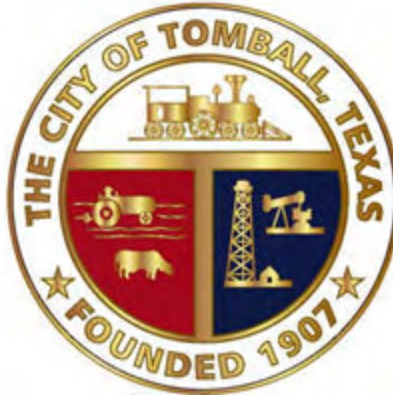


**NOTICE OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, FEBRUARY 7, 2011

7:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, February 7, 2011 at 7:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Pastor Terry Johnson, First Baptist Church

3.0 Pledges to U.S. and Texas Flags

- Led by Cooper Cason and E. J. Jones, 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 Reports and Announcements

- February 10, 2011 – **Mayor’s Coffee** – 5:30 p.m. at Nona’s Italian Grill, 1025 Alma Street (**New Location**)
- February 12, 2011 – First Day to Apply for Place on Ballot for May 14, 2011 General City Election
- February 12, 2011 – **2nd Saturday at the Depot** – 5:00 p.m.
- February 12, 19, and 26, 2011 – **Walk Tomball!** – Depot Plaza – 9:00 a.m.
- February 13, 2011 – **Unveiling of the Beckendorf Statue** – 2:00 p.m., reception to follow, 2:00 p.m.-3:30 p.m., at the Community Center, hosted by Rose Hill United Methodist Church
- February 22, 2011 – **Trail Ride Reception** – 12:00 p.m. at the Depot
- February 24, 2011 - **Reception honoring Betty Reinbeck, Executive Director-TEDC**, at the Chamber of Commerce, 2:00-4:00 p.m.
- February 28, 2011 – Special Meeting of the Tourism Advisory Committee, 6:00 p.m.
- April 9, 2011 – **3rd Annual City of Tomball Bunny Run 5K and Kids 1 Mile**
- Tomball Police Department Annual Data Capture Report (SB 1074)
- Reports by City staff and members of council about items of community interest on which no action will be taken
 - Lisa Coe - Youth Opportunities Fair, hosted by City of Tomball - March 2011
 - Shawn Cox – First Meeting of Tourism Advisory Committee (TAC)

6.0 Approve the Minutes of the Following Meetings:

- Special City Council and Planning and Zoning Commission Meeting - January 17, 2011
- Regular City Council Meeting - January 17, 2011

7.0 Old Business:

- 7.1 Approve Settlement Agreement between the City of Tomball, Partners in Building, L.P., Gary Smith, and Mark Mayworn regarding Drainage Way Adjacent to North Star Subdivision
- 7.2 Discussion and Possible Action to Adopt, on First Reading, Ordinance No. 2010-26, an Ordinance of the City of Tomball, Texas, adding Chapter 15, “Commercial Filming” to the Code of Ordinances of the City of Tomball, to Require a Permit for Commercial Filming in the City of Tomball, to Establish Policies, Procedures and Regulations as They Relate to Filming; Providing a Penalty in an Amount of Not More Than \$500 for Violation of any Provision Hereof; Providing for Savings and Severability; Providing for Publication; and Making other Provisions and Findings related Thereto
- 7.3 Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
 - Section 551.072. Deliberations Regarding Real Property: Discussion on the Purchase, Sale, or Trade of Real Property in Downtown Tomball
 - Section 551.072. Deliberations Regarding Real Property: Discussion on

the Leasing of Property for Communications Facilities

- 7.4 Designate Downtown Parking Lot Locations and Direct Engineering and Planning Department to Negotiate and Prepare Professional Services Contract
- 8.0 New Business:
- 8.1 Appoint Members to the City of Tomball Board of Appeals (BOA)
- 8.2 Approve **STAR TOMBALL REPLAT NO. 1**; A subdivision of 0.6503 acre of land; Being a replat of restricted Reserve "A" of Star Tomball as recorded in Volume 345, page 114, Harris County Map Records, located in the Joseph House Survey, Abstract Number 34, City of Tomball, Harris County, Texas
- 8.3 Approve Resolution No. 2011-02, a Resolution of the City Council of the City of Tomball, Texas, Designating the Official Newspaper for 2011 for Publication of Matters Pertaining to the City of Tomball
- 8.4 Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
- Section 551.071. Consultation with Attorney on a Matter in which the Duty of the Attorney to the City Council under the Texas Rules of Professional Conduct of the State Bar Clearly Conflicts with the Chapter; and
 - Section 551.074. Personnel Matters: Deliberation of the Appointment, Employment, Evaluation, Duties and Dismissal of a Public Officer or Employee - the Director of Engineering and Planning
- 8.5 Discuss and Approve City Manager's Removal of Mark McClure as Director of Engineering and Planning
- 9.0 Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 4th day of February 2011 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding 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 7, 2011

Topic:

- February 10, 2011 – **Mayor's Coffee** – 5:30 p.m. at Nona's Italian Grill, 1025 Alma Street (**New Location**)
- February 12, 2011 – First Day to Apply for Place on Ballot for May 14, 2011 General City Election
- February 12, 2011 – **2nd Saturday at the Depot** – 5:00 p.m.
- February 12, 19, and 26, 2011 – **Walk Tomball!** – Depot Plaza – 9:00 a.m.
- February 13, 2011 – **Unveiling of the Beckendorf Statue** – 2:00 p.m., reception to follow, 2:00 p.m.-3:30 p.m., at the Community Center, hosted by Rose Hill United Methodist Church
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- February 24, 2011 - **Reception honoring Betty Reinbeck, Executive Director-TEDC**, at the Chamber of Commerce, 2:00-4:00 p.m.
- February 28, 2011 – Special Meeting of the Tourism Advisory Committee, 6:00 p.m.
- April 9, 2011 – **3rd Annual City of Tomball Bunny Run 5K and Kids 1 Mile**
- Tomball Police Department Annual Data Capture Report (SB 1074)
- Reports by City staff and members of council about items of community interest on which no action will be taken
 - Lisa Coe - Youth Opportunities Fair, hosted by City of Tomball - March 2011
 - Shawn Cox – First Meeting of Tourism Advisory Committee (TAC)

Background:

Origination:

Various

Recommendation:

N/A

Funding:

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

City Secretary

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

ATTACHMENTS:

Mayor's Coffee

2nd Saturday at the Depot

Trail Ride Reception

New Location!!

Mayor's Coffee

Thursday, February 10, 2011

From 5:30—7:00 P.M.

Nona's Italian Grill

1025 Alma Street

281-255-6088 — www.tomballitaliangrills.info

Come by to ask any questions, or
address any concerns you have regarding
the City of Tomball.

sponsored by:

CommunityBank of Texas

28515 State Highway 249

Tomball, TX 77375



**Gretchen Fagan
Mayor**

JOHN WAYNE

Music by:
The Guitar Guys

Special Visit from:
Annie Oakley!

Pony Rides by:
EJC Farms

Kids Steer Roping!

THE COWBOYS

A MARK RYDELL FILM

2nd SATURDAY AT THE DEPOT
February 12—TOMBALL, TX

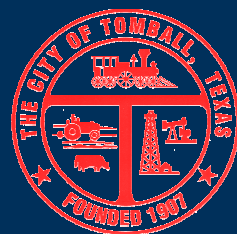
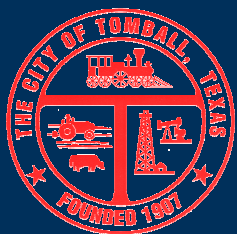


HISTORIC TOMBALL DEPOT PLAZA
201 South Elm ~ One block south of Main Street
Opens at 5:00 PM ~ Movie begins at dark

Free family entertainment for all ages
Bring your lawn chairs
No Glass Containers!

For more information, please call
Rosalie Dillon at 281-610-2595

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



Giddy Up!
And git on over to the City of Tomball's Train Depot
for an ol' cowboy

TRAILRIDERS RECEPTION

Tuesday February, 22, 2011-high Noon

some grub n' stuff

music n' dancin

n' a howdy good time!

Don't git left in the dust...



Regular City Council Agenda Item Data Sheet

Meeting Date: February 7, 2011

Topic:

Approve the Minutes of the Following Meetings:

- Special City Council and Planning and Zoning Commission Meeting - January 17, 2011
- Regular City Council Meeting - January 17, 2011

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

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

ATTACHMENTS:

Special City Council and Planning and Zoning Commission Meeting - January 17, 2011

Regular City Council Meeting - January 17, 2011

**MINUTES OF THE SPECIAL CITY COUNCIL AND
TOMBALL PLANNING AND ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, JANUARY 17, 2011



5:00 P.M.

1.0 Call to Order

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

Councilman Quinn
Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson

Planning and Zoning Commission members present:

Chair – Lori Wallace
Vice Chair – Tom Crofoot
Commissioner – Mary Harvey
Commissioner – John Mottershaw
Commissioner – Barbara Tague

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Kliever
City Secretary – Doris Speer
City Attorney – Scott Bounds
Assistant to the City Manager – Shawn Cox
Director of Engineering and Planning – Mark McClure
City Planner – Kelly Violette
Assistant City Engineer – Lori Lakatos
Assistant City Planner - Rodney Schmidt
Building Official – David Allen
Fire Marshal – Doug Sanguedolce
Fire Inspector – Tommy Nicholson
E&P Administrative Assistant – Brandy Pate

Draft

2.0 No public comments were received.

3.0 Workshop Session:

3.1 The Tomball City Council and the Tomball Planning and Zoning Commission members entered into a Workshop session for the following purposes:

Mark McClure provided a recap of the December 13, 2010 Special Tomball City Council and Planning and Zoning Commission meeting; workshop continued.

A. Discussion of the Development Review Process and Current Codes

Presentations were given by David Allen, Building Official, and Doug Sanguedolce, Fire Marshall, regarding current review processes and codes in the Building and Fire Departments.

B. Review of Roles and Responsibilities of the Development Review Committee

Mayor Fagan called a recess at 6:04 p.m.; upon reconvening at 6:12 p.m., the workshop continued:

C. Discussion of Development Review Process Improvement Recommendations

Kelly Violette presented information regarding City staff recommendations to improve the current development review process.

George Shackelford advised that City staff will compile Council's requests and recommendations from the December 13, 2010 and January 17, 2011 special meetings and present them at a future workshop.

3.2 Consensus of the Council was unanimous to set February 7, 2011 as the next date for a Joint City Council and Planning and Zoning Commission Workshop to discuss Possible Changes to the Zoning Ordinance

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 7th day of February 2011.

Doris Speer, TRMC
City Secretary

Gretchen Fagan
Mayor

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



MONDAY, JANUARY 17, 2011

7:00 P.M.

1.0 Call to Order

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

Councilman Quinn
Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Klierwer
City Secretary – Doris Speer
City Attorney – Scott Bounds
Chief of Police – Robert Hauck
Director of Public Works – David Kauffman
Director of Engineering and Planning – Mark McClure
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Assistant to City Manager – Shawn Cox
City Planner – Kelly Violette
Assistant City Engineer – Lori Lakatos
Assistant City Planner - Rodney Schmidt
Fire Marshal – Doug Sanguedolce
Fire Inspector – Tommy Nicholson

Draft

- 2.0** The invocation was led by Reverend John Holiday, Powerhouse Church of God in Christ.
- 3.0** Pledges to the U. S. and Texas flags were led by Cooper Cason, Tomball High School Student Council.

4.0 No public comments were received.

5.0 Presentations:

- Mayor Fagan presented a proclamation to the Concordia Lutheran High School Crusaders Football Team, proclaiming Monday, January 17, 2011 as ***“Concordia Lutheran High School Crusaders – 2010 TAPPS Division II, District 4 Champions Day”***

6.0 Reports and Announcements:

- January 22 and 29, 2011 – ***Walk Tomball!*** – Depot Plaza – 9:00 a.m.
- January 24, 2011 – First Meeting of the **Tourism Advisory Committee**, 6:00 p.m.
- January 25, 2011 – **2nd Annual Boards and Commission Recruitment Reception, 5:30 p.m.-7:00 p.m. – Room B**, at the Community Center
- February 12, 2011 – **2nd Saturday at the Depot** – 5:00 p.m.
- February 13, 2011 – **Unveiling of the Beckendorf Statue** – 2:00 p.m., reception to follow, 2:00 p.m.-3:30 p.m., at the Community Center, hosted by Rose Hill United Methodist Church
- Appointments to Board of Adjustments will be on February agenda (terms expiring 3/2/11)
- Reports by City staff and members of Council about items of community interest on which no action will be taken
 - Nathan Krupke, Belt Harris, presented the preliminary Auditor Report.
 - Shawn Cox provided an update regarding the 3rd Annual 5K Bunny Run, to be held on April 9, 2011
 - Glenn Windsor provided an update to Council regarding planned replacement vehicles in the Fire Marshal’s Office.
 - David Kauffman provided an update on the City’s on-going Utility Infrastructure Replacement Program to replace aged and inadequate utility lines.
 - Mayor Fagan advised that she has appointed Holly Cook as the Chair for the Tourism Advisory Committee.
 - Mayor Fagan and Shawn Cox provided a presentation regarding the rededication of MLK, Jr. Park and the Memorial Tree dedication at the Depot.
 - Mayor Fagan expressed the City’s appreciation to the Fire and Police departments for their efforts following the incident at 29503 Orchard Grove Drive on January 9, 2011.

7.0 Motion was made by Councilman Stoll, second by Councilman Brown, to approve the minutes of the January 3, 2011 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Executive Session: The City Council recessed at 7:30 p.m. p.m. to meet in Executive Session, as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purposes:

- Section 551.071 Consultation with Attorney Regarding the Following Matter: Demands related to a Slope Failure at 31422 Rigel Court.

Upon reconvening into regular session at 8:33 p.m., no action was taken.

9.0 New Business

- 9.1 Shawn Cox presented the request from Tomball Area Health Awareness Organization for In-Kind Services in Connection with Tomball Health Expo, to be held on April 9, 2011 at Tomball Sports Medicine. Motion was made by Councilman Stoll, second by Councilman Dodson, to approve the request from Tomball Area Health Awareness Organization for In-Kind Services in Connection with Tomball Health Expo.

Motion carried unanimously.

- 9.2 Mark McClure presented information regarding possible parking lot locations, the layout of each parking lot, estimated land acquisition cost, and site construction cost for each parking lot. Consensus of Council was unanimous for City staff to contact Dr. Hutson regarding possible acquisition of sites known as BN and CS via purchase or long-term lease agreement and provide the information to Council for further consideration regarding designation of downtown parking lot locations and negotiation and preparation of a professional services contract.
- 9.3. Mark McClure presented information regarding the composition of the proposed Downtown Tomball Advisory Committee. This will be an ad hoc committee, members of other City-appointed boards will be able to serve on the DTAC, 12-15 members will be appointed, and the board will meet monthly. Consensus of the Council was unanimous that Councilmembers will contact interested individuals and provide their names to the Mayor and/or City Manager for consideration of appointments to the Downtown Tomball Advisory Committee (DTAC). No action necessary.
- 9.4 Mark McClure presented an overview of Philip O'Sullivan's request to abandon/relinquish City-owned Right-of-Way (a Portion of Ash Street) and direction by City Council to the City Attorney and Engineering and Planning Staff to Prepare a Policy for the Abandonment of City-owned Property and Rights-of-Way. Motion was made by Councilman Townsend, second by Councilman Stoll, that the City Attorney and City staff prepare an abandonment policy for Council consideration, prior to Council's consideration of Mr. O'Sullivan's request for abandonment of a portion of Ash Street.

Motion carried unanimously.

- 9.5 George Shackelford presented the Vested Rights Determination Letter dated January 10, 2011, regarding Brandt Development. Motion was made by Councilman Dodson, second by Councilman Brown, to receive the City Manager's Vested Rights Determination Letter dated January 10, 2011, regarding Brandt Development.

Motion carried unanimously.

- 9.6 George Shackelford presented the Vested Rights Determination Letter dated January 11, 2011, regarding Tomball Marketplace. Motion was made by Councilman Townsend, second by Councilman Dodson, to receive the City Manager's Vested Rights Determination Letter dated January 11, 2011, regarding Tomball Marketplace.

Motion carried unanimously.

- 9.7 Motion was made by Councilman Townsend, second by Councilman Brown, to approve Resolution No. 2011-01, a Resolution and Order of the City Council of the City of Tomball, Texas, Ordering a Regular City Officer's Election, to be Held in the City of Tomball on Saturday, May 14, 2011; Designating the Polling Places and Appointing Election Officials for such Election; Directing the Giving of Notice of Such Election; Designating the Date for a Runoff Election if Needed; and Providing Details Relating to the Holding of such Election.

Fue hecha la moción por el Concejal Townsend, secundada por el Concejal Brown, para aprobar la Resolución Nro. 2011-01, una resolución y Orden de la ciudad de Tomball, Texas, ordenando una Elección General de Funcionarios de la Ciudad, para llevarse a cabo en la Ciudad de Tomball el sábado 14 de mayo de 2011; designando los lugares de votación y nombrando a los oficiales de dicha Elección; instruyendo la notificación de dicha Elección; designando la fecha de la Elección de Desempate de si es necesaria; y disponiendo los detalles relacionados a dicha Elección.

