the BOA must be resident citizens of the City of Tomball and serve staggered two-year terms.

The positions currently held by Regular board members John Ford and John Lynch and Alternate board members Billy Hemby and April Gray will expire on March 2, 2012. Each board member has expressed his/her interest in being reappointed. If reappointed, this would be the third term for John Ford and the second term for John Lynch, Billy Hemby and April Gray.

The following individuals have also expressed their interest in serving on the Board of Adjustments:

Chad Degges
Jarmon Wolfe
John Dillon
William Harris.

The current members have provided excellent service for the City as members of the Board of Adjustments. I would like to recommend the re-appointment of the current members; of course, Council may make additional nominations as desired and may make appointments to the vacant Alternate positions as well.

Regular Members:
Tana Ross
John Ford
Rick Tomlinson
John Lynch
Brett Tynes

Alternate Members:
Billy Hemby
Vacant - Alternate 2
April Gray - Alternate 3
Vacant - Alternate 4.

Copies of applications from interested individuals are attached, as well as the attendance record for 2010-2012.

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:

2010-2012 BOA Attendance List
Application - Chad Degges
Application - Jarmon Wolfe
Application - John Dillon
Application - William Harris

Board of Adjustments
2010 & 2011 Member Attendance

February 18, 2010 – 6:30 p.m.:

John Ford - Present
Latrell Shannon – Excused Absence
Tana Ross – Present
Brett Tynes - Present
Rick Tomlinson – Excused Absence
Barbara Tague (Alternate) - Present

March 18, 2010 – 6:30 p.m.:

John Ford - Present
Tana Ross – Excused Absence
Brett Tynes – Present
Rick Tomlinson – Present
John Lynch – Present
Billy Hemby (Alternate) – Present
Barbara Tague (Alternate) – Present
Evelyn Torres Chervenak (Alternate) - Present

April 15, 2010 – 6:30 p.m.:

John Ford – Present
Tana Ross – Present
Brett Tynes – Present
Rick Tomlinson – Present
John Lynch – Excused Absence
Billy Hemby (Alternate) – Present
Barbara Tague (Alternate) – Present
Evelyn Torres Chervenak (Alternate) - Present

June 17, 2010 – 6:30 p.m.:

John Ford - Present
Tana Ross – Present
Brett Tynes – Present
Rick Tomlinson – Excused Absence
John Lynch – Present
Billy Hemby (Alternate) – Present
Evelyn Torres Chervenak (Alternate) - Present

August 19, 2010 – 6:30 p.m.:

John Ford - Present
Tana Ross – Present
Brett Tynes – Present
Rick Tomlinson – Present
John Lynch – Present
Billy Hemby (Alternate) – Present
Richard Bruce (Alternate) – Present

October 21, 2010 – 6:30 p.m.:

John Ford - Present
Tana Ross – Excused Absence
Brett Tynes – Present
Rick Tomlinson – Excused Absence
John Lynch – Present
Billy Hemby (Alternate) – Present
Evelyn Torres Chervenak (Alternate) – Present

November 18, 2010 – 6:30 p.m.:

John Ford – Excused Absence
Tana Ross – Present
Brett Tynes – Present
Rick Tomlinson – Present
John Lynch – Present
Billy Hemby (Alternate) – Excused Absence
Evelyn Torres Chervenak (Alternate) – Present

December 16, 2010 – 6:30 p.m.:

John Ford – Present
Tana Ross – Present
Brett Tynes – Present
Rick Tomlinson – Present
John Lynch – Excused Absence
Billy Hemby (Alternate) – Present
April Gray (Alternate) – Present

April 21, 2011 – 6:30 p.m.:

John Ford – Present
Tana Ross – Present
Brett Tynes – Present
Rick Tomlinson – Present
John Lynch – Excused Absence
Evelyn Torres Chervenak (Alternate) – Present

May 19, 2011 – 6:30 p.m.:

John Ford – Present
Tana Ross – Present
Brett Tynes – Excused Absence
Rick Tomlinson – Present
John Lynch – Present
Billy Hemby (Alternate) – Present

July 21, 2011 – 6:30 p.m.:

John Ford – Present
Tana Ross – Excused Absence
Brett Tynes – Present
Rick Tomlinson – Present
John Lynch – Present
April Gray (Alternate) – Present

CITY OF TOMBALL

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

As an Applicant for a City Board, Commission, or Committee, your application will be available to the public. You will be contacted before any action is taken on your appointment to confirm your continued interest in serving. All appointments are made by the Tomball City Council. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest or have been appointed to two (2) consecutive terms. A member who is absent for more than 25% of called meetings (typically, three meetings) in any twelve consecutive months or absent from more than three consecutive meetings, for other than medical reasons, will be automatically removed from service. Applicant must be a citizen of the United States and must reside within the city limits of Tomball unless otherwise stated in the position announcement. Applications will be kept on file for two years and will expire at the end of two years; for instance, an application dated in 2010 will expire in 2012.

Please Type of Print Clearly: Date: 7/20/11

Name: Chad Degges Phone: 832-698-1126 (Home)

Address: 29602 Imperial Creek Dr. Phone: 281-820-9002 (Work)

City/State/Zip: Tomball, TX 77377

Email: cdegges@htstx

I have lived in Tomball 2.5 years. I am ✓ am not ___ a U.S. Citizen

Occupation: • Sales Engineer and V.P. Operations at Heat Transfer Specialists, Inc.
• V.P. of AW4 Properties Inc.
• Partner SWFC Aero Investments.