Kiến nghị đã được Nghị viên Townsend đề ra, và có sự ủng hộ của Nghị viên Brown, để phê duyệt Nghị quyết số 2011-01, một Nghị quyết và Lệnh Yêu Cầu của Hội Đồng Thành Phố của Thành Phố Tomball, Texas, yêu cầu một Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ được tổ chức trong Thành Phố Tomball ngày thứ bảy 14 Tháng Năm, 2011; Chỉ định các Địa Điểm Bỏ Phiếu và Bổ Nhiệm Các Quan Chức phụ trách cuộc bầu cử đó; Hướng dẫn đưa ra Thông báo về Cuộc Bầu Cử như vậy; Chỉ định các Ngày Cho Một Cuộc Bầu Cử Chung Cuộc nếu cần thiết; và Cung cấp Thông Tin Chi Tiết Liên Quan đến việc tổ chức Cuộc bầu cử đó

Motion carried unanimously.

La moción fue aprobada por unanimidad.

Kiến nghị đã được thống nhất ủng hộ.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 7th day of February 2011.

Doris Speer, TRMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 7, 2011

Topic:

Approve Settlement Agreement between the City of Tomball, Partners in Building, L.P., Gary Smith, and Mark Mayworn regarding Drainage Way Adjacent to North Star Subdivision

Background:

Discussions took place on February 3, 2011 between the parties. Attached is a settlement agreement that resulted from the discussions, agreed to by all parties, subject to Council's approval.

Origination:

George Shackelford, City Manager

Recommendation:

Approval is recommended.

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

City Secretary

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

ATTACHMENTS:

Settlement Agreement

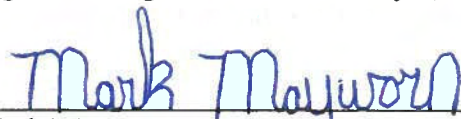
SETTLEMENT AGREEMENT

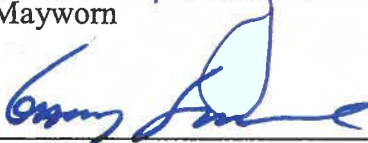
For good and valuable consideration Gary Smith, Mark Mayworn, the CITY OF TOMBALL, TEXAS, a municipal corporation organized and existing under the laws of the State of Texas, hereinafter called the "City" and Partners In Building, LP (PIB) hereby resolve all disputes, claims and causes of action between them concerning the matters referred to in the City's April 27, 2010 letter and the suit brought by Smith against PIB as follows:

1. PIB shall buy Smith's house for the agreed upon price that is confidential.
Closing shall take place by or before April 1, 2011;
2. On February, 4, 2011 Smith shall dismiss without prejudice the lawsuit he filed against PIB;
3. PIB will cause its engineers to analyze the Mayworn property to determine the most cost effective solution to the subsidence or erosion problems in the waterway adjacent to his property and will provide Mayworn and the City with a copy of the engineer's recommendation;
4. The City will promptly rule upon the request PIB for approval of its repair plan put forth by PIB's engineers; upon acceptance of the repair plans and the construction of the improvements in accordance with those plans and the warranty of the improvements for one year, the City will accept the improvements for maintenance;
5. All parties will execute a comprehensive release and settlement agreement that releases all claims that any of them have asserted or may assert concerning the matters recited herein;

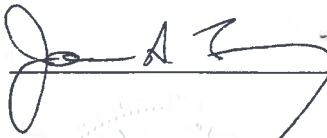
6. This agreement creates no new warranty of any kind and does not extend any warranties on the Smith and Mayworn properties that may be in effect;
7. For both the Mayworn and Smith properties, the parties shall grant PIB and the City access and easements to each others' properties to make and maintain such repairs;
8. Once PIB has performed under this agreement it will have no ongoing duty to any of the other parties;
9. The parties shall all bear their own legal fees, expert fees, and costs;
10. This agreement and the other documents that the parties hereby agree to execute to fully implement this agreement shall be binding on their heirs, successors, insurers and assigns; and
11. With regard to the City, this Agreement is subject to the approval of the City Council.

Signed and agreed to on February 3, 2011.


Mark Mayworn


Gary Smith

Partners In Building, LP


The City of Tomball



Regular City Council

Agenda Item

Meeting Date: February 7, 2011

Data Sheet

Topic:

Discussion and Possible Action to Adopt, on First Reading, Ordinance No. 2010-26, an Ordinance of the City of Tomball, Texas, adding Chapter 15, "Commercial Filming" to the Code of Ordinances of the City of Tomball, to Require a Permit for Commercial Filming in the City of Tomball, to Establish Policies, Procedures and Regulations as They Relate to Filming; Providing a Penalty in an Amount of Not More Than \$500 for Violation of any Provision Hereof; Providing for Savings and Severability; Providing for Publication; and Making other Provisions and Findings related Thereto

Background:

Ordinance No. 2010-26, establishing guidelines for filming permits, is presented for Council's consideration of the requested/suggested changes and possible adoption on first reading.

The ordinance authorizes the City Manager to protect City-owned property and equipment, city employees, and private property in the filming of movies, television and cable shows, commercials, and related activities. Established policies and procedures, in addition to Tomball's vintage and historical locations and structures, should create a positive image regarding Tomball's interest in partnering with film companies and provide incentives for the film industry to consider Tomball for feature and commercial productions. Tomball businesses that might benefit from the use of Tomball area locations by production companies include caterers, restaurants, hotels, medical facilities, florists, hardware stores, landscaping services, real estate offices (office space/facilities rentals), and equipment rental companies.

On November 15, 2010, Council tabled consideration of Ordinance No. 2010-26, pending the receipt of additional information regarding liability insurance limits and reduced permitting requirements for Tomball businesses and organizations. Filming ordinances for various cities were reviewed regarding their liability insurance limits and permitting requirements:

Standard Liability Insurance Requirements

Corsicana	Lockhart
Denton	Palestine
Smithville	

No Insurance Requirements

Leander

Alternate Insurance Requirements

Austin - \$500,000

Dallas - \$1,000,000/\$500,000/\$3,000,000/\$5,000,000 (application attached)

No filming ordinances were found for Houston, Ft. Worth, or Irving; however, the Dallas Film Commission serves as liaison between production companies and cities in the Greater Dallas/Fort Worth region. Dallas charges a \$50 application processing fee, \$40 application change fee, and \$250 processing fee for multiple locations or complex projects. Austin does not charge a permit fee, waives fees for the use of city-owned facilities (except for actual costs of city staff, utilities, and security in excess of 15 days), and provides up to 15 days of peace officer assistance for traffic control, etc., for feature or television projects with budgets of more than \$1,000,000 or commercial/video projects with budgets of more than \$100,000, in exchange for a "thank you" credit in the final project (attached).

The proposed ordinance includes provisions for special permits and inspections for "stunts, pyrotechnics, special effects, aerial photography, amplified sound, or the use of animals," an additional

\$5,000,000 coverage for those activities, and building permit requirements for alterations and set construction.

Origination:

City Secretary

Recommendation:

N/A

Funding:

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

City Secretary

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

ATTACHMENTS:

- Ordinance No. 2010-26 - Commercial Filming - Redlined
- Ordinance No. 2010-26 - Commercial Filming_Clean
- Austin Film Ordinance
- Dallas Commercial Filming Application
- Tomball Film Guidelines and Applicaton
- Tomball Neighborhood Notification and Signoff
- Tomball Location Agreement
- Tomball Notification Leaflet Sample
- Warner Bros. Code of Conduct
- Texas Film Commission Glossary of Terms

ORDINANCE NO. 2010-26

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, ADDING CHAPTER 15, "COMMERCIAL FILMING" TO THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TO REQUIRE A PERMIT FOR COMMERCIAL FILMING IN THE CITY OF TOMBALL, TO ESTABLISH POLICIES, PROCEDURES AND REGULATIONS AS THEY RELATE TO FILMING; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$500 FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SAVINGS AND SEVERABILITY; PROVIDING FOR PUBLICATION; AND MAKING OTHER PROVISIONS AND FINDINGS RELATED THERETO.

* * * * *

WHEREAS, the City of Tomball is blessed with historical or vintage residential and commercial structures; and

WHEREAS, such resources are of interest to filmmakers as locations for films and videos of all varieties; and

WHEREAS, the use of such resources often require the use of publicly owned facilities, property, and equipment; and

WHEREAS, the City of Tomball wishes to encourage the use of the City of Tomball as a location for filming and videotaping, consistent with the duty of the City to protect the City's resources and citizens, and

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

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

Section 2. The Code of Ordinances of the City of Tomball is hereby amended by adding a new Chapter 15, to read as follows:

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CHAPTER 15. COMMERCIAL FILMING

ARTICLE I. GENERALLY.

Sec. 15.1 Purpose.

(a) This ordinance is intended to protect the personal and property rights of Tomball's residents and businesses. The City Manager may impose additional regulations in the interest of public safety if deemed necessary.

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(b) These guidelines cover requests for commercial use of City-owned property, City-owned equipment, city employees and private property in the filming of movies, television and cable shows, commercials, and related activities. The approved use of said property, equipment, and employees may affect adjacent public or private property.

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(c) Commercial Filming Project means the filming of a movie, TV show, commercial or related activity that occurs on city-owned property, city right-of-way, city park, city street or other city controlled area, or occurs on private property if the activity will affect such city controlled areas, or use city employees, city-owned equipment, or city-owned property.

Sec. 15.2 City Control and Authority.

(a) The City Manager may authorize the use of any street, right-of-way, or public building, city-owned equipment, or city employees for commercial uses in the filming or taping of movies, television programs, commercials, training films and related activities.

(b) The City shall have full control over the use of public streets and buildings of the City while being used as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming if determined to be detrimental to the public health, safety or welfare.

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(c) The City may inspect all structures, devices, and equipment to be used in connection with the filming and taping if required by the City Manager.

Sec. 15.3 Use of City Personnel.

(a) The applicant shall pay for the costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether specifically requested by the applicant or not).

(b) The City Manager has the authority to require additional police or fire coverage if it is determined to be in the best interest for public safety. Off-duty police officers or firefighters are to be paid one and one-half their hourly rate.

(c) The City Manager will provide the applicant an estimate of the additional city personnel, other than the personnel requested by the applicant, necessary for the safe completion of the project.

Sec. 15.4 Use of City Property.

(a) In conjunction with the use of any street, right-of-way, public building, name, trademark, logo, or equipment of the City, the City Manager may require that all or part of the fee specified or determined for such use be paid in advance. A security or damage deposit may also be required at the City Manager's discretion.

(b) The City Manager shall establish a fee schedule for the use of City property and city equipment. The City Manager may, with respect to a specific request for use of property or city equipment, establish rates that are adequate to compensate the City for the use of that property or equipment if the standard rate schedule is inapplicable or inappropriate for the specific use proposed.

(c) The City shall have full control over the use of the name, trademark and logo, public streets, and buildings of the City while being used, as well as control over the hours of production and the general location of the production.

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Sec. 15.5 Special Equipment and Vehicles.

The applicant shall provide a report listing the number of vehicles and types of equipment to be used during the filming including their proposed hours of use and their proposed parking locations. Such locations shall be specifically approved by the City so as to maintain traffic safety. On-street parking, use of public parking lots, use of exterior lighting, power generators, or any other noise or light producing equipment is subject to the City Manager's approval.

Sec. 15.6 Hours of Filming.

Unless special permission has been obtained from the City Manager in advance, filming will be limited to the hours of 7:00 a.m. to 9:00 p.m. on weekdays, 8:00 a.m. to 8:00 p.m. on Saturdays and holidays, and noon to 7 p.m. on Sundays.

Sec. 15.7 Notification of Neighbors.

The applicant shall provide a short written description, approved by the City Manager, of the schedule for the proposed production to the owners and residents of each property in the affected neighborhood. The description shall provide a telephone number through which the residents of the affected neighborhood may communicate to the applicant. The applicant shall make reasonable attempts to accommodate the concerns of the residents of the affected neighborhood, and shall report to the City Manager a summary of all such communications, along with the name, address, and phone numbers of all contacted residents.

Sec. 15.8 Certificate of Insurance.

The producer shall provide a certificate of insurance, naming the City of Tomball as an additional insured, showing coverage in at least the following amounts:

- (a) General commercial liability, including bodily injury and property damage: \$1,000,000;
- (b) automobile liability (combined single limit): \$1,000,000;
- (c) umbrella coverage: \$5,000,000;

(d) Additional Insurance Requirement: If a commercial filming production schedule involves activities that are considered exceptionally dangerous, including but not limited to stunts, pyrotechnics, special effects, aerial photography, amplified sound, or the use of animals, the producer shall provide a certificate of insurance showing an additional \$5,000,000 for the umbrella coverage, for a total of \$10,000,000 in umbrella coverage;

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(e) Exceptions to Insurance Requirements: If a commercial filming project meets all of the minimum criteria established below, then the producer or business owner shall not be required to provide a certificate of insurance. However, the producer or business owner will still be required to adhere to all the applicable regulations set forth in this Chapter. In order to be excepted from the insurance requirements of this Section, the following minimum criteria shall be met:

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- (1) The filming will not utilize any street, right-of-way, public building, city-owned equipment, city employees, or name, trademark, logo of the City, for use in the filming or taping, or other activities.

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(2) The City will not require inspections of any structures, devices, or equipment to be used in connection with the filming and taping.

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(3) The City will not incur any costs for Police, Fire, Public Works, or other City personnel assigned to the project (whether specifically requested by the applicant or not).

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(4) The City will not require a security or damage deposit as determined by the City Manager's discretion.

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(4) . The filming will not require additional police or fire coverage if it is determined to be in the best interest for public safety.¶

(5) The filming will not require the City Manager to approve any on-street parking, use of public parking lots, use of exterior lighting, power generators, or any other noise or light producing equipment.

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(6) The filming will not take place outside the hours of 7:00 a.m. to 9:00 p.m. on weekdays, 8:00 a.m. to 8:00 p.m. on Saturdays and holidays, and noon to 7 p.m. on Sundays, and

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(6) . The filming does not utilize any vehicles or other types of equipment that will require the City to maintain traffic safety.¶

(7) The filming will not have a distinguishable affect on any residential neighborhood or other residential property.

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Sec. 15.9 Hold Harmless Agreement.

The applicant shall sign the following Hold Harmless Agreement holding the City harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use:

I certify that I represent the firm which will be performing the filming/taping at the locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the direction and specifications of the City of Tomball and that I and my firm will defend, indemnify and hold harmless the City of Tomball for and from any loss, damage, expense, claims and costs of every nature and kind arising out of or in connection with the filming/taping to this permit.

Sec. 15.10 Liability.

The applicant agrees to pay in full, promptly upon receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its condition prior to production.

Sec. 15.11 Permit.

It shall be unlawful for any person to undertake a commercial filming project unless a valid permit has been issued by the city. Commercial filming projects underway before the effective date of this article must be permitted within ninety days of the effective date of this article.

Sec. 15.12 Application.

(a) Before filing an application for filming, the applicant is encouraged to contact the City Manager to discuss the production's specific filming requirements and the feasibility of filming.

(b) Application for a Commercial Filming Permit shall be made with the City Secretary by the commercial producer. The application shall be made on a form designed by the city, and shall include the following information:

- (1) The title of the commercial, film, or photo shoot;
- (2) The type of production to be undertaken;
- (3) The location of the filming;
- (4) The dates of the filming;
- (5) Contact information for the production office, producer and location manager;
- (6) Production schedule and activities to include stunts, pyrotechnics, special effects aerial photography, amplified sound or use of animals;
 - (a) Any pyrotechnics will require a special permit and prior approval and authorization from the Fire Marshal;
 - (b) Fire suppression (i.e., fire extinguishers) or other suitable means of extinguishment may be required; and
 - (c) All open flames, including those used during construction, shall be monitored for re-ignition for no less than 10 minutes.
- (7) Number of persons involved with the production, including cast and crew;

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- (8) Anticipated need of City personnel, equipment or property;
- (9) Description of any areas in which public access will be restricted during production;
- (10) Description of any alterations that will be made to the property:
 - (a) Any and all building or structures constructed, renovated, or used for filming are subject to inspection prior to use;
 - (b) Construction of sets may require building permits;
 - (c) Any wiring or lighting other than temporary cords may require electrical permits pulled by State of Texas Licensed Master Electricians;
 - (d) Any plumbing or air conditioning work not portable in nature may require permits pulled by State of Texas licensed contractors; and
 - (e) Toilet facilities (portable toilets) must be provided for workers and maintained in a sanitary condition.
- (11) Number and type of production vehicles that will be used and the locations where they will be stored;
- (12) Location where the crew will be fed, if not at the production location;
- (13) Location where extras will be held, if not at the production location, and
- (14) Food vending will require health permits from Harris County Health Department.

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- (c) The application form shall include an acknowledgement by the applicant of the restrictions provided, and an affirmation that the operations to be conducted will comply.
- (d) An application processing fee of \$25.00 shall accompany each application for filming. The City Manager may waive this fee for non-profit organizations.
- (e) The City Manager may request additional information if useful or necessary to assist in making the necessary determinations.

Sec. 15.13 Application Approval Requirements.

(a) The Application must be approved before the commencement of filming or any other substantial activity related to the project.

(1) for commercial or episodic television, the application should be approved at least seven (7) business days in advance;

(2) for feature films, the application should be filed ten (10) business days in advance.

(b) The City Manager may grant exceptions to this requirement for good cause.

Sec. 15.14 Refund of Application Fees; Transferability; Expiration.

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(a) The applicant shall not be entitled to a refund of any fees paid in accordance with this division for any cause whatsoever.

(b) A license issued pursuant to this division shall be deemed personal to the licensee and shall not be assignable. However, the license may be transferred from one location or place of business to another location after the City Manager shall have been given five days' notice of such proposed transfer, and the City has given consent thereto.

(c) The license shall expire 45 days after the last date of scheduled filming on the application, unless an express expiration date is required by the City Manager.

Sec. 15.15 Vested Rights Not Created by Issuance.

No license granted under this division shall be deemed the granting of a vested right, but such license shall remain subject to such legislation as shall be promulgated by the city council by ordinance."

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Section 3. All ordinances or parts of ordinances inconsistent or in conflict herewith

are, to the extent of such inconsistency or conflict, hereby repealed.

Section 4. It is the intent of the City that this Ordinance shall comply in all respects with the applicable provisions of the United States Constitution, the Texas Constitution, and the Charter of the City of Tomball. In the event any clause, phrase, provision, sentence, or part of

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

Section 5. Any person, firm or corporation that knowingly violates any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Tomball, Texas, and, upon conviction, shall be punished by a fine not to exceed five hundred (\$500.00) dollars for each offense.

Section 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption hereof, as provided by law and the City's home rule Charter.

|
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 _____ DAY OF _____ 2011.

COUNCILMAN QUINN	_____
COUNCILMAN STOLL	_____
COUNCILMAN BROWN	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN DODSON	_____

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 _____ DAY OF _____
2011.

COUNCILMAN QUINN	_____
COUNCILMAN STOLL	_____
COUNCILMAN BROWN	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN DODSON	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

ORDINANCE NO. 2010-26

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, ADDING CHAPTER 15, "COMMERCIAL FILMING" TO THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TO REQUIRE A PERMIT FOR COMMERCIAL FILMING IN THE CITY OF TOMBALL, TO ESTABLISH POLICIES, PROCEDURES AND REGULATIONS AS THEY RELATE TO FILMING; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$500 FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SAVINGS AND SEVERABILITY; PROVIDING FOR PUBLICATION; AND MAKING OTHER PROVISIONS AND FINDINGS RELATED THERETO.

* * * * *

WHEREAS, the City of Tomball is blessed with historical or vintage residential and commercial structures; and

WHEREAS, such resources are of interest to filmmakers as locations for films and videos of all varieties; and

WHEREAS, the use of such resources often require the use of publicly owned facilities, property, and equipment; and

WHEREAS, the City of Tomball wishes to encourage the use of the City of Tomball as a location for filming and videotaping, consistent with the duty of the City to protect the City's resources and citizens, and

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

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

Section 2. The Code of Ordinances of the City of Tomball is hereby amended by adding a new Chapter 15, to read as follows:

CHAPTER 15. COMMERCIAL FILMING

ARTICLE I. GENERALLY.

Sec. 15.1 Purpose.

(a) This ordinance is intended to protect the personal and property rights of Tomball's residents and businesses. The City Manager may impose additional regulations in the interest of public safety if deemed necessary.

(b) These guidelines cover requests for commercial use of City-owned property, City-owned equipment, city employees and private property in the filming of movies, television and cable shows, commercials, and related activities. The approved use of said property, equipment, and employees may affect adjacent public or private property.

(c) *Commercial Filming Project* means the filming of a movie, TV show, commercial or related activity that occurs on city-owned property, city right-of-way, city park, city street or other city controlled area, or occurs on private property if the activity will affect such city controlled areas, or use city employees, city-owned equipment, or city-owned property.

Sec. 15.2 City Control and Authority.

(a) The City Manager may authorize the use of any street, right-of-way, or public building, city-owned equipment, or city employees for commercial uses in the filming or taping of movies, television programs, commercials, training films and related activities.

(b) The City shall have full control over the use of public streets and buildings of the City while being used as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming if determined to be detrimental to the public health, safety or welfare.

(c) The City may inspect all structures, devices, and equipment to be used in connection with the filming and taping if required by the City Manager.

Sec. 15.3 Use of City Personnel.

(a) The applicant shall pay for the costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether specifically requested by the applicant or not).

(b) The City Manager has the authority to require additional police or fire coverage if it is determined to be in the best interest for public safety. Off-duty police officers or firefighters are to be paid one and one-half their hourly rate.

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(a) In conjunction with the use of any street, right-of-way, public building, name, trademark, logo, or equipment of the City, the City Manager may require that all or part of the fee specified or determined for such use be paid in advance. A security or damage deposit may also be required at the City Manager's discretion.

(b) The City Manager shall establish a fee schedule for the use of City property and city equipment. The City Manager may, with respect to a specific request for use of property or city equipment, establish rates that are adequate to compensate the City for the use of that property or equipment if the standard rate schedule is inapplicable or inappropriate for the specific use proposed.

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Sec. 15.6 Hours of Filming.

Unless special permission has been obtained from the City Manager in advance, filming will be limited to the hours of 7:00 a.m. to 9:00 p.m. on weekdays, 8:00 a.m. to 8:00 p.m. on Saturdays and holidays, and noon to 7 p.m. on Sundays.

Sec. 15.7 Notification of Neighbors.

The applicant shall provide a short written description, approved by the City Manager, of the schedule for the proposed production to the owners and residents of each property in the affected neighborhood. The description shall provide a telephone number through which the residents of the affected neighborhood may communicate to the applicant. The applicant shall make reasonable attempts to accommodate the concerns of the residents of the affected neighborhood, and shall report to the City Manager a summary of all such communications, along with the name, address, and phone numbers of all contacted residents.

Sec. 15.8 Certificate of Insurance.

The producer shall provide a certificate of insurance, naming the City of Tomball as an additional insured, showing coverage in at least the following amounts:

- (a) General commercial liability, including bodily injury and property damage: \$1,000,000;
- (b) automobile liability (combined single limit): \$1,000,000;
- (c) umbrella coverage: \$5,000,000;
- (d) Additional Insurance Requirement: If a commercial filming production schedule involves activities that are considered exceptionally dangerous, including but not limited to stunts, pyrotechnics, special effects, aerial photography, amplified sound, or the use of animals, the producer shall provide a certificate of insurance showing an additional \$5,000,000 for the umbrella coverage, for a total of \$10,000,000 in umbrella coverage;
- (e) Exceptions to Insurance Requirements: If a commercial filming project meets all of the minimum criteria established below, then the producer or business owner shall not be required to provide a certificate of insurance. However, the producer or business owner will still be required to adhere to all the applicable regulations set forth in this Chapter. In order to be excepted from the insurance requirements of this Section, the following minimum criteria shall be met:
 - (1) The filming will not utilize any street, right-of-way, public building, city-owned equipment, city employees, or name, trademark, logo of the City, for use in the filming or taping, or other activities,

- (2) The City will not require inspections of any structures, devices, or equipment to be used in connection with the filming and taping,
- (3) The City will not incur any costs for Police, Fire, Public Works, or other City personnel assigned to the project (whether specifically requested by the applicant or not),
- (4) The City will not require a security or damage deposit as determined by the City Manager's discretion,
- (5) The filming will not require the City Manager to approve any on-street parking, use of public parking lots, use of exterior lighting, power generators, or any other noise or light producing equipment,
- (6) The filming will not take place outside the hours of 7:00 a.m. to 9:00 p.m. on weekdays, 8:00 a.m. to 8:00 p.m. on Saturdays and holidays, and noon to 7 p.m. on Sundays, and
- (7) The filming will not have a distinguishable affect on any residential neighborhood or other residential property.

Sec. 15.9 Hold Harmless Agreement.

The applicant shall sign the following Hold Harmless Agreement holding the City harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use:

I certify that I represent the firm which will be performing the filming/taping at the locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the direction and specifications of the City of Tomball and that I and my firm will defend, indemnify and hold harmless the City of Tomball for and from any loss, damage, expense, claims and costs of every nature and kind arising out of or in connection with the filming/taping to this permit.

Sec. 15.10 Liability.

The applicant agrees to pay in full, promptly upon receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its condition prior to production.

Sec. 15.11 Permit.

It shall be unlawful for any person to undertake a commercial filming project unless a valid permit has been issued by the city. Commercial filming projects underway before the effective date of this article must be permitted within ninety days of the effective date of this article.

Sec. 15.12 Application.

(a) Before filing an application for filming, the applicant is encouraged to contact the City Manager to discuss the production's specific filming requirements and the feasibility of filming.

(b) Application for a Commercial Filming Permit shall be made with the City Secretary by the commercial producer. The application shall be made on a form designed by the city, and shall include the following information:

- (1) The title of the commercial, film, or photo shoot;
- (2) The type of production to be undertaken;
- (3) The location of the filming;
- (4) The dates of the filming;
- (5) Contact information for the production office, producer and location manager;
- (6) Production schedule and activities to include stunts, pyrotechnics, special effects aerial photography, amplified sound or use of animals;
 - (a) Any pyrotechnics will require a special permit and prior approval and authorization from the Fire Marshal;
 - (b) Fire suppression (i.e., fire extinguishers) or other suitable means of extinguishment may be required; and
 - (c) All open flames, including those used during construction, shall be monitored for re-ignition for no less than 10 minutes.
- (7) Number of persons involved with the production, including cast and crew;

- (8) Anticipated need of City personnel, equipment or property;
 - (9) Description of any areas in which public access will be restricted during production;
 - (10) Description of any alterations that will be made to the property;
 - (a) Any and all building or structures constructed, renovated, or used for filming are subject to inspection prior to use;
 - (b) Construction of sets may require building permits;
 - (c) Any wiring or lighting other than temporary cords may require electrical permits pulled by State of Texas Licensed Master Electricians;
 - (d) Any plumbing or air conditioning work not portable in nature may require permits pulled by State of Texas licensed contractors; and
 - (e) Toilet facilities (portable toilets) must be provided for workers and maintained in a sanitary condition.
 - (11) Number and type of production vehicles that will be used and the locations where they will be stored;
 - (12) Location where the crew will be fed, if not at the production location;
 - (13) Location where extras will be held, if not at the production location, and
 - (14) Food vending will require health permits from Harris County Health Department.
- (c) The application form shall include an acknowledgement by the applicant of the restrictions provided, and an affirmation that the operations to be conducted will comply.
- (d) An application processing fee of \$25.00 shall accompany each application for filming. The City Manager may waive this fee for non-profit organizations.
- (e) The City Manager may request additional information if useful or necessary to assist in making the necessary determinations.

Sec. 15.13 Application Approval Requirements.

- (a) The Application must be approved before the commencement of filming or any other substantial activity related to the project.
 - (1) for commercial or episodic television, the application should be approved at least seven (7) business days in advance;
 - (2) for feature films, the application should be filed ten (10) business days in advance.
- (b) The City Manager may grant exceptions to this requirement for good cause.

Sec. 15.14 Refund of Application Fees; Transferability; Expiration.

- (a) The applicant shall not be entitled to a refund of any fees paid in accordance with this division for any cause whatsoever.
- (b) A license issued pursuant to this division shall be deemed personal to the licensee and shall not be assignable. However, the license may be transferred from one location or place of business to another location after the City Manager shall have been given five days' notice of such proposed transfer, and the City has given consent thereto.
- (c) The license shall expire 45 days after the last date of scheduled filming on the application, unless an express expiration date is required by the City Manager.

Sec. 15.15 Vested Rights Not Created by Issuance.

No license granted under this division shall be deemed the granting of a vested right, but such license shall remain subject to such legislation as shall be promulgated by the city council by ordinance.”

Section 3. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 4. It is the intent of the City that this Ordinance shall comply in all respects with the applicable provisions of the United States Constitution, the Texas Constitution, and the Charter of the City of Tomball. In the event any clause, phrase, provision, sentence, or part of

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

Section 5. Any person, firm or corporation that knowingly violates any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Tomball, Texas, and, upon conviction, shall be punished by a fine not to exceed five hundred (\$500.00) dollars for each offense.

Section 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption hereof, as provided by law and the City's home rule Charter.

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 _____ DAY OF _____ 2011.

COUNCILMAN QUINN	_____
COUNCILMAN STOLL	_____
COUNCILMAN BROWN	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN DODSON	_____

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 _____ DAY OF _____
2011.

COUNCILMAN QUINN	_____
COUNCILMAN STOLL	_____
COUNCILMAN BROWN	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN DODSON	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

ORDINANCE NO. 20080306-038

AN ORDINANCE ENCOURAGING FILMING OF MOVIES, TELEVISION PROGRAMMING, COMMERCIALS, MUSIC VIDEOS AND VIDEO GAMES IN THE GREATER AUSTIN AREA AND WAIVING FACILITY USE AND RENTAL FEES FOR QUALIFYING PROJECTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS

The city council finds that:

- (1) Austin was recognized by MovieMaker Magazine as the number one city in which to live, work and make movies in its most recent annual survey;
- (2) production of films, television programming, commercials, music videos and filming of video games in the greater Austin area helps promote the City as a location for film and visual media production and contributes over \$35 million annually in local economic activity;
- (3) film and visual media production crews purchase local goods and services while filming in the greater Austin area; and,
- (4) in celebration of City of Austin's recognition as a destination for filming of movies, television, commercials, music videos and video games, the City of Austin extends the following encouragement to the film and visual media industry for their filming activities.

PART 2. FEE WAIVERS

- (A) Except as provided in Subsection (B), the City Council waives the City's facility use and rental fees for filming of a movie, television program, commercial, music video and video game
- (B) The production company shall pay the City's actual cost for City staff, utilities and security used in assisting the production company.

PART 3. PEACE OFFICERS

- (A) The City shall provide a film or visual media production crew with up to two City of Austin peace officers for traffic control and other public safety issues, including monitoring of vehicles, intermittent traffic control and lane closures, and crowd control, subject to the requirements and limitations of Subsections (B) - (E) and Part 4 (*Credit Required*).
- (B) The City shall provide the Austin peace officers if filming in the greater Austin area is budgeted to spend for local goods and services at least:
 - (1) one million dollars for a feature film and documentary;
 - (2) one million dollars a season for a television production of an episodic series; or,
 - (3) one hundred thousand dollars for a commercial, series of commercials, infomercial, interstitial, music video, or video game.
- (C) The City shall provide Austin peace officers for a maximum of fifteen filming days for each qualifying production in the greater Austin area.
- (D) If the production company requests Austin peace officer services in addition to those described in Subsections (A) and (C), the production company shall pay the City for the actual cost of the services.
- (E) After filming is complete, the production company shall provide the City with a final location expenditure report verifying that actual purchases of local goods and services. If the expenditures fail to meet the minimum thresholds prescribed by Subsection (B), the production crew shall pay the City for the Austin peace officer services provided during the filming in the greater Austin area.

PART 4. CREDIT REQUIRED

Any film or television production receiving a benefit under this ordinance shall place a credit on each film or television episode providing: "Thank you to the City of Austin for its generous support of this production. Filmed on location in Austin, Texas, U.S.A.", or a similar statement.

PART 5. EFFECTIVE DATE

This ordinance takes effect on March 17, 2008.

PASSED AND APPROVED

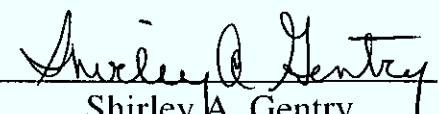
March 6, 2008

§
§
§



Will Wynn
Mayor

APPROVED: 
David Allan Smith
City Attorney

ATTEST: 
Shirley A. Gentry
City Clerk



OFFICE OF SPECIAL EVENTS

City of Dallas

650 S. Griffin Street, Dallas, Texas 75202
Phone: 214-939-2701 Fax: 214-939-2709
www.dallasspecialevents.com

COMMERCIAL FILMING PERMIT APPLICATION

SECTION 1: FEES

- \$50.00 Processing Fee - Applies to processing the application
\$40.00 Change fee - Application changes/per change
\$250.00 Processing Fee - Applies to projects including, but not limited to projects that involve extensive planning and requires multiple locations (more than 2) to include multiple street closures, lane closures, intermittent traffic control, affecting DART lane, traffic management, and complexity of the film request.

All fees must be in the form of Credit Card, Money Order or Check, made payable to the City of Dallas Office of Special Events and accompany this form at the time of submission. Application must be filed **a minimum of 2-3 business days prior** to the event. No commercial filming permit will be released until fees, permits, licenses, and certificates of insurance are received in the City of Dallas Office of Special Events. The listed insured on the Certificate of Insurance must cross reference the applicant's organization and address.

SECTION 2: APPLICANT INFORMATION

Organization (Insured)	Contact Person	Mailing Address	City,	State,	Zip
Daytime Phone	After Hours Phone	Fax	Email Address		
Emergency Contact	Daytime Phone	Email Address			

Changes to the original application will **ONLY** be accepted by the listed applicant or emergency contact in writing. No changes to the application or permit will be made the day of the filming.

SECTION 3: FILMING DESCRIPTION

Film Type:

- ☐ Commercial
 ☐ Feature Film
 ☐ Television Movie
 ☐ Other
☐ Corporate
 ☐ Still Photography
 ☐ Television Series
☐ Documentary
 ☐ Student Film
 ☐ Web

Film Title: _____

Is project for: ☐ Local ☐ National ☐ International use

Total number of shoot days for this film project, public & private locations: _____

SECTION 4: FILMING SCHEDULE

Start Date: ____/____/____ End Date: ____/____/____

Mark each day of the week on which filming will occur, indicate the start/ stop times below and # of crew size

Filming Day (mark 'X')	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start Time							
Stop Time							
# of Participants							

Production Activity/Brief Event Detail:

SECTION 5: FILMING LOCATION, LAYOUT & PARKING PLAN

Physical Address: _____

List the street(s) and block number(s) affected by filming and proposed closures. Notate the side of the street affected (north, south, east, west and include a traffic plan).