Professional and/or Community Activities: Tomball Little League Coach, Member of Salem Luthern, Committee Member of SW Flying Club (Hooks Airport)

Additional Pertinent Information/References:
Paul Bailey, IMG Financial Services, 713-622-1150

Applications for the following Council-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (281-290-1002) for two years.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions	Meeting Information
( ) Planning & Zoning Commission	Second Monday each month, 6 p.m.
(X) Board of Adjustments	To Be Announced; Evenings

Separate Legal Entities	Meeting Information
(X) Tomball Economic Development Corporation	Fourth Tuesday of the Second Month of Each Quarter, 5:30 p.m. (special meetings may be called)
( ) Tomball Hospital Board	Fourth Wednesday each month, 4 p.m.

****

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.

Chad Degges

Signature of Applicant

Please return this application to:

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

CITY OF TOMBALL

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

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Please Type of Print Clearly:

Date: 1/24/12

Name: Jarmon Wolfe

Phone: 281-351-9590 (Home)

Address: 504 Kane

Phone: 832-868-6069 (Work)

City/State/Zip Tomball, TX 77375

Cell: ________

Email: jarcarwolfe@comcast.net

I have lived in Tomball 11 years. I am X am not ___ a U.S. Citizen

Occupation: Currently Unemployed

Professional and/or Community Activities: DTAC

Additional Pertinent Information/References:

Applications for the following Council-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (281-290-1002) for one year.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions	Meeting Information
1 (X) Planning & Zoning Commission	Second Monday each month, 6 p.m.
2 (X) Board of Adjustments	To Be Announced; Evenings

Separate Legal Entities	Meeting Information
(3) Tomball Economic Development Corporation	First Wednesday of January, April, July & October, 9 a.m. (special meetings may be called)
(4) Tomball Hospital Board	Fourth Wednesday each month, 4 p.m.

Tourism Board as resident

****

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.

J. C. Wolf

Signature of Applicant

Please return this application to:

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

CITY OF TOMBALL

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

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Please Type of Print Clearly:

Date: 01/26/ 2010

Name: JOHN. P. DILLON

Phone: 281-351-2921 (Home)

Address: 14166 TURNERVINE

Phone: 713-755-7405 (Work)

City/State/Zip: TOMBALL TX 77375

CELL 281-610-1133

Email: JOHNP DILLON76@YAHOO.COM

I have lived in Tomball 18 years. I am ✓ am not____ a U.S. Citizen

Occupation: DEPUTY SHERIFF

Professional and/or Community Activities: COMMISSONER ESD 8

Additional Pertinent Information/References: TRUSTEE AT CHURCH
FINANCE COMMITTEE AT CHURCH
LAY REPRESENTIVE AT STATE CONFERENCE AT CHURCH
ROSE HILL UNITED METHODIST.

Applications for the following Council-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (281-290-1002) for two years.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions	Meeting Information
1 (✓) Planning & Zoning Commission	Second Monday each month, 6 p.m.
3 (✓) Board of Adjustments	To Be Announced; Evenings

Separate Legal Entities	Meeting Information
2 (✓) Tomball Economic Development Corporation	Fourth Tuesday of the Second Month of Each Quarter, 5:30 p.m. (special meetings may be called)
( ) Tomball Hospital Board	Fourth Wednesday each month, 4 p.m.

****

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.

Signature of Applicant

Please return this application to:

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

CITY OF TOMBALL

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

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Please Type of Print Clearly: Date: 02 MAY 2011

Name: William A. Harris Phone: 832-978-9624 (Home)

Address: 30810 Country Meadows Dr Phone: ______ (Work)

City/State/Zip Tomball, TX 77375 Cell: 832-978-9624

Email: William.Harris@yahoo.com

I have lived in Tomball 6 years. I am X ~~am not~~ a U.S. Citizen

NOTE: DTAC Board does not require Tomball residency

Occupation: Private Security

Professional and/or Community Activities: AWANA Leader at Graceview Baptist Church
Architectural Control Committee member for Country Meadows HOA
Cubmaster (leader) Cubscout Pack - Boy Scouts of America

Additional Pertinent Information/References: ______________________________

References available upon request.

Applications for the following Council-appointed Boards, Commissions, and Committees will be kept on file in the City Secretary's office (281-290-1002) for one year.

If you are interested in serving on more than one board, please indicate your preference by numbering in order of preference (i.e., 1, 2, 3, etc.)

Decision-Making Boards and Commissions	Meeting Information
(1) Planning & Zoning Commission	Second Monday each month, 6 p.m.
(3) Board of Adjustments	To Be Announced; Evenings

Separate Legal Entities	Meeting Information
(2) Tomball Economic Development Corporation	First Wednesday of January, April, July & October, 9 a.m. (special meetings may be called)
(4) Tomball Hospital Board	Fourth Wednesday each month, 4 p.m.

Ad Hoc/Advisory Committees	Meeting Information
(5) Downtown Tomball Advisory Committee DTAC does not require Tomball residency	As called

****

I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.