The applicant may be required to hire off-duty Dallas Police Officers for security, crowd control, and traffic control during filming. The total number of police officers working at the location will be determined by the Dallas Police Department.

SECTION 6: OTHER INFORMATION

Is the location City owned? If so, please detail:

Will pyrotechnics or special effects be involved in filming? If so, please explain and list the SPFX coordinator in charge (credentials and license will be required):

Will parking meters be affected for this filming and require hooding? List the street & block number.

Will filming involve or require any stunt driving activity; vehicle chase, exceeding the posted speed limit by more than 50 MPH or disobeys other traffic laws? If so, please explain. (Lock up plan and map will be required).

Will filming require a "Ride-Along" with city officers?

Will filming involve the use of aircraft, helicopters, etc...? If so, please explain. (Pilot credentials required).

SECTION 7: OTHER PERMITS & FEES

If any of the following components will be part of your event, please check the appropriate boxes. In so doing, you may be required to obtain additional permits or incur additional fees:

Will tents be needed (that are 400 sq. ft. or over)? _____ if so, please refer to tent information below on how to obtain a tent permit.

If any of the following components will be part of your event, please check the appropriate boxes. In so doing, you may be required to contact and obtain additional permits or incur additional fees:

- | | |
|---|--|
| ☐ Alcohol | TABC: (214) 678-4008 |
| ☐ City Hall Plaza | City Hall Coordinator: (214) 939-2701 |
| ☐ Fireworks | Dallas Fire Rescue: (214) 670-7014 |
| ☐ Food, Beverage and/or Merchandise Sales | Food Protection Services: (214) 670-8083 |
| ☐ Hooded Parking Meters | Parking Services: (214) 754-4784 |
| ☐ Liquid Propane Gas | Dallas Fire Rescue: (214) 670-4319 |
| ☐ Park Property | Park Department: (214) 670-8740 |
| ☐ Police Officers | Dallas Police Dept./Extra Job Unit: (214) 671-4460 |
| ☐ **Tent (If tent is erected larger than 399 square feet, see below) | Dallas Fire Rescue: (214) 670-4319 |

- | | | | | |
|--|--|--|----------------------------------|--|
| ☐ Barricades | ☐ Special Parking | ☐ Electricity | ☐ Stage | ☐ Water Hydrant |
| ☐ Traffic Cones | ☐ Fencing | ☐ Portable RR's | ☐ Animals | |

*Obtaining a Tent Permit through City of Dallas:

- (1) Complete a Tent Permit Application Form (obtain from Dallas Fire Rescue)
- (2) Prepare 3 copies of a drawn-to-scale site plan showing location of proposed tent(s) and location of adjacent structures, and setbacks from adjacent property lines and distance from tent(s), including guide wires and stakes to all structures
- (3) Submit 3 copies of the certificate of flame resistance for tent materials
- (4) Submit 3 copies of the approving petition, if required
- (5) Show copy of Special Events Permit if the tent permit is in conjunction with a special event
- (6) Provide written authorization from Park & Recreation Dept. if tent is to be erected on City park property

SECTION 8: ACKNOWLEDGEMENT/SIGNATURE

By signing this document, I certify that the information provided above is correct and I acknowledge having read and understood the information contained in this application and the Important Information Sheet (attached). I agree to conduct the filming in compliance with all applicable City of Dallas codes, or ordinances, laws and to include the conditions contained in the Commercial Film Permit.

Applicant's Signature: _____ Date: _____

APPLICATIONS WITH MISSING INFORMATION WILL NOT BE PROCESSED.

For Official Use Only:			
Date Received: _____	Check #: _____	Inter-Office Date Dist: _____	
Event Number: _____	Response Date: _____		

The following **MUST BE INCLUDED** with the application at time of submission. In complete applications will not be processed. ☒ Processing Fee ☒ Certificate of Insurance ☒ Other requested information

Applicant may be subject to late and/or change fee, however; no changes to the application or permit will be made the day of the filming. Please submit pages 1-3 for processing.

IMPORTANT INFORMATION

PLEASE READ BEFORE SUBMITTING APPLICATION

SECTION 9: TEXAS ALCOHOLIC BEVERAGE COMMISSION (TABC)

If alcohol will be available through the production company, caterer and/or craft services, the applicant is required to obtain a temporary alcohol permit from TABC located at 8700 Stemmons Freeway, Suite 460, Dallas, Texas 75247, (214) 678-4000. www.tabc.state.tx.us.

SECTION 10: PUBLIC NOTIFICATION

The applicant shall, at least 3 days before the filming occurs, deliver written notice to all owners or occupants of real property abutting the boundaries of the area in which the filming will be conducted. The notice must include the following information:

- 1). Filming date, time and location on production letterhead
- 2). Contact name & phone number of location scout or producer
- 3). Brief description of what the filming will involve
- 4). An application for a commercial filming permit has been filed
- 5). Interested persons may contact the Office of Special Events at 650 S. Griffin Street, Dallas, Texas 75202, (214) 939-2701.

SECTION 11: INSURANCE

The applicant shall procure and keep in full force and effect for the duration of the filming, minimum insurance written by an insurance company approved by the State of Texas and acceptable to the city and issued in the standard form approved by the Texas Department of Insurance. **All provisions of each policy must be acceptable to the city and name the City of Dallas and its officers, employees and elected representatives as additional insured.** Insured must provide a waiver of subrogation to the City of Dallas, its officers, employees for bodily injury (including death), property damage or any other loss. An original Certificate of Liability Insurance must be submitted with the application.

City of Dallas, its officers, employees and elected representatives
650 S. Griffin Street
Dallas, TX 75202

1. **Commercial General Liability Insurance** including, but not limited to, Premises/Operations, Personal & Advertising Injury, Products/Completed Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage of limits of:
 - A). \$1,000,000 per occurrence
 - B). \$1,000,000 general aggregate

NOTE: If filming in a “City facility or premises”, then, minimum limits of:

- A). \$1,000,000 per occurrence
- B). \$2,000,000 general aggregate**
- C). \$250,000 fire legal liability

NOTE: If filming involves the use of pyrotechnics, explosives or fireworks, then:

- A). \$3,000,000 per occurrence
- B). \$3,000,000 general aggregate

2. **Business Automobile Liability Insurance** covering owned, hired, and non-owned vehicles, with a minimum combined bodily injury (including death) and property damage limit of:
 - A). \$500,000 per occurrence

NOTE: If filming involves “extended car chases”, then, minimum limit of:

- A). \$3,000,000 per occurrence

3. **Workers Compensation:** If filming in a “City facility or premises”, then, Workers’ Compensation with statutory limits; **Employers Liability** with minimum limits for bodily injury:
 - A). \$100,000 by accident / per each accident
 - B). \$100,000 by disease / per employee
 - C). \$500,000 per policy aggregate
4. **Aircraft Liability Insurance:** If the filming involves the use of aircraft, then, Aircraft Liability Insurance for owned, hired, and non-owned aircraft with a minimum limit of:
 - A). \$5,000,000 per occurrence
5. **Liquor Liability Insurance:** If alcoholic beverages is sold, served or otherwise made available, then, Liquor Liability Insurance with minimum limits of:
 - A). \$1,000,000 each claim.

Event Producer / Production Company agrees that with respect to the above required insurance, all insurance contracts and certificate(s) of insurance will contain and state, in writing, the following required provisions:

- A). name the City of Dallas and its officers, employees, and elected representatives as additional insured to the Commercial General Liability and Business Automobile Liability policies;
- B). state that coverage shall not be cancelled, non-renewed or materially changed except after thirty (30) days written notice by certified mail to : Convention & Event Services, attn: Office of Special Events, 650 S. Griffin Street, Dallas, Texas, 75202

SECTION 12: SECURITY, CROWD CONTROL, & TRAFFIC CONTROL

The applicant may be required to provide police officers for security, crowd control, and traffic control during filming. The total number of police officers working at the location will be determined by the Dallas Police Department, using industry specific planning variables.

SECTION 13: DENIAL OR REVOCATION

The Office of Special Events shall deny or revoke any commercial filming if the applicant makes a false statement of material fact on the application or fails to comply with or the activity is in violation of any provision of the commercial filming permit, or any other applicable law. The commercial filming permit shall also be denied or revoked if the special events manager, chief of police department, or the chief of the fire department determines the activity poses a serious threat to public health, safety or welfare. If a commercial filming permit is denied or revoked, the Office of Special Events shall notify the applicant by phone and by certified mail, return receipt requested, notice of the denial or revocation and of the right to an appeal and instructions on how to file an appeal with the Permit and License Appeal Board.

SECTION 14: OFFENSES OR PENALTIES

An applicant/person commits an offense if he/she commences or conducts a special event or commercial filming without a special event permit or commercial film permit or in violation of any provision of the special event/film permit, Chapter 42A, “Special Events” of the Dallas City Code, or any other applicable law.

Each offense is punishable by a fine not to exceed \$2,000 for each violation of a provision governing fire safety, zoning, public health, sanitation, including dumping of refuse; and \$500 for each violation of all other provisions.

SECTION 15: INDEMNIFICATION

As a condition of a Commercial Filming Permit being issued, the permit holder agrees to indemnify, defend and hold harmless the City of Dallas and all of its officers and employees against any and all suits, causes of action or claims for injuries, damages, costs and expenses to persons or property, whether public or private, that may arise out of, or be constituting a part of the special event, or any activity constituting a part of the special event, or any act, omission or misconduct of the permit holder or his agents, representatives, contractors, or employees. The permit holder agrees to discharge any and all judgments that may be rendered against the City of Dallas or its officers and employees in connection with any suit, cause of action, or claim after the judgment becomes final and unappealable.

SECTION 16: RIGHTS TO PHOTOS

Filming company is granted the irrevocable right to use the recordings taken by company in perpetuity.

SECTION 17: RIGHTS TO USE CITY OF DALLAS NAME

GUIDELINES FOR FILMING IN TOMBALL, TEXAS

I. PURPOSE

The following guidelines are intended to protect the personal and property rights of our Tomball, Texas residents and businesses. The City Manager reserves the right to impose additional regulations in the interest of public safety if deemed necessary.

These guidelines cover requests for commercial use of City-owned property (streets, right-of-ways, parks, and public buildings), commercial use of private property that may affect adjacent public or private property, and the use of City equipment and personnel in the filming of movies, TV shows, commercials, and related activities.

II. CITY CONTROL/CITY MANAGER AUTHORITY

The City Manager may authorize the use of any street, right-of-way, or public building, equipment or personnel for commercial uses in the filming or taping of movies, television programs, commercials, or training films and related activities. In conjunction with these uses, the City Manager may require that any or all of the conditions and/or remuneration as specified on the application be met as a prerequisite to that use.

The applicant agrees that The City of Tomball, Texas shall have full control over the use of public streets and buildings of the City while being used, as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming if determined to be detrimental to the public health, safety and welfare.

The applicant shall agree to allow the respective City departments (i.e., Police, Fire, Building) to inspect all structures and/or devices and equipment to be used in connection with the filming and taping if required by the City Manager.

III. PERMIT REQUIREMENTS

Before filing an application for filming in Tomball, the Office of the City Manager must be contacted to discuss the production's specific filming requirements and the feasibility of filming in Tomball.

Any commercial producer who desires to undertake a commercial production in Tomball, Texas is required to complete and return the attached application for filming to the office of the City Secretary, within the time frames below, to meet the approval periods established by City Council:

- **Commercials or episodic television:** a minimum of seven (7) business days prior to the commencement of filming or any substantial activity related to the project.
- **Feature films:** a minimum of ten (10) business days prior to the commencement of filming or any substantial activity related to the project.

IV. FEES

An application-processing fee of \$25.00 shall accompany each application for filming. The City Manager may waive this fee for non-profit organizations.

V. USE OF CITY EQUIPMENT AND PERSONNEL

The applicant will agree to pay for the costs of any Police, Fire, Public Works, or other City personnel assigned to the project (whether specifically requested by the production or not). Remuneration rates for the use of any City equipment, including police cars and fire equipment, will be established on a case-by-case basis as determined by the City Manager. The applicant will agree to pay in full, promptly upon receipt of an invoice, the charges incurred. The City Manager may, at his/her discretion, require an advance deposit for the use of the equipment.

The City Manager, in consultation with the Chief of Police and/or Fire Chief, shall have the authority to stipulate additional fire or police requirements and level of staffing for same, at any time during a film project if it is determined to be in the best interest of public safety, health and welfare, which cost shall be borne by the Applicant. Off-duty police officers and firefighters shall be paid by the production company at a rate no less than one and one-half their hourly rate based on their rank.

VI. USE OF CITY PROPERTY

The City Manager may authorize the use of any street, right-of-way, or public building, use of Tomball, Texas name, trademark or logo and/or use of City equipment and/or personnel for commercial uses in the production of movies, television programs, commercials, or training films and related activities. In conjunction with these uses, the City Manager may require that any or all of the conditions and/or remuneration as specified on the application be met as a prerequisite to that use. A security or damage deposit may be required based on production activity.

Depending upon the extent of the use of City property, the Applicant agrees to reimburse the City for inconveniences when using public property. Following is the rate schedule:

Activity	Cost per Calendar Day
Total or disruptive use (regular operating hours) of a public building, park, right-of-way, or public area	\$500
Partial non-disruptive use of a public building, park, right-of-way, or public area	\$250
Total closure or obstruction of public street or right-of-way, including parking lots and on-street parking (for filming purposes)	\$50 per block
Partial closure or obstruction of public street or right-of-way, including parking lots and on-street parking (for filming purposes)	\$25 per block
Use of City parking lots, parking areas, and City streets (for the purpose of parking film trailers, buses, catering trucks, and other large vehicles)	\$50 per block or lot

The applicant agrees that The City of Tomball, Texas, shall have full control over the use of its name, trademark, logo, public streets and buildings of the City while any are being used, as well as control over the hours of production and the general location of the production. The City reserves the full and absolute right to prohibit all filming or to order cessation of filming activity if it is determined to be hazardous to the public health, safety and welfare.

VII. SPECIAL EQUIPMENT AND VEHICLES

The applicant shall provide a report listing the number of vehicles and types of equipment to be used during the filming, including proposed hours of use and proposed parking locations. Such locations must be specifically approved by the City so as to maintain traffic safety. On-street parking or use of public parking lots is subject to City approval. The use of exterior lighting, power generators, or any other noise- or light-producing equipment requires on-site approval of the City Manager.

VIII. HOURS OF FILMING

Unless permission has been obtained from the City Manager in advance and affected property owners, tenants and residents have been notified, filming will be limited to the following hours: Monday through Friday, 7:00 a.m. to 9:00 p.m., and Saturday, Sunday and holidays, 8:00 a.m. to 8:00 p.m.

IX. NOTIFICATION OF NEIGHBORS

The applicant shall provide a short written description, approved by the City Manager, of the schedule for the proposed production to the owners, tenants and residents of each property in the affected neighborhood (as defined by boundaries set by the City Manager). The applicant, or his or her designee, shall make a good faith effort to notify each owner, tenant and resident of all such property, and shall submit, as part of this application, a report noting each owner, tenant or resident's comments, along with their signatures, addresses and phone numbers. Based upon this community feedback, the City Manager may grant or deny the filming application.

X. CERTIFICATE OF INSURANCE

The producer shall attach a certificate of insurance, naming The City of Tomball, Texas as an additional insured, in an amount not less than \$1,000,000 general liability, including bodily injury and property damage with a \$5,000,000 umbrella; and automobile liability (if applicable) in an amount not less than \$1,000,000 including bodily injury and property damage.

XI. LIABILITY

The applicant agrees to pay in full, promptly upon receipt of an invoice, the costs of repair for any and all damage to public or private property, resulting from or in connection with, the production, and restore the property to its original condition prior to the production, or to better than original condition.

XII. HOLD HARMLESS AGREEMENT

The producer shall sign the following Hold Harmless Agreement holding the City harmless from any claim that may arise from their use of designated public property, right-of-way, or equipment in conjunction with the permitted use:

I certify that I represent the firm that will be performing the filming/taping at the locations specified on the attached permit application. I further certify that I and my firm will perform in accordance with the directions and specifications of The City of Tomball, Texas, and that I and my firm will indemnify and hold harmless The City of Tomball, Texas for and from any loss, damage, expense, claims and costs of every nature and kind arising out of or in connection with the filming/taping pursuant to this permit.

I further certify that the information provided on this Application is true and correct to the best of my knowledge, and that I hold the authority to sign this and other contracts and agreements with the City of Tomball on behalf of the firm.

Signed: _____

Title: _____

Date: _____

THE CITY OF TOMBALL, TEXAS

Application for Commercial Filming

Title of project: _____

Type of production: Commercial _____ Feature Film _____
 Television _____ Training Film _____
 Public Service _____ Other _____

Location of filming: _____

Date(s) of filming: _____

CONTACTS

Production Office:

Name: _____

Address: _____

Phone: _____ Fax: _____

Producer:

Name: _____

Address: _____

Phone: _____ Fax: _____

Location Manager:

Name: _____

Address: _____

Phone: _____ Fax: _____

Texas Film Commission Representative: _____

PRODUCTION *(Attach additional sheets if necessary.)*

1. Production schedule and activities to include stunts, pyrotechnics, special effects, aerial photography, amplified sound or use of animals: (Give dates and times and rain dates. Hours should include set-up, holding of sets and restoration.)