William A. Harris

Signature of Applicant

Please return this application to:

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

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Authorize the Mayor to Issue Letter to the Texas State Comptroller, Submitting Documentation of the City of Tomball's Eminent Domain Authority in Texas to the Texas State Comptroller, Detailing the City of Tomball's Legal Authority to Exercise Eminent Domain in Compliance with Senate Bill 18, enacted by the 82nd Texas Legislature

Background:

Senate Bill 18, enacted by the 82nd Texas Legislature, requires that each Texas city, and all other public and private entities authorized to exercise the power of eminent domain (condemnation) in Texas, must submit a letter to the Texas Comptroller detailing the City's legal authority to exercise such power, if the City desires to retain/maintain that power. The letter must be submitted by December 31, 2012; failure to do so will result in the expiration of a City's eminent domain power on September 1, 2013. It is unclear if or how an entity might regain the power of eminent domain if it fails to comply with these requirements.

The City of Tomball rarely condemns property; however, the power of eminent domain is a valued authority and efforts should be made to retain that authority. The attached letter has been prepared by the City's attorneys and is presented for Council consideration and authorization for the Mayor to issue the letter to the Texas State Comptroller.

Origination:

City Secretary

Recommendation:

Authorize the Mayor to issue letter to the Texas State Comptroller.

Funding:

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

City Secretary

ACTION TAKEN

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

ATTACHMENTS:

Letter to Comptroller re Tomball's Legal Authority to Exercise Eminent Domain

City of Tomball

Gretchen Fagan
Mayor

George Shackelford
City Manager

February 21, 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Receipt Number: ______________________________

Susan Combs
Texas State Comptroller
P. O. Box 13528, Capitol Station
Austin, TX 78711-3528

Re: Condemnation Authority of the City of Tomball, Texas.

Dear Ms. Combs:

This letter is being provided pursuant to Senate Bill 18 amending Chapter 2206 of the Texas Government Code. The City of Tomball has the power of eminent domain pursuant to Chapter 251 of the Texas Local Government Code. This power specifically derives from Section 251.001. Additionally, Section 4.03 of the Charter of the City of Tomball provides that the City has the power to exercise the right of eminent domain. A true and correct certified copy of the Charter of the City of Tomball is attached to this letter.

In addition to the provisions identified above, the City of Tomball, as a home rule city, is authorized by the Constitution of the State of Texas to exercise the power of eminent domain unless a prohibition of the City's use of said power is set forth in unmistakably clear language in the Constitution, general laws or special laws of this State. Further, the City of Tomball has the authority to exercise the power of eminent domain through entities that the laws of the State of Texas has authorized the City of Tomball to create and or participate in that have been or in the future will be granted eminent domain power as well as all other general and special statutes adopted by the Legislature for that purpose, none of which are waived or abandoned by the City of Tomball, directly or indirectly.

Sincerely,

Gretchen Fagan
Mayor

401 MARKET STREET • TOMBALL, TEXAS 77375 • 281-351-5484

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Approve and Authorize the Mayor to Execute a Memorandum of Understanding with Lone Star College-Tomball for the use of the College Parking Lot for a Point of Distribution (POD) Site

Background:

In the aftermath of Hurricane Ike, the Tomball Office of Emergency Management, TPD, TFD and Northwest EMS worked with Harris County to establish a distribution area to provide residents with basic necessities including water, ice and food. The supplies were provided by FEMA and the staffing to support the operation was provided through the emergency responce agencies and their affiliated volunteer programs such as CERT and VIPS. The site that was used was the old Kroger Center at Tomball Parkway and FM2920. In hindsight, the location was less than ideal and created a very significant traffic problem on both roads in all directions. A new site was necessary to be able to provide those services in the future.

The City of Tomball is a logical site for a distribution center to provide area residents with basic physical needs in the aftermath of a disaster. The Tomball area has been pre-approved by Harris County to be a designated POD site for future incidents. The Tomball Office of Emergency Management has negotiated the use of a parking lot at Lone Star College - Tomball to use as a Point of Distribution (POD) Site for future incidents. The site fulfills the needs established by Harris County and FEMA as it relates to capacity and impact on traffic flows.

Origination:

Fire Department/Office of Emergency Management

Recommendation:

Staf recommends approval

Funding:

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

ACTION TAKEN

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

ATTACHMENTS:

Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This Memorandum of Understanding ("MOU") is made and entered into by and between the **City of Tomball** ("City"), a body corporate and politic under the laws of the State of Texas, and **Lone Star College-Tomball** ("LSC-Tomball"), a public community college located in Harris County and a college within the Lone Star College System.

R E C I T A L S:

City and LSC-Tomball recognize the vulnerability of the people located within City to a public emergency that may result from natural or man-made causes; and

During such public emergency, it may be necessary to dispense food, water or supplies to large numbers of people in the area served by the Tomball Fire Department (TFD); and

Prior experience with mass distribution has shown that LSC-Tomball is well suited to this activity because: (1) its location is known to large numbers of individuals within the community; (2) it has large, hard-surfaced parking lots that may be used as assembly areas; (3) it is easily accessible via major roadways; and (4) it is well-located in proximity to the community to be served; and

The Parties hereto desire to enter into a MOU to make premises available for mass distribution of food, water or supplies to be administered by TFD at LSC–Tomball.