2. Number of persons involved with the production, including cast and crew:
3. Anticipated need of City personnel, equipment or property:
4. Describe any areas in which public access will be restricted during production:
5. Describe alterations to property:
6. Number and type of production vehicles to be used and location(s) where vehicles will be parked:
7. Location where crew will be fed, if not at production location:
8. Location where extras will be held, if not at production location:
9. Map of anticipated street closure(s) or other public area use.

Application completed by:

Name/Title: _____ Date: _____

Approved by: _____ Date: _____

The "Guidelines for Filming in Tomball, Texas" apply to all filming activities, and the Office of the City Manager may require the applicant to acknowledge receipt of the guidelines prior to approving this application.

**TOMBALL, TEXAS — PROPOSED FILMING PERMIT
NOTIFICATION AND SIGNOFF REQUEST**

Tomball, Texas requires that all property owners / residents whose property is adjacent to the area sought to be closed must be notified and provided with a map of the area, which indicates all obstructions to be placed in the closure area. The notification must indicate by signature, whether the property owner/resident approves or disapproves of the proposed closure.

For additional information concerning the actual filming at this location, please contact:

(Film Company's Contact Name)

(Phone Number)

_____ is applying for a FILMING PERMIT for the following film:
(Company Name)

(Name of Film)

The filming is scheduled for the following dates and times: _____

The filming will close or partially close the following streets: _____

The filming will consist of the following: _____

PROPERTY OWNER / RESIDENT

Please fill out the this section completely as this information is used by Tomball, Texas to determine whether or not the filming activities indicated above will be approved or denied.

☐ APPROVE

☐ DISAPPROVE

RECEIVED MAP:

☐ YES

☐ NO

(Print Name and Title)

(Signature)

(Print Address)

(Phone Number)

☐ RESIDENCE

☐ BUSINESS (Choose One)

Comments: _____

Street: _____

Block Number: _____

Received by Tomball, Texas on: _____

CITY OF TOMBALL LOCATION AGREEMENT

Working Title of Motion Picture

Date

Set Name

Scene Numbers

Name (herein called "Licensor")
Business Address

Phone Number

The City of Tomball, Texas, hereby grants to (Production Company with address)
(herein called "Company"), and its employees, agents, independent producers, contractors and suppliers,
permission to enter upon and use the premises located at: _____

and all signs, fixtures, and other personal and real property on and around said premises (all of which,
together with said premises, shall be referred to herein as the "Property") for the purpose of still photography
and making motion pictures, videotapes and sound recordings in connection with the production, exhibition,
advertising and exploitation of the motion picture, commencing on or about _____
(subject to change on account of weather conditions or changes in
production schedule), and continuing until completion of all scenes and work required.

CHARGES:(*Rates and/or rate schedule—this can vary as to flat day rate, hourly charges—this is negotiated
by the production and the location owner*)

All charges are payable on completion of all work contemplated, unless specifically agreed to the contrary.
Company is not obligated to actually use the Property or produce any motion picture or include material
photographed or recorded hereunder in the motion picture. Company may at any time elect not to use the
Property by giving Licensor written notice of such election, in which case neither party shall have any
obligation hereunder.

Company may place all necessary facilities and equipment, including temporary sets, and park vehicles if
appropriate, on the Property, and agrees to remove same after completion of work and leave the Property in
as good condition as when received, reasonable wear and tear from uses permitted herein excepted. Signs on
the Property may, but need not, be removed or changed, but, if removed or changed, must be replaced.
Licensor agrees to execute a location restoration release in Company's favor upon Company's reasonable
request following restoration of the Property. In connection with the motion picture, Company may refer to
the Property or any part thereof by any actual or fictitious name and may attribute any real or fictitious events
as occurring on the Property. Licensor irrevocably grants to Company and Company's successors and
assigns the right, in perpetuity, throughout the universe, to duplicate and re-create all or a portion of the
Property, to alter such duplicates and re-creations, and to use such duplicates and re-creations in any media
and/or manner now known or hereafter devised in connection with the motion picture, including without
limitation sequels thereto, merchandising, theme parks and studio tours, and in connection with publicity,
promotion and/or advertising for any or all of the foregoing.

Company agrees to use reasonable care to prevent damage to said Property, and will indemnify Licensor, and all other parties lawfully in possession of said Property, and hold each of them harmless from any claims and demands of any person or persons arising out of or based upon personal injuries, death or property damage suffered by such person or persons resulting directly from any act of negligence on Company's part in connection with the work hereunder.

All rights of every kind in and to all still pictures, motion pictures, videotapes, photographs and sound recordings made hereunder shall be and remain vested in Company and its successors, assigns and licensees, and neither Licensor nor any tenant, or other party now or hereafter having an interest in said Property, shall have any right of action against Company or any other party arising out of any use of said still pictures, motion pictures, videotapes, photographs and/or sound recordings, whether or not such use is, or may be claimed to be, defamatory, untrue or censorable in nature.

At any time within 6 months from the date Company completes its use of the Property hereunder, Company may, upon not less than 5 days prior written notice to Licensor, re-enter and use the Property for such period as may be reasonably necessary to photograph retakes, added scenes, etc. desired by Company upon the same terms and conditions as contained in this agreement.

Licensor warrants that Licensor is the owner or authorized agent for the owner of the Property and that Licensor has full authority to enter into this agreement and grant the rights herein granted.

Licensor's sole remedy for a breach by Company of any of Company's obligations hereunder shall be an action at law for damages, it being agreed that in no event shall Licensor or its successors and assigns, or any other party now or hereafter having an interest in said Property seek or be entitled to injunctive or other equitable relief for breach by Company of any of its obligations under this Agreement.

If the box below is checked, the attached Addendum shall constitute part of this agreement. This is the entire agreement. This agreement cancels and supersedes all prior negotiations and undertakings relating to the Property and contains all of the terms, covenants, conditions, representations and warranties, written or oral, of the parties hereto in the premises. No other authorization is necessary to enable Company to use the Property for the purposes herein contemplated.

ACCEPTED:

(Company)

Licensor: _____

By: _____
Its: Authorized Signatory

By: _____
Its:

Terms confirmed by:

Address: _____

Location Manager

Federal I.D.# _____

☐ Check here if Addendum attached

PRODUCTION COMPANY LETTERHEAD

SAMPLE #1: MERCHANTS AND BUSINESS DISTRICT

June 14, 2006

Dear Neighbor:

My name is Joe Smith and I am a Location Scout for the upcoming movie, "THE MOVIE". Shooting will be taking place in Providence beginning in August 2006 and continuing through November 2006.

Some of our locations are in your building's area, and we wanted to inform you of our upcoming presence beginning Friday, August 11th. On this day as well as Monday, August 14th and Tuesday, August 15th we will be filming outside the Turks Head Building. Wednesday, August 16th through Saturday, August 17th we will be filming on Washington Street between. We are going to need to down many of the surrounding streets, as well as posting "No Parking" signs with the help of the City of Providence. We are going to have multiple Providence Police Detail Officers on hand to help direct traffic and ensure public safety.

We apologize for any inconvenience that this may cause, but thank you in advance for your cooperation. If you have any questions or concerns, please feel free to contact me on my cell phone at 401-555-1234, or my colleague Emily Jones at 401-555-6789.

Thank you,

Joe Smith
Location Scout

PRODUCTION COMPANY LETTERHEAD

SAMPLE #2: RESIDENTIAL NEIGHBORHOOD

September 1, 2006

Dear Waterman Street Neighbor:

We are presently filming the television show "TeeVee Show" in Providence. One of our recurring locations is in your neighborhood and we wanted to inform you of our upcoming presence.

On Thursday, October 19, 2006 we will be filming a few scenes on Waterman Street that will require us to clear the street, as well as intermittently close the street down throughout the day. We are currently working on alternative parking nearby for those we will be affecting the most and thank you in advance for your patience with that.

We understand that this may be an inconvenience to your everyday activities, but ask for your cooperation during filming. Without the support of the residents of Providence, it would not be possible for us to shoot locally. If you have any questions or concerns, please contact us at 401-555-4321 or send an e-mail to emailaddress@tv.com.

Thank you,

The Locations Department
TeeVee Show Productions

PRODUCTION COMPANY LETTERHEAD

SAMPLE #3: RESIDENTIAL NEIGHBORHOOD, PRODUCTION TRUCK PARKING

September 1, 2006

Dear Hope Street Neighbor:

We are presently filming the television show “TeeVee Show” in Providence. One of our recurring locations is in your neighborhood and we wanted to inform you of our upcoming presence.

On Tuesday, November 13, 2006 we will be filming a few scenes on nearby Governor Street that will require us to clear that street, as well as intermittently close it down throughout the day. We will also need to park some of our production trucks and vehicles on Hope Street. We are currently working on alternative parking nearby for those we will be affecting the most and thank you in advance for your patience with that.

We understand that this may be an inconvenience to your everyday activities, but ask for your cooperation during filming. Without the support of the residents of Providence, it would not be possible for us to shoot locally. If you have any questions or concerns, please contact us at 401-555-4321 or send an e-mail to emailaddress@tv.com.

Thank you,

The Locations Department
TeeVee Show Productions



FILMMAKERS CODE OF PROFESSIONAL RESPONSIBILITY

To the Public: We are pleased to be filming in this location and appreciate your cooperation. If you find this production company is not adhering to the Filmmakers Code of Professional Responsibility, please call Lisa Rawlins, Senior Vice President, Studio and Production Affairs, Warner Bros. Entertainment at (818) 802-2022 (cell) or (818) 954-1990 (office).

To our Production Companies: You are guests and should treat this location, as well as the public, with courtesy. If we do not conduct our business in a respectful professional manner while working in our local communities, we cannot expect cooperation from the communities in the future. Please adhere to the following guidelines.

1. When filming in a neighborhood or business district, proper notification is to be provided to each merchant or neighbor who is directly affected by the company (this includes parking, base camps and meal areas). The filming notice should include:
 - * **name of company**
 - * **name of the production**
 - * **kind of production (e.g. feature film, movie of the week, TV pilot, etc.)**
 - * **type of activity, and duration (i.e., times, dates and number of days, including prep and strike)**
 - * **company contact (first assistant director, unit production manager, location manager)**

The Filmmakers Code of Professional Responsibility should be attached to the filming notification distributed to the neighborhood.

2. Production vehicles arriving on location in or near a residential neighborhood shall not enter the area before the time stipulated in the permit, and park one by one, turning off engines as soon as possible. Cast and crew shall observe designated parking areas.
3. Every member of the crew shall wear a production badge, when issued.
4. Moving or towing of the public's vehicles is prohibited without the express permission of the municipal jurisdiction or the owner of the vehicle.
5. Do not park production vehicles in, or block driveways without the express permission of the municipal jurisdiction or driveway owner.

-- OVER --

Filmmakers Code of Professional Responsibility

Page 2

6. Cast and crew meals shall be confined to the area designated in the location agreement or permit. Individuals shall eat within their designated meal area, during scheduled crew meals. All trash must be disposed of properly upon completion of the meal. Remember to use the proper receptacles for trash (e.g., napkins, plates, coffee cups, etc.) that you may use in the course of the working day.
7. Removing, trimming and/or cutting of vegetation or trees is prohibited unless approved by the permit authority or property owner.
8. All signs erected or removed for filming purposes will be removed or replaced upon completion of the use of that location unless otherwise stipulated by the location agreement or permit. Also remember to remove all signs posted to direct the company to the location.
9. Every member of the cast and crew shall keep noise levels as low as possible.
10. Do not wear clothing that lacks common sense and good taste. Shoes and shirts must be worn at all times, unless otherwise directed.
11. Crewmembers shall not display signs, posters or pictures on vehicles that do not reflect common sense or good taste (e.g., pin-up posters...).
12. Do not trespass onto other neighbors' or merchants' property. Remain within the boundaries of the property that has been permitted for filming.
13. The cast and crew shall not bring guests or pets to the location, unless expressly authorized in advance by the company.
14. All construction, strike, catering, crafts service, and personal trash must be removed from the location.
15. Observe designated smoking areas and always extinguish cigarettes in butt cans.
16. Cast and crew will refrain from the use of lewd or improper language within earshot of the general public.
17. The company will comply at all times with the provisions of the filming permit.

Warner Bros. Entertainment appreciates your cooperation and assistance in upholding the Filmmakers Code of Professional Responsibility.

I have received and read the "Filmmakers Code of Professional Responsibility."

Signature

Date



Glossary of Terms



There are many job descriptions on any film project. As a community representative, you're most likely to come into contact with the ones listed below. For a comprehensive list, see the [Internet Movie Database Glossary](#)

Buyer - Works for the Art Department; responsible for buying/renting props, costumes, furniture and other items that appear on camera.

Casting Director - Responsible for hiring the actors and extras for the film.

Craft Services - On-set snacks and beverages for the cast and crew. Separate from catering, which provides full meals.

Construction Coordinator - Responsible for coordinating construction and details of the set, including furniture, working props, models and miniatures.

Director - Responsible for the overall cinematic vision of the film; orchestrating the performance by the actors; and managing all creative elements of the production.

Director of Photography / Cinematographer (D.P.) - Head of the Camera Department. Responsible for the look of the film; working with Director, Producer, Production Designer, and Visual Effects Supervisor to create visual representation of script; selecting camera, film stock, lenses, lighting style and color scheme; and setting composition of each shot.

Line Producer - See Production Manager for a very similar job description.

Location Manager - Responsible for managing the filming locations; acting as the representative of the Production Company for the filming locations; negotiating with property owners on price and type of activity; and securing necessary permits.

Location Scout - Responsible for finding locations for the film during pre-production; and prepares photographs of possible locations for review by the Director and Production Designer

Producer - Responsible for overseeing all phases of production for financial and managerial control; working with the Production Company throughout the filmmaking process to ensure that production is completed on time and on budget; and providing the Director with the needed production personnel.

Production Assistant (P.A.) - the entry-level position on the crew. PAs handle an assortment of odd jobs and errands in the office and on the set.

Production Designer - The "architect" of the physical appearance of the set. Responsible for planning and overseeing the creation of the sets, scenery, costumes, and other items that appear in front of the camera. The Art Director reports to the Production Designer.

Production Manager / Unit Production Manager (U.P.M) - Head of the Production Office. Responsible for keeping track of the budget; approving schedules and call sheets; and hiring and firing crew.

Property Master - Responsible for the procurement, placement and maintenance of set props, hand props and action props. Props are items that are used by an actor; set dressing are items that appear on camera but are not used by an actor.

Set Decorator - Head of the Set Dressing Department. Responsible for working with the Production Designer on set design and decoration; overseeing the dressing of the set with appropriate items; and managing the acquisition of set items.

Transportation Coordinator - Head of the Transportation Department. Responsible for being liaison between other departments and the Transportation Department; and scheduling and coordinating drivers for actors and crew, to and from set.

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 7, 2011

Topic:

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

- Section 551.072. Deliberations Regarding Real Property: Discussion on the Purchase, Sale, or Trade of Real Property in Downtown Tomball
- Section 551.072. Deliberations Regarding Real Property: Discussion on the Leasing of Property for Communications Facilities

Background:**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	☐ 1 ST ☐ 2 ND	

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 7, 2011

Topic:

Designate Downtown Parking Lot Locations and Direct Engineering and Planning Department to Negotiate and Prepare Professional Services Contract

Background:

The City of Tomball (City) in coordination with the Houston-Galveston Area Council (HGAC) and the Texas Department of Transportation (TxDOT) conducted a Livable Centers Downtown Plan in coordination with the FM 2920 Access Management Plan. The Access Management Plan calls for the removal of the on-street parking that is currently within the limits of downtown Tomball along FM 2920 and as such the Livable Center Downtown Plan identified five (5) potential parking lot locations that could serve to replace the parking that will be lost along FM 2920 during the implementation of the Access Management Plan. The City Council has programmed funding to move one or more of the parking lot projects forward during the current fiscal year. The Livable Centers Downtown Plan available from H-GAC depicts parcel locations for each of the 5 potential parking facilities on Page 38 of the final report (attached). In addition, Engineering and Planning Department prepared an exhibit depicting the 5 potential parking facilities noted above, plus a parking facility easterly of North Elm and a parking facility southerly of the Depot area along South Elm. Two additional parking facilities were included based on discussion at the January 17th Council meeting; the parking facilities are located at the corner of N. Magnolia and FM 2920 and the corner of S. Oak and Fannis St. The project is a currently listed 2011 budgeted CIP project.

Origination:

Engineering and Planning Department

Recommendation:

The Engineering and Planning Department request City Council's designation of the parking lot locations to be considered and to direct staff to negotiate and prepare the Professional Services Contract for Council's approval.

Funding:

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

Engineering and Department

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

ATTACHMENTS:

Proposed Conceptual Parking Lots Cost Estimate and Layouts
Simple Analysis

Summary of Proposed Location of Downtown Parking Lots Preliminary Costs

Parking Lot	Location	Number of Parking Spaces	Land Acquisition Cost	Site Construction Cost	Sidewalk/Street/ Alleyway Cost	Total Construction	Professional Services (20%)	Total Construction & Professional Services	Cost per Space (Land/Site/ Professional Services)	Cost per Space (Land/Site/Sidewalk/ Street/Alleyway/ Professional Services)
AN	N Elm Between W Main and Houston	23	\$ -	\$ 210,000.00	\$ 208,240.00	\$ 418,240.00	\$ 83,648.00	\$ 501,888.00	\$ 10,956.52	\$ 21,821.22
BN	NW Corner Commerce @ N Walnut	18	\$ 31,872.00	\$ 110,000.00	\$ 22,000.00	\$ 163,872.00	\$ 32,774.40	\$ 196,646.40	\$ 9,458.13	\$ 10,924.80
CN	SW Corner Commerce @ N Oak	37	\$ 194,005.00	\$ 285,000.00	\$ 12,000.00	\$ 491,005.00	\$ 98,201.00	\$ 589,206.00	\$ 15,535.30	\$ 15,924.49
DN	NE Corner N Magnolia & W Main	42	\$ 105,000.00	\$ 293,000.00	\$ 5,600.00	\$ 403,600.00	\$ 80,720.00	\$ 484,320.00	\$ 11,371.43	\$ 11,531.43
AS	NW Corner Market @ S Cherry	27	\$ 50,375.00	\$ 200,000.00	\$ 9,200.00	\$ 259,575.00	\$ 51,915.00	\$ 311,490.00	\$ 11,127.78	\$ 11,536.67
BS	SE Corner W Main @ Walnut	5	\$ 25,000.00	\$ 80,000.00	\$ 4,240.00	\$ 109,240.00	\$ 21,848.00	\$ 131,088.00	\$ 25,200.00	\$ 26,217.60
CS	West of Barnes at Depot	18	\$ 30,000.00	\$ 110,000.00	\$ 2,800.00	\$ 142,800.00	\$ 28,560.00	\$ 171,360.00	\$ 9,333.33	\$ 9,520.00
DS	SE Corner S Elm @ Fannin	54	\$ 39,200.00	\$ 345,000.00	\$ 243,200.00	\$ 627,400.00	\$ 125,480.00	\$ 752,880.00	\$ 8,537.78	\$ 13,942.22
ES	SW Corner S Oak @ Fannin	23	\$ -	\$ 245,000.00	\$ 10,000.00	\$ 255,000.00	\$ 51,000.00	\$ 306,000.00	\$ 12,782.61	\$ 13,304.35
TOTAL		247	\$ 475,452.00	\$ 1,878,000.00	\$ 517,280.00	\$ 2,870,732.00	\$ 574,146.40	\$ 3,444,878.40	\$ -	\$ -

Items of Note

1. Cost are estimated by staff.
2. Cost do not include potential/unknown oil & gas related issues.
3. Cost do not include potential/unknown environmental issues.
4. Land Acquisition is based on HCAD website.
5. ADA/TAS Parking not included, but will be part of final design.
6. Trees shown in landscape locations but due to limited space shrubs may be substituted.

Parking Lot	Location	Number of Parking Spaces	Land Acquisition Cost	Site Construction Cost	Sidewalk/Street/ Alleyway Cost	Total Construction	Professional Services (20%)	Total Construction & Professional Services	Cost per Space (Land/Site/ Professional Services)	Cost per Space (Land/Site/Sidewalk/ Street/Alleyway/ Professional Services)
CS - Alt 1	West of Barnes at Depot	6	\$ 18,800.00	\$ 87,600.00	\$ 2,800.00	\$ 109,200.00	\$ 21,840.00	\$ 131,040.00	\$ 21,280.00	\$ 21,840.00
CS - Alt 2	West of Barnes at Depot	12	\$ 18,800.00	\$ 87,600.00	\$ 2,800.00	\$ 109,200.00	\$ 21,840.00	\$ 131,040.00	\$ 10,640.00	\$ 10,920.00

HCAD Based SF Cost Determination for Land Acquisition

Parking Lot	Location	Owner	HCAD Number	Real_acct.Total_Land_Area (SF)	Real_acct.Total_Market_Value	Square Footage Cost (per HCAD)
AN	Elm Between Main and Houston	CITY OF TOMBALL	440550000279	26000	\$ -	\$ -
BN	NW Corner Commerce @ Walnut	HUTSON RODNEY	352570070024	7500	\$ 31,872	\$ 4.25
CN	SW Corner Commerce @ Oak	OBRIEN MIKE	352600180019	12500	\$ 39,000	\$ 3.12
		OBRIEN MIKE J	352600180023	7500	\$ 155,005	\$ 20.67
DN	NE Corner N Magnolia & W Main	HENNESSY MIKE O	352660420008	21000	\$ 105,000	\$ 5.00
AS	NW Corner Market @ Cherry	RODNEY K HUTSON	352590140021	30000	\$ 121,000	\$ 4.03
BS	SE Corner Main @ Walnut	RODNEY K HUTSON M D P A	352560030013	5000	\$ 25,000	\$ 5.00
CS	West of Barnes at Depot	HUTSON RODNEY K MD PA	1316090010001	19998	\$ 79,992	\$ 4.00
DS	SE Corner Elm @ Fannin	CITY OF TOMBALL	352570060001	5000	\$ -	\$ -
		CITY OF TOMBALL	352570060003	2500	\$ -	\$ -
		CITY OF TOMBALL	352570060004	2500	\$ -	\$ -
		CITY OF TOMBALL	352570060005	2500	\$ -	\$ -
		TOMBALL ISD	352570060006	2500	\$ -	\$ -
		STATE OF TEXAS	352570060007	2500	\$ -	\$ -
		CURRENT OWNER	352570060008	2500	\$ 9,800	\$ 3.92
		QUINONES RICHARD	352570060009	2500	\$ 9,800	\$ 3.92
		CITY OF TOMBALL	352570060010	2500	\$ -	\$ -
		CITY OF TOMBALL	352570060011	2500	\$ -	\$ -
ES	SW Corner S Oak & Fannin	CITY OF TOMBALL	352610210023	5000	\$ -	\$ -
		CITY OF TOMBALL	352610210021	5000	\$ -	\$ -
		CITY OF TOMBALL	352610210019	2500	\$ -	\$ -
		CITY OF TOMBALL	352610210020	2500	\$ -	\$ -

Proposed Conceptual Parking Lot Layout



Lot AN (N Elm Between W Main and Houston)



Lot BN (NW Corner Commerce @ N Walnut)



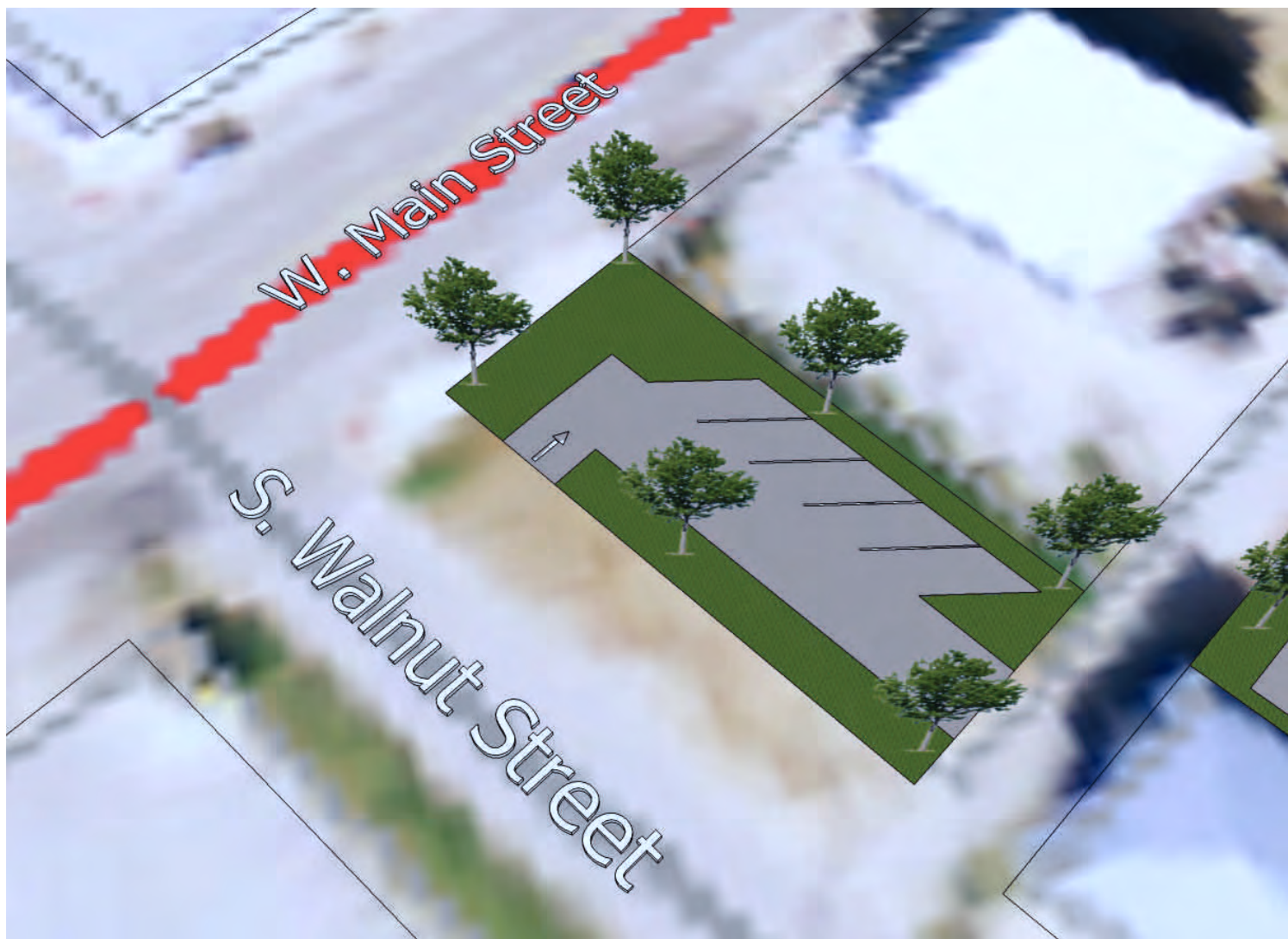
Lot CN (SW Corner Commerce @ N Oak)



Lot DN (NE Corner N Magnolia & W Main)



Lot AS (NW Corner Market @ S Cherry)



Lot BS (SE Corner W Main @ Walnut)



Lot CS (West of Barnes at Depot)



Lot DS (SE Corner S Elm @ Fannin)



Lot ES (SW Corner S Oak @ Fannin)



Lot CS—Alt 1 (West of Barnes at Depot)



Lot CS—Alt 2 (West of Barnes at Depot)

For discussion purposes only. Not for construction.

Overview of Lease Option
Parking Lots

Amount Budgeted for Purchase and Construction	\$555,000
Cost of Construction for three lots	<u>421,000</u>
Funds remaining for land acquisition	\$134,000
Cost of purchasing BN and CS lots	\$ 61,000-\$ 150,000 Estimated

Detail analysis variables:

- Market Values vs. HCAD values
- Interest Rates
- Legislative factors (e.g. tax caps)
- Tax rates
- Locations of Parking Lots (i.e. where are the best locations in 20 years)
- Land Values (current and future)
- Future Growth
- Environmental issues (current and future)

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 7, 2011

Topic:

Appoint Members to the City of Tomball Board of Appeals (BOA)

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 Tana Ross, Rick Tomlinson, and Brett Tynes and Alternate board member Evelyn Torres-Chervenak will expire on March 2, 2011. Mrs. Ross, Mr. Tomlinson, Mr. Tynes, and Mrs. Torres-Chervenak have each expressed their interest in being reappointed. Each of the regular members has completed a full two-year term; this would be the second term. Mrs. Torres-Chervenak has completed one year of an unexpired term; this would be her first full term.

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

John Dillon.

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.

Regular Members:

Tana Ross
Rick Tomlinson
Brett Tynes

Alternate Member 4

Evelyn Torres-Chervenak

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

Origination:

City Secretary

Recommendation:

As recommended by Mayor Fagan.

Funding:

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

City Secretary

ACTION TAKEN

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

BOA Attendance Report

Tana Ross Application

Rick Tomlinson Application

Brett Tynes Application

Evelyn Torres-Chervenak Application

John Dillon Application

Board of Adjustments 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.:

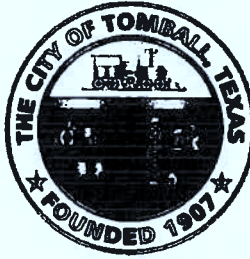
John Ford - Present
Tana Ross – Excused Absence
Brett Tynes – Present
Rick Tomlinson – Excused Absence
John Lynch – Present
Billy Hemby (Alternate) – Present
Evelyn Torres Chervenak (Alternate) – Present

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



CITY OF TOMBALL

APPLICATION FOR CITY BOARDS/COMMISSIONS/COMMITTEES

NOTE: AS AN APPLICANT FOR A CITY BOARD, COMMISSION, OR COMMITTEE, YOUR NAME, ADDRESS, AND PHONE NUMBER WILL BE AVAILABLE TO THE PUBLIC. ALL OTHER INFORMATION WILL REMAIN CONFIDENTIAL. YOU WILL BE CONTACTED BEFORE ANY ACTION IS TAKEN ON YOUR APPOINTMENT. 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 IN ANY TWELVE CONSECUTIVE MONTHS OR ABSENT FROM MORE THAN TWO CONSECUTIVE MEETINGS, FOR OTHER THAN MEDICAL REASONS, WILL BE AUTOMATICALLY REMOVED FROM SERVICE. APPLICANT MUST BE A CITIZEN OF THE UNITED STATES.

PLEASE TYPE OR PRINT CLEARLY: _____ DATE: Feb. 27, 2008
NAME: TANA ROSS PHONE: 281-516-7185
ADDRESS: 30722 COUNTRY MEADOWS 713-5150226 (HOME)
E-MAIL: tananews@peoplepc.com (WORK)

I have lived in Tomball 4 years. I am ☒ am not ☐ a U.S. Citizen

OCCUPATION: News writer.

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES: President, Country Meadows, CTA.

ADDITIONAL PERTINENT INFORMATION/REFERENCES: Bruce Hillegeist
281. 371-7222 - work

APPLICATIONS FOR THE FOLLOWING COUNCIL APPOINTED BOARDS/COMMISSIONS/COMMITTEES
ARE KEPT ON FILE IN THE CITY SECRETARY'S OFFICE (281-290-1002):

PLEASE INDICATE YOUR PREFERENCE BY NUMBERING 1-2-3...

ADVISORY BOARDS & COMMISSIONS:

- () Parks, Recreation & Beautification Advisory Board
() Impact Fee Advisory Board

MEETING TIME

Second Tuesday each month, 5 p.m.
As needed, second Monday in
month, 6 p.m.

DECISION-MAKING BOARDS AND COMMISSIONS:

- ☐ Building Standards Board
☐ Planning and Zoning Commission
☐ Electrical Board

☐ Technical Airport Advisory Committee
☒ Board of Adjustment - *alternate*

MEETING TIME

As needed, 5 p.m.
Second Monday each month, 6 p.m.
First Tuesday after third Monday,
7:30 p.m.
To Be Announced; Evenings
To Be Announced; Evenings

SEPARATE LEGAL ENTITIES:

- ☐ Tomball Economic Development Corporation

☐ Tomball Hospital Board

MEETING TIME

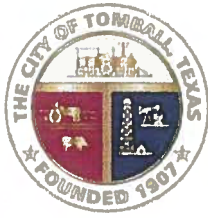
First Wednesday of January, April,
July & October, 9 a.m. (special
meetings may be called)
Fourth Wednesday each month, 4 p.m.

I AM INTERESTED IN SERVING ON THE ABOVE CHECKED BOARDS, COMMISSIONS, OR COMMITTEES.

Tana Ross
SIGNATURE OF APPLICANT

PLEASE RETURN THIS FORM TO:

CITY SECRETARY
CITY OF TOMBALL
401 MARKET STREET
TOMBALL, TX 77375



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 or Print Clearly:

Date: 2/5/2010

Name: RICHARD M. (RICK) TOMLINSON

Phone: 281-351-7207

(Home)

Address: 1720 BAKER DRIVE

Phone: —

(Work)

City/State/Zip: TOMBALL, TX 77375

Email: RICKYT1@ATT.NET

I have lived in Tomball 25 years.

I am X am not — a U.S. Citizen

Occupation: RETIRED AIRLINE PILOT

Professional and/or Community Activities: TRUSTEE & ADULT SS TEACHER AT
GRACE CHRISTIAN FAMILY CENTER OF TOMBALL; MEMBER OF
TOMBALL BOARD OF ADJUSTMENTS

Additional Pertinent Information/References: PAT BAILEY; REV. DANNY CARPENTER

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.

(2) Board of Adjustments

To Be Announced; Evenings

Separate Legal Entities

Meeting Information

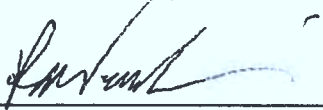
() Tomball Economic Development Corporation

Fourth Tuesday of the Second Month of Each Quarter, 5:30 p.m. (special meetings may be called)

(1) Tomball Hospital Board

Fourth Wednesday each month, 4 p.m.

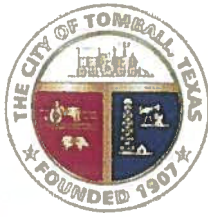
I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.



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

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: 1-29-2010

Name: Brett Tynes

Phone: (281) 386-6653

Address: 824 Wilson Ln.