NOW, THEREFORE, City and LSC-Tomball, in consideration of the mutual covenants and agreements herein contained do mutually agree as follows:

T E R M S :

I.
Public Emergency

This MOU will go into effect only if:

(1) The Mayor of Tomball, the Harris County Judge, or the Texas Department of Emergency Management ("TDEM") declares a public emergency involving the Greater Tomball area, and that dispensing of food, water or supplies is necessary as a control measure for a public emergency; and

(2) In the sole discretion of LSC-Tomball:

a. The use of an area to be designated by LSC-Tomball is available; and

b. Classes at LSC-Tomball are not disrupted, or have been cancelled, and the activities hereunder will not delay the restart of normal operations or required debris management.

II.
Obligations of City

(1) City will supply or arrange for all equipment, food, water, supplies, and personnel necessary to administer the distribution; and

(2) City will supply or arrange for all equipment and personnel necessary for staffing, security, crowd control, and other tasks, except as provided herein and will coordinate such with designated LSC-Tomball personnel; and

(3) City will be responsible for disposal of waste and clean-up at LSC-Tomball and for restoring the premises to its original state, as reasonably determined by LSCS, within a reasonable time following City's use for the emergency.

(4) City will maintain its equipment and usage area in a clean and safe condition and free from any hazards, as determined by LSC-Tomball.

III.
Obligations of LSC-Tomball

(1) Subject to availability, in the sole discretion of LSC-Tomball, LSC-Tomball will allow one or more parking lots to be designated by LSC-Tomball for use hereunder; and

(2) LSC-Tomball shall be the final authority on use of the LSC-Tomball premises. Any disputes between LSC-Tomball and City or City and other emergency service providers regarding this use shall be resolved as determined by LSCS.

IV.
Term

This MOU is entered into upon the date last signed below. This MOU will remain in effect for one year and shall automatically renew for four additional one-year terms unless terminated as provided herein or by mutual written agreement of the parties. This MOU may be canceled by either party by giving thirty days notice to the other party. This MOU may be terminated by LSCS immediately should City violate any of its obligations hereunder and fail to correct said violation within twenty-four (24) hours of receiving notice from LSC-Tomball.

V.
Notice

All notices and communications under this MOU must be mailed by certified mail, return-receipt requested, or delivered to the parties at the following addresses:

TO THE CITY: Tomball Fire Department
1200 Rudel
Tomball, TX 77375
Attention:
Randall F. Parr, EFO, CFO
rparr@ci.tomball.tx.us

TO LSC-TOMBALL: Lone Star College-Tomball
30555 Tomball Parkway
Tomball, Texas 77375
Attention:
Dr. Susan E. Karr
President
Susan.E.Karr@lonestar.edu

and

Lone Star College System
20515 Tomball Parkway, Ste. 11.448
Houston, TX 77070
Dr. Denise Walker
Chief Emergency Management Officer
Denise.C.Walker@lonestar.edu

These addresses may be changed upon giving prior written notice of the change.

VI.
Governing Law

This MOU shall be interpreted under the laws of the State of Texas and applicable federal law. Exclusive venue for any cause of action arising out of or in relation to this MOU shall be in Harris County, Texas.

IN WITNESS WHEREOF, this instrument has been executed on behalf of City by a duly authorized representative of City, and on behalf of Lone Star College-Tomball by a duly authorized representative of Lone Star College-Tomball.

APPROVED AS TO FORM: **CITY OF TOMBALL**
City Attorney

By: _________________________ By: _________________________________
GRETCHEN FAGAN
Mayor

Date Signed: _______________________

APPROVED AS TO FORM: **LONE STAR COLLEGE-TOMBALL**
General Counsel

By: _________________________ By: __________________________________
SUSAN E. KARR, PH.D.
President, Lone Star College-Tomball

Date Signed: _______________________

By: __________________________________
RICHARD CARPENTER, ED.D.
Chancellor, Lone Star College System

Date Signed: _______________________

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Approve **REPLAT MARTIN MARIETTA SUBDIVISION**: Being a Subdivision of 31.4759 Acre; Being all of Reserve A, Block 1 and 0.1780 Acre Tract 1.5012 Acre Tract dedicated for road widening to City of Tomball, Martin Marietta Subdivision recorded under Film Code No. 597006, Harris County Map Records, Situated in the William Hurd Survey, Abstract 371 and the Jesse Pruett Survey Abstract 629, City of Tomball, Harris County, Texas.

Background:

The Planning and Zoning Commission approved **REPLAT MARTIN MARIETTA SUBDIVISION** on Monday, February 13, 2012 with contingencies. Corrections have been made and the Replat is being forwarded to City Council for approval consideration.

Origination:

Recommendation:

Funding:

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

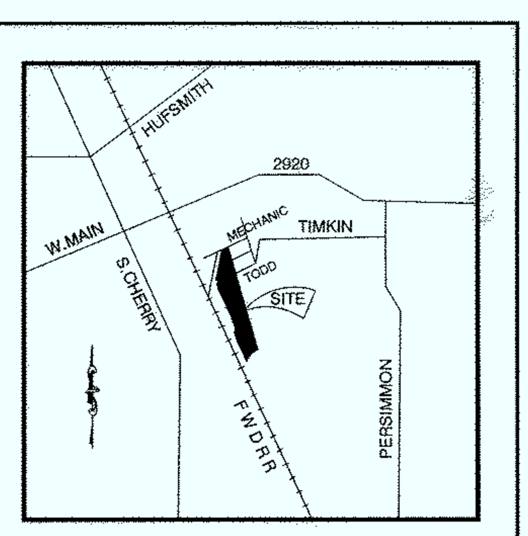
Engineering and Planning

ACTION TAKEN

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

ATTACHMENTS:

Replat Martin Marietta Subdivision



REPLAT
MARTIN MARIETTA SUBDIVISION

BEING A SUBDIVISION OF 31.4759 ACRE
BEING ALL OF RESERVE A, BLOCK 1
AND 0.1780 ACRE TRACT
1.5012 ACRE TRACT DEDICATED
FOR ROAD WIDEING TO
CITY OF TOMBALL
MARTIN MARIETTA SUBDIVISION
RECORDED UNDER FILM CODE NO. 597006
HARRIS COUNTY MAP RECORDS
SITUATED IN THE WILLIAM HURD
SURVEY , ABSTRACT 371
AND THE JESSE PRUETT
SURVEY ABSTRACT 629
CITY OF TOMBALL ,
HARRIS COUNTY , TEXAS

CONTAINING

5 LOTS 1 BLOCK
1 RESERVE

FEBRUARY 2012

(REASON FOR REPLAT TO SUBDIVIDED RESERVE A INTO 5 COMMERCIAL LOTS, 1 RESERVE FOR DRILL SITE AND EXTEND THE CUL-DE-SAC FROM 50 FEET RADIUS INTO 60 FEET RADIUS)

OWNER

MARTIN MARIETTA MATERIALS SOUTHWEST,INC.
17910 I H - 10 WEST
SAN ANTONIO , TEXAS 78257
TEL:(281)441-6804

SURVEYOR

E.I.C.SURVEYING COMPANY
12345 JONES ROAD # 270
HOUSTON,TEXAS 77070
TEL:(281)955-2772

LINE TABLE		
LINE	LENGTH	BEARING
L1	52.33	S64°26'00"W
L2	46.59	S16°19'06"E
L3	30.00	S64°28'06"W
L4	50.49	N64°26'00"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	146.60	60.00	139°59'41"	S44°22'15"W	112.76
C2	156.94	60.00	149°52'15"	N79°26'17"E	115.88
C3	87.17	13571.99	0°22'05"	N11°03'56"W	87.17
C4	44.57	572.56	4°27'36"	N06°22'39"W	44.56
C5	125.78	385.86	18°40'38"	N04°18'33"E	125.23
C6	73.07	538.37	7°46'34"	N21°27'20"W	73.01
C7	40.51	25.00	92°49'54"	S30°05'50"W	36.22
C8	200.06	60.00	191°02'15"	S18°14'24"E	119.44
C9	22.36	470.09	2°43'30"	N67°35'32"E	22.36
C10	429.29	470.09	52°19'24"	S40°04'05"W	414.53
C11	9.76	572.56	00°58'34"	N04°38'09"W	9.76
C12	1.75	538.37	00°11'12"	N25°26'13"W	1.75
C13	34.81	572.56	03°29'01"	N06°51'57"W	34.81

THE STATE OF TEXAS
COUNTY OF HARRIS

I , MARTIN MARIETTA MATERIALS SOUTHWEST,INC.,acting by and through , George Burger, V.P. General Manager-Houston District, and Andy Batsell, Area Sales Manager-Houston District, hereinafter referred to as Owner of the 31.4759 Acre Tract described in the above and foregoing plat of MARTIN MARIETTA SUBDIVISION, do hereby make and establish of said subdivision property according to all lines , dedications,restrictions and notations on said plat and hereby dedicate to the use of the public forever , all streets , alleys , parks , watercourses , drains , easements and public places shown thereon for the purposes and considerations therein expressed ; and do hereby bind myself , my heirs , successors and assigns to warrent and forever defend the title to the land so dedicated .

FURTHER , owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever and unobstructed aerial easement five feet 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 covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficiant size to permitt the free of water without backwater and in no instance have a drainage opening of less than one and three quarters square feet (18-diameter) with culvert or bridges to be provided for all private or walkways such drainage facilities .

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

MARTIN MARIETTA MATERIALS SOUTHWEST,INC .

In testimony whereof , has caused these presents to be signed by George Burger, V.P.,General Manager - Houston District and attested by Andy Batsell, Area Sales Manager- Houston District, thereunto authorized , this 3rd day of February , 2012 .

By : GEORGE BURGER
V.P., General Manager
Houston District

Attest : ANDY BATSELL
Area Sales Manager
Houston District

THE STATE OF TEXAS
COUNTY OF HARRIS

Before me . the undersigned authority , on this day personally appeared George Burger and Andy Batsell, known to me the persons whose names are subscribed to the foregoing instrument and acknowledge to me that he excuted the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and Deed of said Corporation .

Given under my hand and seal of office this 3rd day of February , 2012 .

Michelle Russell
Notary Public in and for the State of Texas

NOTARY PUBLIC STATE OF TEXAS
Michelle Russell
My Commission Expires
05/17/2012

My Commission expires : 05/17/2012

We , the City Manager and 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 Lakatos, P.E., CFM, Acting City Engineer

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements in conformance with 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 ______________ , 2012 .