Phone: (281) 516-3870
(Home)
(Work)

City/State/Zip: Tomball, TX 77375

Email: btynes@hiddenvul.com

I have lived in Tomball 12+ years.

I am ☒ am not ☐ a U.S. Citizen

Occupation: Investment Manager / Business Owner

Professional and/or Community Activities: Tomball Chamber of Commerce
TISO Re-Alignment Committee, City of Tomball - Board of Adjustments,
Accredited Asset Mgmt Specialist (AAMS), Securities Registrations (7, 63, 66, 8)

Additional Pertinent Information/References: Kean Register - Former City Mgr - Bray Tr
Mark Youngjohn - Former CDBG Grant Coord - City of C.S., Dennis
David Luback - 835 Baker, Preston Addison - Baker Dr - P & Z Commission

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.

(1) (✓) Board of Adjustments *Currently serving 2yr term*

To Be Announced; Evenings

Separate Legal Entities

Meeting Information

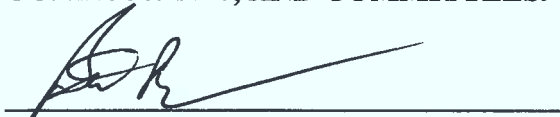
() Tomball Economic Development Corporation

Fourth Tuesday of the Second Month of Each Quarter, 5:30 p.m. (special meetings may be called)

(2) (✓) [?] Tomball Hospital Board *- Possibly Interested
Serving here if needed - Need more info.*

Fourth Wednesday each month, 4 p.m.

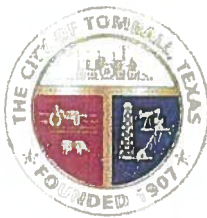
I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.



Signature of Applicant

Please return this application to:

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



CITY OF TOMBALL

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Please Type or Print Clearly:

Name: Evelyn Torres-Chervena

Address: 111 Mc Phail

City/State/Zip: Tomball Tx 77375

Email: _____

Date: January 26, 2010

Phone: 832-704-8090

Phone: 832-704-8090
(Home)
(Work)

I have lived in Tomball 1 1/2 years.

I am ☒ am not ☐ a U.S. Citizen

Occupation: Accountant

Professional and/or Community Activities:

Haplan University - Student Accounting Association (SAA) member

SAA Judicial Committee member

SAA Special Review and Task Force Committee ~~Chair~~ Secretary

Additional Pertinent Information/References:

Self Employed - Etc. Services

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.

(1) Board of Adjustments

To Be Announced; Evenings

Separate Legal Entities

Meeting Information

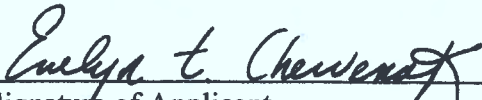
(2) Tomball Economic Development Corporation

Fourth Tuesday of the Second Month of Each Quarter, 5:30 p.m. (special meetings may be called)

(3) Tomball Hospital Board

Fourth Wednesday each month, 4 p.m.

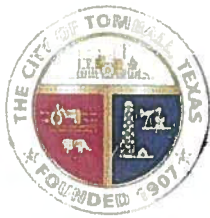
I AM INTERESTED IN SERVING ON THE ABOVE-INDICATED BOARDS, COMMISSIONS, AND COMMITTEES.



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 or Print Clearly:

Date: 01/26/ 2010

Name: JOHN P. DILLON

Phone: 281-351-2921

Address: 14166 TURNER VIVE

Phone: 713-755-7405 (Home)

City/State/Zip: TOMBALL TX 77375

CELL (Work)
281-610-1133

Email: JOHN P DILLON 76 (a) GAHOO.COM

I have lived in Tomball 18 years.

I am ☒ am not ☐ a U.S. Citizen

Occupation: DEPUTY SHERIFF

Professional and/or Community Activities: COMMISSIONER ESD 8

Additional Pertinent Information/References: TRUSTEE AT CHURCH

FINANCE COMMITTEE AT CHURCH

LAY REPRESENTATIVE 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 (X) Planning & Zoning Commission

Second Monday each month, 6 p.m.

3 (1) Board of Adjustments

To Be Announced; Evenings

Separate Legal Entities

Meeting Information

2 (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.



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 7, 2011

Topic:

Approve **STAR TOMBALL REPLAT NO. 1**; A subdivision of 0.6503 acre of land; Being a replat of restricted Reserve "A" of Star Tomball as recorded in Volume 345, page 114, Harris County Map Records, located in the Joseph House Survey, Abstract Number 34, City of Tomball, Harris County, Texas

Background:

The Planning and Zoning Commission approved the **STAR TOMBALL REPLAT NO. 1** with contingencies on December 13, 2010. Comments have been addressed and the replat is now being forwarded to City Council for approval consideration.

Origination:

Engineering and Planning Department

Recommendation:

Approval

Funding:

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

Engineering and Planning Department

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

ATTACHMENTS:

Star Tomball Replat No. 1

RESTRICTED RESERVE "A"
TOMBALL TOWN CENTER
F.C. NO. 571094 H.C.M.R.

JOSEPH HOUSE SURVEY, A-34

CALLED 0.6984 ACRES
FISCHER HI-LO STORE PROPERTIES
JOINT VENTURE
H.C.C.F. NO. M396112

TRACT "A"
CORNERSTONE LUBY'S
F.C. NO. 383097 H.C.M.R.

MCDONALDS TOMBALL
H.C.C.F. NO. N706098

SHELL OIL COMPANY
H.C.C.F. NO. H827154

STATE HIGHWAY 249
(120' R.O.W.)
VOL. 850, PG. 215 H.C.D.R. & H.C.C.F. NO. B518783

F.M. 2920 (120' R.O.W.)
(VOL. 1420, PG. 64 H.C.D.R.)

RESTRICTED RESERVE "A"
FINAL PLAT OF TOMBALL PLAZA
SUBDIVISION
F.C. NO. 562208 H.C.M.R.

NOTES:

- 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 its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- According to FEMA Firm Panel No. 48201C0210 L, dated June 18, 2007, this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- The building lines shown on this plat shall be in addition to and shall not limit or replace any building lines required by the City of Tomball Code of Ordinances at the time of the development of the property.
- The square feet Area Calculation for Lot 1 is shown to the nearest one hundredth of a square foot in keeping with the City Subdivision Ordinance only. The surveying standards for the State of Texas, and industry tolerances for measurements do not allow for such accuracy.

THE STATE OF TEXAS

COUNTY OF HARRIS

We, Tomball Main, L.P., a Texas limited partnership, acting by and through Avi Ron, President of AR2010 GP, Inc., a Texas corporation, its general partner, Owners, hereinafter referred to as owners of the 0.6503 acre tract described in the above and foregoing plat of STAR TOMBALL replat no 1, do hereby make and establish said subdivision of said 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 ourselves, our heirs, successors and assigns to warrant 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 an unobstructed aerial easements five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

IN TESTIMONY WHEREOF, Tomball Main, L.P., a Texas limited partnership, has caused these presents to be signed by Avi Ron, President of AR2010 GP, Inc., a Texas corporation, its general partner, this 14th day of December, 2010.

TOMBALL MAIN, L.P.

By: AR2010 GP, Inc., a Texas corporation, its general partner

By: Avi Ron
Avi Ron, President

THE STATE OF TEXAS

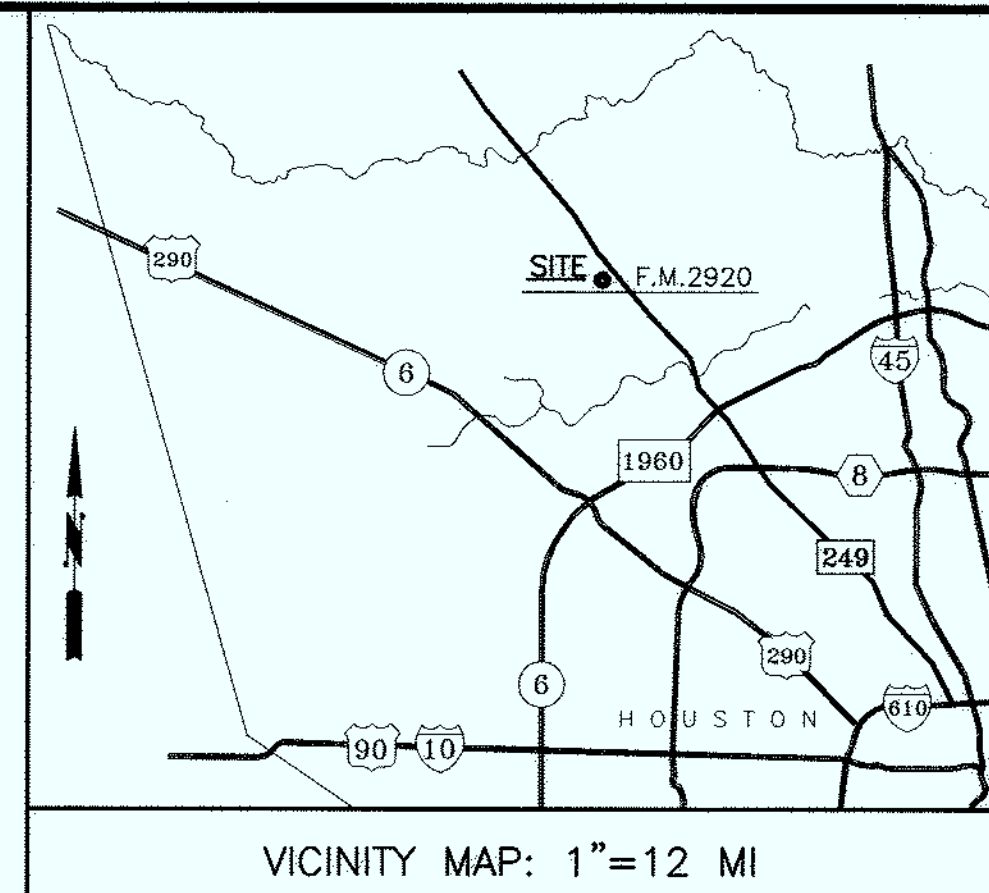
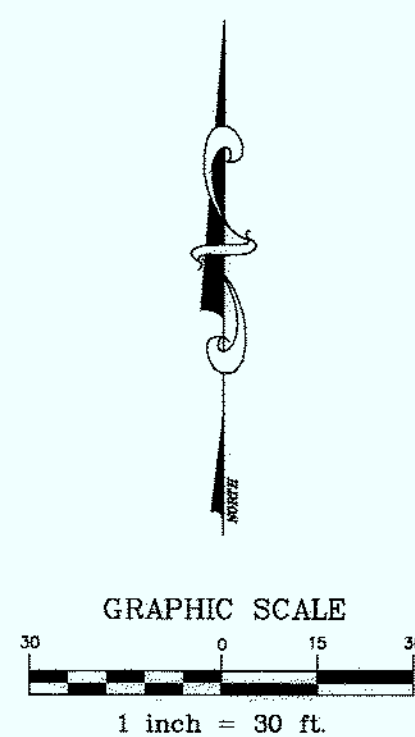
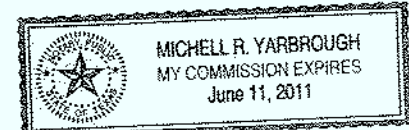
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Avi Ron, President of AR2010 GP, Inc., a Texas corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said limited partnership.

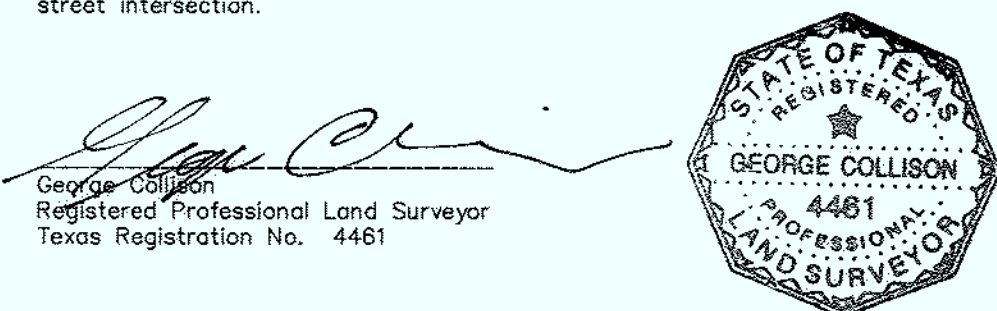
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 14th day of December, 2010.

Notary Public in and for the State of Texas

My Commission expires: 12/11/14



I, George Collison, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and 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 curvature, and other points of reference have been marked with iron pipes or rods having an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the nearest street intersection.



This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of STAR TOMBALL replat no 1 in conformance with the laws of the State of Texas and the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

By: Lori Wallace
Chairman

By: Tom Crofoot
Vice Chairman

We, the City Manager and the Director of Engineering and Planning for the City of Tomball, do hereby certify that this plat complies with the City of Tomball ordinance.

By: George Shackelford
City Manager

By: Mark A. McClure, P.E.
Director of Engineering & Planning

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 and the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 2010.

By: Gretchen Fagan
Mayor

By: Doris Speer
City Secretary

I, Stan Starnert, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2010, at _____ o'clock _____m., and and duly recorded on _____, 2010 at _____ o'clock _____m. and at Film Code Number _____ of the Map Records of Harris County for said County.

Witness my hand and seal of office, at Harris County, Texas, the day and date last above written.

Stan Starnert
County Clerk of
Harris County, Texas

By: _____
Deputy

REASON FOR REPLAT: TO CREATE A SINGLE LOT;
COMBINE TRACTS I & II

STAR TOMBALL replat no 1

A SUBDIVISION OF 0.6503 ACRE OF LAND
BEING A REPLAT OF RESTRICTED RESERVE "A" OF STAR TOMBALL
AS RECORDED IN VOLUME 345, PAGE 114, HARRIS COUNTY MAP RECORDS
LOCATED IN THE
JOSEPH HOUSE SURVEY, ABSTRACT NUMBER 34
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

1 ~ LOT 1 ~ BLOCK

OWNERS:

TOMBALL MAIN, L.P.
4808 GIBSON
HOUSTON, TEXAS 77007
(713) 457-1923

SURVEYOR:

TERRA SURVEYING COMPANY, INC.
3000 WILCREST DRIVE, SUITE 210
HOUSTON, TEXAS 77042
(713) 993-0327

PROJ. NO.: 2300-0741 S SCALE: 1" = 30' DATE: DECEMBER, 2010

Regular City Council

Agenda Item

Meeting Date: February 7, 2011

Data Sheet

Topic:

Approve Resolution No. 2011-02, a Resolution of the City Council of the City of Tomball, Texas, Designating the Official Newspaper for 2011 for Publication of Matters Pertaining to the City of Tomball

Background:

Section 3.06 of the Home Rule Charter requires Council to annually designate a public newspaper of general circulation in the City as the official newspaper for all ordinances, notices and other matters required to be published by the Charter, Tomball ordinances, the Constitution or state or federal laws. Each year, City staff solicits advertising rate proposals from the Houston Chronicle, the Potpourri and the Tomball-Magnolia Tribune for Council's consideration in designating the official newspaper. A tabulation of the proposals received is attached, along with proposals and additional information provided by each newspaper.

Rates were solicited for legal notices (the major portion of Tomball's advertising expenditures) and for non-legal notices (display ads, Tax Rate and Budget Notices, i.e., large displays in the body of the paper instead of the classified/legals section). Although the official newspaper is used for the City's legal notices, staff does occasionally run notices in both papers, depending on the type of advertisement or if necessary to meet state or charter deadlines. For example, HR may run employment ads in both papers, the Houston Chronicle, and trade magazines, depending on the market we are trying to reach.

In 2010, the Tribune was designated as the official city newspaper until June 21, 2010, when Council reconsidered Resolution No. 2010-04 and designated the Potpourri as the official city newspaper for the remainder of 2010. During 2010, the City paid \$3,360.04 to the Tribune for advertising and \$5,972.91 to the Potpourri for advertising. In 2009, the Potpourri was the official newspaper and the City spent \$854.70 in the Tribune and \$4,783.98 in the Potpourri for notices and advertising.

The major portion of the City's advertising is in legal notices, some of which are quarter-page ads required to run as display ads. The rates presented by each newspaper indicate that the cost of legal ads in the Tribune will be approximately 23%-63% less than the same size ad in the Potpourri for 2011, depending on the size and location requirement of the ad. Display/retails ads may cost approximately 70% less-186% more than the same size ad in the Potpourri, again depending on the size and location requirements. The Chronicle is competitive on display/retail ads being run in its Ultimate Tomball section (not the entire Chronicle coverage area); however, the majority of our notices are legal notices and the Chronicle's Ultimate Tomball rates for legal notices are substantially higher than either the Potpourri or the Tribune.

All three papers have Internet sites and we have had no problems with service with either the Potpourri or the Tribune. The Chronicle Ultimate Tomball publication has a circulation of approximately 100,000, the Tribune has a circulation of 26,521 direct mail customers in Tomball and a total circulation of 45,854 in the Tomball-Magnolia area, and the Potpourri has a circulation of 17,292 home delivery customers in Tomball and a total circulation of 37,313 in the Tomball-Magnolia area. Both the Potpourri and the Tribune offer drop-off or countertop locations where papers can be picked up.