BY : ______________________
Gretchen Fagan , Mayor

____
Doris Speer , City Secretary

This is to certify that the Planning & Zoning Commission of the City of City of Tomball , Texas has approved this plat and subdivision of MARTIN MARIETTA SUBDIVISION REPLAT in conformance with the laws of the State of Texas and the ordinance of the City of Tomball as shown authorized the recording of this plat this __________ day of _________________ , 2012 .

By: ______________________
Lori Wallace , Chairman

____
Evelyn Chervenak , Vice Chairman

I , EMIL HADDAD , am registered under the laws of the State of Texas to practice the profession of Surveying and hereby certify that the above subdivision is true and correct ; was prepared from an actual survey of the property made under my supervision on the ground ; that all boundary corners , angle points , points of curveture , and other points of reference have been marked with iron (or suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarters inch (3/4") and a length of not less than three feet (3 ') , and that the plat boundary corners have been tied to the nearest survey corner .

Emil Haddad
EMIL HADDAD , R.P.L.S
Texas Registration No.5072

I , Stan Stanart , County Clerk of Harris County , Texas do hareby certify that the within instrument with it's certificate of a suthentication was filed for registration in my office on __________ , 2012 at ________ o'clock ______ , and dully recorded on ________ , 2012 , at ______o'clock______, and under film code number ___________ 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
Clerk of the County Court
Harris County , Texas

By : __________________
Deputy

LEGEND NOTES

B.L	Indicates " Building Line "
U.E	Indicates " Utility Easement "
R.O.W	Indicates " Right-of Way "
Ac.	Indicates " Acre "
Vol.	Indicates " Volume "
Pg.	Indicates " Page "
I.R.	Indicates " Iron Rod "
H.C.M.R.	Indicates " Harris County Map Records "
H.C.D.R.	Indicates " Harris County Deed Records "

GENERAL NOTES

1. Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or 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 Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or 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 obstruction in the public easement.
2. According to the FEMA Firm Panel No. 4803150230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
3. All oil/ gas pipelines or pipeline easements with ownership through the subdivision have been shown.
4. All oil/ gas wells with ownership (plugged, abandoned, and/ or active) through the subdivision have been shown.
5. 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 setback at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas line.
6. This plat does not attempt to amend or remove any valid covenants or restrictions.
7. The building lines shown in 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.
8. Property may be subject to gas or oil well sites that are located within the heavily wooded area . A number of instrument recorded in the Harris County Contract Records may designate drill sites , in Vol.225,Pg.222 , Vol.236,Pg.166 and also recorded under H.C.C.F.No.K-405859 and T-514545 .

Regular City Council
Agenda Item
Data Sheet

Meeting Date: February 20, 2012

Topic:

Approve Job Order Proposal by KBR for Phase II of Water Service Conversions to the City's New Water Mains in the Downtown area, for a Not to Exceed Cost of $27,925.00

Background:

On January 18, 2011, public works reported to Council that the City has replaced a number of water mains in the downtown area, and that due to conflicts with locations of existing utilities, the new mains were installed on the opposite side of some properties. In order to connect these customers to the new water mains, work would need to be performed on private property.

Public Works developed a scope for the conversions, executed the necessary Right of Entry Agreements with property owners, and on October 10, 2011, Council approved the job order proposal by KBR for the initial phase of this project, for a NTE cost of $50,000.00.

Phase I was completed January 11, 2012, which included 11 conversions for the proposed NTE cost of $50,000.00. Three additional conversions were completed by private plumbers and reimbursed by the City for a total cost of $7,070.00.

All initial conversions were completed without issues, and the activations of new water services were witnessed by the owners/tenants, with no damages or leaks on existing plumbing.

Phase II will consist of 16 addresses, which will complete all conversions for this project, thereby enabling the City to terminate the old 2" steel water mains that previously served all 30 addresses in the area.

Public Works has worked with KBR to evaluate the remaining 16 addresses to develop a more definitive scope and costs. All potential concerns have been addressed and public works is recommending approval of this job order proposal.

Public Works intends to include the conversion for 425 W. Main during this phase for a NTE cost of $5,000.00.

Origination:

Public Works

Recommendation:

Public Works recommends approval of Job Order Proposal by KBR for Phase II of Water Service Conversions to the City's new water mains in the downtown area, for a NTE cost of $27,925.00

Funding: Yes

Account Number: 600-613-6207

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

Director of Public Works

ACTION TAKEN

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

ATTACHMENTS:

UIRP Svc Conversions - KBR phase II proposal

KBR

8121 Broadway Street, Suite 200 • Houston, TX 77061-1340
Office: 713.980.3250 • Fax: 713.980.3258

February 14, 2012
Letter No.: 12-3095-CB
File No.: 731

Steve Purvis
City of Tomball
Assistant to Public Works Director
501 James St.
Tomball, Texas 77375

Subject: Job Order Proposal for RFP# TCPN-SW III-04-0725 **Phase 2**
Project Location: City of Tomball – Various Locations
Project Title: Water Connections

Mr. Purvis,

Enclosed is our **Not to Exceed** proposal for the above subject RFP. The proposal is referenced to applicable standards and acceptable construction practices per the City of Tomball.

The **Not to Exceed** price is not the final cost for the project. KBR will provide a detailed line item estimate per the TCPN Contract and RS Means 2012 Facilities Construction Cost Data which will be a definitive final cost. KBR will provide the final cost as the final scope is identified.

Work to be performed under the terms and conditions of the TCPN Contract.

The **Not to Exceed** price for the job order is **$ 27,925.00**
(See attached breakdown and clarifications in scope)

The proposed project duration is **60** days after notice to proceed.
The proposal is valid for **15** days.
The client is responsible for reimbursement of bond and permit costs.

Please direct any questions to Craig Broz at (713) 980-3250.

Sincerely,

Craig S Broz

Craig Broz
Area Manager

Attachments: Scope
Reference: TCPN Statewide Contract JOC III No. R5087
(http://www.tcpn.org/apps/t_vendor_detail.aspx?VID=87)

Funding Approval ______________________ Date: ________________

Customer PO# ______________________
Price is accepted as a lump sum fixed firm price and the incorporated scope of work becomes the controlling document taking precedence over line item estimate detail.

This proposal includes data that shall not be disclosed outside of addressee and shall not be duplicated, used, or disclosed – in whole or part – for any purpose other than to evaluate this proposal.

KBR - TCPN Statewide II
Contract No. R5087
RFP No. TCPN-SWIII-04-0725
City of Tomball
Tie new water line to existing facilities @ Various Locations **Phase 2**

Outline

The intent of this project is to provide all labor, materials and equipment to reconnect new city water services into existing facilities at various locations for the City of Tomball. All work shall be in accordance with all OSHA standards, applicable federal, state and local building codes and regulations and standard construction practices.

KBR Scope of Work

- Install new 1" PVC piping from the cities existing new water meters to the existing business or residential facility.
- Pull no cost permits from the City of Tomball to facilitate inspections by the city.
- Utilize mechanical equipment when possible but, hand dig areas when necessary to cause minimal damage to properties or excessive underground utilities.
- Scope of Work stops at single point of connection at the business and/or residence.

KBR Clarifications

201 Fannin – 150'	**$2,375**
202 Fannin – 80'	**$1,413**
203 Fannin – 130'	**$2,100**
204 Fannin – 80'	**$1,413**
207 Fannin – 130'	**$2,100**
209 Fannin – 80'	**$1,413**
200 Tyler – 200'	**$3,063**
201 Tyler – 120'	**$1,963**
202 Tyler – 120'	**$1,963**
204 Tyler – 100'	**$1,688**
205 Tyler – 100'	**$1,688**
206 Tyler – Unknown footage price based on 100 Linear feet	**$1,688**
207 Tyler – 100'	**$1,688**
333 S Cherry - Unknown footage price based on 100 Linear feet	**$1,688**
308 S Walnut - Unknown footage price based on 100 Linear feet	**$1,688**
Total Proposed amount	**$27,925.00**

Exact scope of work was unable to be determined at 206 Tyler, 333 S Cherry and 308 S. Walnut, price is based on a 100' pipe run, additional piping will need to be address once information is clarified and will be handled as a change order.

All dimensions are approximate due to access restrictions and not all meters are visible.

Pricing does not include 425 W. Main St. if this work is to done add $5,000 as per original agreement.

KBR General Notes

- Proposal allows standard work hours.
- Proposal is based on free and uninterrupted access to work areas.
- All work shall be in accordance with all OSHA Standards, applicable federal, state, and local codes, and regulations and good construction practices.
- KBR will include all materials, equipment, and labor in his bid to complete the scope of

work.

- KBR shall remove from site all spoils, equipment, materials from site after completion of this project.

KBR Exclusions

- Permit fees and after hour inspection costs.
- Moving or removing of existing goods, fixtures or equipment from locations.
- Landscaping.
- Testing of existing piping or fixtures at businesses or residences.
- Damages to existing piping due to change in water pressures and/ or pipe blow outs inside the existing businesses or residences resulting in contents property damage.
- Handling or removal of any hazardous material.
- Davis-Bacon Wages and/or Certified Payrolls.
- Hidden or unforeseen conditions.
- Any work not specifically described in the SOW.

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Award Contracts for the Purchase of Two Fleet Replacement Trucks for the Public Works Department to Caldwell Country Chevrolet through the Buy Board Government Contract, for a Total Amount of $51,704.00.

Background:

Based upon established criteria within the City's Fleet Replacement Program, two Public Works trucks are identified for replacement during the current fiscal year. This need for replacement has been reaffirmed through an assessment of mechanical condition and a review of expenditures for required maintenance and repairs. Both trucks identified for replacement are 2002 models, and are used in the utilities department.

One is a 3/4-ton crew cab with a utility service body with 117,439 miles, and is being replaced with a 1-ton crew cab with a utility service body. The second truck is a 3/4-ton extended cab service truck with 102,672 miles, and is being replaced with a 1/2 ton extended cab service truck.

Origination:

Public Works

Recommendation:

Public works staff recommends Council approval award of contracts for the purchase of two fleet replacement trucks for the Public Works department to Caldwell Country Chevrolet through the Buy Board government contract, for a total amount of $51,704.00.

Funding: Yes

Account Number: 650-652-6405

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

Director of Public Works

ACTION TAKEN

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

ATTACHMENTS:

Buy Board Quote for PW FY2012 fleet replacements

QUOTE# 00B **CONTRACT PRICING WORKSHEET**

End User: CITY OF TOMBALL	Contractor: CALDWELL COUNTRY
Contact Name: THERESA WITT	CALDWELL COUNTRY
Email: TWITT@CI.TOMBALL.TX.US	Prepared By: Averyt Knapp
Phone #: 281-290-1419	Email: aknapp@caldwellcountry.com
Fax #: 281-351-6256	Phone #: 800-299-7283 or 979-567-6116
Location City & State: TOMBALL, TX	Fax #: 979-567-0853
Date Prepared: FEBRUARY 10, 2012	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: BUY BOARD #358-10	Tax ID # 14-1856872

Product Description: 2012 CHEVROLET 3500 SILVERADO CREW CAB UTL CC30943

A Base Price & Options:	$30,557

B Published Options

Code	Description	Cost	Code	Description	Cost
	4X2, FULL FOUR DOOR CREW CAB, 56″ CA, SINGLE REAR WHEEL, 6.0LV8-GAS, 6-SPD AUTOMATIC, AIR CONDITION, AMFM-STEREO, 40-20-40 VINYL FRONT/REAR, REMOTE DRIVER'S DOOR MOUNTED SPOTLIGHT, CAM MOUNTED AMBER/BLUE LED LIGHT 23″, KNAPHEIDE 696J SERVICE BODY W/HEADACHE RACK, FRAME MOUNTED RECEIVER HITCH/LIGHT HARNESS, INTEGRATED TRAILER BRAKE CONTROLLER	INCL			
	GM WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C	INCL		CALDWELL COUNTRY	
				PO BOX 27	
				CALDWELL,TEXAS 77836	

Subtotal B	INCL

C Unpublished Options

Code	Description	Cost	Code	Description	Cost
	**OPTION 49″ AMBER/BLUE LIGHT IN LIEU OF 23″ $434 ADDITIONAL	N/I			

Subtotal C	
D Other Price Adjustments (Installation, Delivery, Etc…)	
Subtotal D	INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)	$30,557
Quantity Ordered X	1
Subtotal E	$30,557
F Non-Equipment Charges (Trade-In, Warranty, Etc…)	
BUY BOARD	$400
G. Color of Vehicle: WHITE	
H. Total Purchase Price (E+F)	$30,957

Estimated Delivery Date:	90-120 DAYS APPX (ORDER CUTOFF MID APRIL)

QUOTE# 00A CONTRACT PRICING WORKSHEET

End User: CITY OF TOMBALL	Contractor: CALDWELL COUNTRY
Contact Name: THERESA WITT	CALDWELL COUNTRY
Email: TWITT@CI.TOMBALL.TX.US	Prepared By: Averyt Knapp
Phone #: 281-290-1419	Email: aknapp@caldwellcountry.com
Fax #: 281-351-6256	Phone #: 800-299-7283 or 979-567-6116
Location City & State: TOMBALL, TX	Fax #: 979-567-0853
Date Prepared: FEBRUARY 10, 2012	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: BUY BOARD #358-10	Tax ID # 14-1856872

Product Description: 2012 CHEVROLET 1500 SILVERADO EXT CAB LWB CC10953

A Base Price & Options:	$20,347

B Published Options

Code	Description	Cost	Code	Description	Cost
	4X2, LONG BOX-8' & EXTENDED CAB, 5.3LV8-FFV, 6-SPD AUTOMATIC, AIR CONDITION, AMFM-STEREO, 40-20-40 VINYL FRONT/REAR, REMOTE DRIVER'S DOOR MOUNTED SPOTLIGHT, CAM MOUNTED AMBER/BLUE LED LIGHT 23"	INCL			
	GM WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C	INCL		CALDWELL COUNTRY	
				PO BOX 27	
				CALDWELL,TEXAS 77836	

Subtotal B	INCL

C Unpublished Options

Code	Description	Cost	Code	Description	Cost
	**OPTION 49" AMBER/BLUE LIGHT IN LIEU OF 23" $434 ADDITIONAL	N/I			

Subtotal C	

D Other Price Adjustments (Installation, Delivery, Etc…)

	INCL

Subtotal D	
E Unit Cost Before Fee & Non-Equipment Charges(A+B+C+D)	$20,347
Quantity Ordered X	1
Subtotal E	$20,347
F Non-Equipment Charges (Trade-In, Warranty, Etc…)	
BUY BOARD $400	
G. Color of Vehicle: WHITE	
H. Total Purchase Price (E+F)	$20,747

Estimated Delivery Date:	60-90 DAYS APPX (ORDER CUTOFF MID MARCH)

Regular City Council Agenda Item Data Sheet

Meeting Date: February 20, 2012

Topic:

Consideration and Possible Action regarding Lease Agreement with Aaron and Sondra Matthews for the Property Located at 24114 Lovett, Owned by the City

Background:

The property located at 24114 Lovett was purchased by the City of Tomball for the Hufsmith Road extension.

Cobb Fendley, the City's land purchasing agent, agreed to allow a 60-day move-out period.

A lease agreement is being prepared and will be presented to Council Monday night.

Origination:

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: February 20, 2012

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:

- Section 551.071 - Consultation with Attorney regarding Litigation

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN

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