Designations of the official newspaper for the last thirteen years have been:

2010 - Tomball Magnolia Tribune, then The Potpourri
2009 - The Potpourri
2008 - Tomball Magnolia Tribune
2007 - The Potpourri
2006 - The Potpourri
2005 - The Potpourri

2004 - The Potpourri
2003 - The Potpourri
2002 - The Potpourri
2001 - Tomball Magnolia Tribune
2000 - The Potpourri
1999 - Tomball Magnolia Tribune
1998 - The Potpourri.

Origination:

Home Rule Charter/City Secretary

Recommendation:

N/A

Funding:

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

City Secretary

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

ATTACHMENTS:

Resolution No. 2011-02
Tabulation of Proposed Rates
Tribune Proposal
Potpourri Proposal
Chronicle Proposal

RESOLUTION NO. 2011-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TOMBALL, TEXAS, DESIGNATING THE OFFICIAL
CITY NEWSPAPER FOR 2011 FOR PUBLICATION OF
MATTERS PERTAINING TO THE CITY OF TOMBALL.**

* * * * *

WHEREAS, the Home Rule Charter of the City of Tomball, Section 3.06 – Official Newspaper, states:

“The Council shall have power to contract with, and by ordinance or resolution, annually designate a public newspaper of general circulation in the City as the official newspaper thereof and to continue as such until another is designated, and shall cause to be published therein all ordinances, notices and other matters required to be published by this Charter, by the ordinances of the City or by the Constitution or laws of the State of Texas.”

NOW, THEREFORE, BE IT RESOLVED that the City of Tomball and its governing body hereby designates the _____ to be named the official newspaper for 2011 for the City of Tomball, Texas, for the publication of ordinances, notices, and other matters required by law or ordinance to be published, and that this resolution shall take effect upon its passage.

PASSED AND APPROVED BY A VOTE OF ____ TO ____ AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 7TH DAY OF FEBRUARY 2011:

COUNCILMAN QUINN	_____
COUNCILMAN STOLL	_____
COUNCILMAN BROWN	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN DODSON	_____

GRETCHEN FAGAN, Mayor

ATTEST:

Doris Speer, City Secretary

Prepared January 14, 2011	Potpourri	Tribune	Houston Chronicle
Sample Ad #1 - 3.25" X 5.75" (Water System Flush)	\$110.86 - Retail	\$203.50 - Retail 3.792" X 5.5"	\$196.00 - Retail
			\$422.80 per day - Legal
Sample Ad #2 - 5" X 4.75" (Notice of Public Hearing)	\$104.74 - Legal	\$277.50 - Retail 5.75"X5"	\$490.20 per day - Legal
		\$66.50 - Legal 3.665" X 4.885"*	
Sample Ad #3 - 3.25" X 7.75" (Notice of Public Hearing)	\$113.93 - Legal	\$277.50 - Retail 3.792" X 7.5"	\$551.47 per day - Legal
		\$87.40 - Legal 3.66" X 7"*	
Sample Ad #4 - 3.25" X 4.75" (Ordinance)	\$73.50 - Legal	\$166.50 - Retail 3.792" X 4.5"	\$330.88 per day - Legal
		\$19.95 - Legal 1.75" X 2.85"*	
Sample Ad #5 - 5" X 6.25" (Mayor's Coffee-in color)	\$330.75 - Retail	\$333.00 - Retail 5.75" X 6"	\$270.00 - Retail
Sample Ad #6 - 5" X 4.25" (Notice to Bid)	\$93.71 - Legal	\$222.00 - Retail 5.75" X 4"	\$416.67 per day - Legal
		\$46.55 - Legal 1.75" X 6.75"*	
Sample Ad #7 - 3.25" X 4.75" (Bunny Run-in color)	\$241.58 - Retail	\$166.50 - Retail 3.792" X 4.5"	\$210.00 - Retail
Sample Ad #8 - 5" X 6.75" (2nd Saturday-in color)	\$345.21 - Retail	\$360.75 - Retail 5.75" X 6.5"	\$210.00 - Retail
Sample Ad #9 - 6.5" X 8.5" (Notice of Special Election)	\$337.40 - Retail	\$629.00 - Retail 7.708" X 8.5"	\$560.00 - Retail
	\$257.25 - Legal	\$153.90 - Legal ?Size**	\$1250.01 per day - Legal
2nd request pricing			
*Size was provided in lines & columns-not inches, so I measured.			
**No sample ad provided, no asian font, could not measure in inches, size 54 lines x 3 columns			

Tomball Magnolia
TRIBUNE
"Locally Owned and Operated"

517 W. Main Street • Phone 281-255-6397 • Houston 281-357-5225 • Fax 281-255-3082

January 12, 2010

City of Tomball
Doris J. Speer
401 Market St.
Tomball, TX 77375

Dear Ms. Speer,

Thank you for the opportunity to bid on being the official newspaper for the City of Tomball. Our distribution is currently **56,755**. We **direct mail 55,155 Tribunes** each week **free of charge through the US Postal Service** to the following areas; Tomball **26,521**; Magnolia **19,333**; Pinehurst **1,711**; Waller **3,578** & Hockley **4,012**. We also countertop **1,600** each week at various locations around the area.

I have attached a copy of our current distribution. Our circulation increases every month, as we **get updates from the U.S. Postal Service**.

Please note that our column inches are wider than most. Our one column ad is 1.833 inches wide. See Column Dimensions on our rate sheet. **The sample size ads that you sent us are smaller columns than ours, so the ad sizes we are quoting will be wider than the sample sizes. Hope that makes sense, but no way possible to match the sample size ads as the widths cannot be matched exactly.**

Our rates for legal line ads is **.90 cents per line**; display ads will be **18.50 per column inch** which is our NON-PROFIT RATE. Color cost will be 1/2 price, which is 80.00 additional.

We are locally owned & operated.

We are the only direct mailed newspaper serving the area.

We look forward to being a part of the future of Tomball.

If you have any questions, please do not hesitate to call.

Sincerely,


Nancy Nygaard

THE TRIBUNE

Direct mailed to over 54,000 households.

Tomball Office: 517 W. Main Street • Phone 281-255-6397 • Houston 281-357-5225 • Fax 281-255-3082

DIRECT MAILED FREE OF CHARGE EVERY MONDAY • CIRCULATION 56,755

Advertising Dept: sales@tribunenews.com • Editorial Dept: editor@tribunenews.com

- DEADLINE IS WEDNESDAY BY 5 P.M. -

ADVERTISING RATES

DISPLAY RATES PER COLUMN INCH

Total Inches	Open Rate	Run 4 Times NO Changes	Run 6 Months	1 Yr. Every Other Week	1 Yr. Every Week
1-40	\$ 22.70	\$ 21.67	\$ 20.63	\$ 20.40	\$ 19.00
41-80	\$ 21.67	\$ 20.69	\$ 19.70	\$ 19.31	\$ 18.00
81-126	\$ 20.69	\$ 19.76	\$ 18.82	\$ 18.45	\$ 17.00

INSERTS

Full Circulation\$70 / 1,000
Partial Circulation\$75 / 1,000

5,000 Minimum

(Single Sheet 20lb Copy Paper Pricing Only - Other Prices Available)

BUSINESS & PROFESSIONAL GUIDE

Business display.....\$21.00 per inch

Business display 4 wks no changes....\$20.25 per inch

CLASSIFIED RATES

Personal

\$19.50 for 1st 20 words.....\$.20 each additional word

Personal Display.....\$20.75 per inch

Personal Display 4 wks no changes.....\$20.00 per inch

Business

\$20.75 for 1st 20 words.....\$.20 each additional word

Business Display.....\$22.00 per inch

Business Display 4 wks no changes.....\$21.00 per inch

COLOR RATES

1 Color..... \$ 65.00
2 Colors..... \$ 115.00
3 Colors..... \$ 160.00

Color Rate is PER WEEK

COLUMN DIMENSIONS

Column Widths

A Full Printed Page will be 11.625"x21"

A Full Page will be a Total of 126"

Classified and Retail Column Widths:

(1) One Column	1.833	1-13/16"
(2) Two Column	3.792	3-13/16"
(3) Three Column	5.75	5-3/4"
(4) Four Column	7.708	7-3/4"
(5) Five Column	9.667	9-11/16"
(6) Six Column	11.625	11-11/16"

ADDITIONAL RATES

Engagement/Wedding/Anniversary
\$65.00 w/picture • Size is 3 x 3

Births & Obituary.....

FREE w/provided form

\$.55 each additional word

\$50.00 w/picture • Size is 1 x 3

Church Directory...

1 x 1 1/2...\$20.00 per week

Billed Monthly

Non-Profit Rate.....\$18.50

City of Magnolia & Tomball.....\$20.40

Legals.....\$1.05 per line

Direct Mailed to Tomball, Magnolia, Pinehurst. Waller & Hockley areas.

Also available at various Newstand Locations

01/12/11

DATE: _____

TOMBALL MAGNOLIA TRIBUNE
DISTRIBUTION SHEET
MAILING.....55,155
COUNTERTOPPING.....1,600
TOTAL DISTRIBUTION.....56,755

TOMBALL	77375	77377*
RT 1	544 (05-44)*	
RT 2	703 (07-03)	
RT 3	637 (06-37)*	
RT 4	548 (05-48)*	
RT 5	508 (05-08)*	
RT 6	737 (07-37)	
RT 7	662 (06-62)	
RT 8	754 (07-54)	
RT 9	612 (06-12)	
RT 10	677 (06-77)	
RT 11	464 (04-64)*	
RT 12	604 (06-04)*	
RT 13	727 (07-27)	
RT 14	620 (06-20)*	
RT 15	603 (06-03)*	
RT 16	573 (05-73)*	
RT 17	478 (04-78)	
RT 18	565 (05-65)*	
RT 19	623 (06-23)	
RT 21	692 (06-92)*	
RT 22	621 (06-21)*	
RT 23	596 (05-96)	
RT 24	631 (06-31)	
RT 25	612 (06-12)*	
RT 26	658 (06-58)	
RT 27	516 (05-16)	
RT 28	722 (07-22)*	
RT 29	788 (07-88)	
RT 30	643 (06-43)*	
RT 31	899 (08-99)	
RT 32	610 (06-10)	
RT 33	656 (06-56)*	
RT 34	704 (07-04)	
RT 35	946 (09-46)*	
RT 36	566 (05-66)	
RT 37	348 (03-48)	
TOTAL	22,847	

TOMBALL	77375	77377*
Residential & Business		
RT 1	852 (08-52)	
RT 2	295 (02-95)	
RT 3	749 (07-49)	
RT 4	964 (09-64)	
RT 5	664 (06-64)	
RT 7	150 (01-50)*	
TOTAL	3,674	

MAGNOLIA	77354	77355*
RT 1	654 (06-54)	
RT 2	513 (05-13)*	
RT 3	462 (04-62)	
RT 4	599 (05-99)	
RT 5	632 (06-32)	
RT 6	627 (06-27)*	
RT 7	656 (06-56)*	
RT 8	561 (05-61)	
RT 9	518 (05-18)	
RT 10	499 (04-99)*	
RT 11	697 (06-97)	
RT 12	536 (05-36)*	
RT 13	460 (04-60)	
RT 14	601 (06-01)*	
RT 15	496 (04-96)*	
RT 16	545 (05-45)	
RT 17	423 (04-43)	
RT 18	606 (06-06)*	
RT 19	478 (04-78)	
RT 20	529 (05-29)*	
RT 21	529 (05-29)*	
RT 22	506 (05-06)	
RT 23	563 (05-63)	
RT 24	434 (04-34)*	
RT 25	414 (04-14)	
RT 26	729 (07-29)*	
RT 27	486 (04-86)	
RT 28	461 (04-61)*	
RT 29	558 (05-58)	
RT 30	400 (04-00)	
RT 31	492 (04-92)	
RT 32	671 (06-71)*	
RT 33	603 (06-03)*	
RT 34	504 (05-04)	
RT 35	761 (07-61)	
RT 36	130 (01-30)	
TOTAL	19,333	

PINEHURST	77362
RT 1	573 (05-73)
RT 2	526 (05-26)
RT 3	612 (06-12)
TOTAL	1,711

WALLER	77484
RT 1	496 (04-96)
RT 2	531 (05-31)
RT 3	562 (05-62)
RT 4	512 (05-12)
RT 5	586 (05-86)
RT 6	504 (05-04)
RT 7	387 (03-87)
TOTAL	3,578

HOCKLEY	77447
RT 1	511 (05-11)
RT 2	509 (05-09)
RT 3	650 (06-50)
RT 4	495 (04-95)
RT 5	615 (06-15)
RT 6	492 (04-92)
RT 7	597 (05-97)
RT 8	143 (01-43)
TOTAL	4,012

INSERTS ONLY

Name of Inserts

Total Count of Inserts

Zip Codes and Mail Routes

ad #2

NOTICE OF PUBLIC HEARING CITY OF TOMBALL BOARD OF ADJUSTMENTS AUGUST 19, 2010

35 lines x 2 columns = 70 lines x .95 (legal rate) = \$66.50

Notice is Hereby Given that a Public Hearing will be held by the Board of Adjustments of the City of Tomball on Thursday, August 19, 2010, at 6:30 p.m. at a Special Meeting, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such date, the Board of Adjustments will consider the following.

BOA Case P10-259: Request by Dan Schuab and Dean Albers for a Special Exception Under Section 9.7 of the City of Tomball Zoning Ordinance from Sections 39.3. D & F ("Nonresidential Off-Street Parking Provisions") of the City of Tomball Zoning Ordinance regarding the installation of concrete curbs around the perimeter of parking areas and drive aisles. The project site is legally described as Lot 1, Block 1 and Lot 6. Block 2 of the Chestnut Business Park Final Plat. The site address is 623 and 711 South Chestnut Street, Tomball, Texas 77375, within the SF-6 Single-Family 6 District (vested as O-Office District).

BOA Case P10-260: Request by Jack Denton, on behalf of Clayton Homes, for a setback variance from Section 14.4.B.1 of the City of Tomball Zoning Ordinance, to allow a 19 foot front setback for an unpermitted concrete stairway and landing where a 60 foot front setback is required in the AG-Agricultural District. The project site is an approximately 2.17 acre tract located at 27225 Tomball Parkway, Tomball, TX 77375.

At the public hearing before the Board of Adjustments, parties in interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Further information may be obtained and reviewed by contacting the City Planner at 281-290-1491, 501 James Street, Tomball, TX 77375.

ad #4

ORDINANCE NO. 2010-13 21 lines x .95 (legal rate) = \$19.95

AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF TOMBALL, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATION THERETO. FIRST AND ONLY READING PASSED AND APPROVED AUGUST 2, 2010.

*Rebid as
Legal Notice*

ad #6

NOTICE TO BIDDERS

The City of Tomball, Texas is accepting sealed bids for the purchase of:

Chlorine and Sulfur Dioxide Gas

Sealed bids should be addressed to Theresa Witt, purchasing agent, City of Tomball, 501 James Street, Tomball, Texas 77375 and shall be labeled "Project No. 2010-06 - Do No Open." Bids will be accepted until 9:00 a.m., Wednesday, August 25, 2010, at which time all bids shall be opened and read aloud.

The City of Tomball reserves the right to accept or to reject any or all bids, to waive technicalities and to make any investigation deemed necessary concerning the bidder's ability to provide the products required, and to accept what in their judgement is the most advantageous bid.

Information and specifications may be obtained from Department of Public Works, City of Tomball, 501 James Street, Tomball, Texas 77375.

George Shackelford
City Manager

CERTIFICATION

I certify that the above "Notice to Bidders" was posted on the bulletin board of City Hall, City of Tomball, Texas on the 6th day of August, 2010.

Doris Speer
City Secretary

49 lines x .95 (legal rate) = \$46.55

ad #9

for ad number 9, i was not able to retype it because i do not have the special asian font to do it. so, i counted the line and multiplied it by 3 columns.

54 lines x 3 columns = 162 x .95 (legal rate) = **\$153.90**

*Rebid as
Legal Notice*

ad #3

NOTICE OF PUBLIC HEARING REGULAR COUNCIL MEETING CITY OF TOMBALL, TEXAS



MONDAY, AUGUST 2, 2010, 7:00 P.M.

Notice is hereby given that a Public Hearing will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday, August 2, 2010 at 7:00 p.m., at City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following:

Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2010-2011.

This Budget will raise MORE total property taxes than last year's Budget by \$7,247 (0.53%); a portion of that amount will be raised from new property added to the roll this year.

A copy of the Proposed Budget, as submitted to City Council and filed in the City Secretary's office, will be available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas, Monday through Thursday, 7:45 a.m. to 5:00 p.m. and Friday, 7:45 a.m. to 4:00 p.m., beginning on August 2, 2010.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 22nd day of July 2010 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

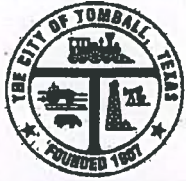
Doris Speer

Doris Speer, City Secretary, TRMC

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



46 lines x 2 columns = 92 x .95 (legal rate) = **\$87.40**



Water System Flush Planned for February 23-25, 2010

The City of Tomball will conduct a major flush of the water system February 23, 24, 25, 2010 starting at 10:00 PM on February 23rd. During the flushing times, some establishments may experience low water pressure. After flushing, some discoloration or sediments may be trapped in your faucets. If that happens, you may need to open your out-side faucets and allow the water to flow until it clears. You may also need to remove and clean the screens on the ends of your indoor faucets.

The City consistently tests and treats our public drinking water to ensure that it is safe. In addition to our extensive testing and treatment program, we also systematically flush our water distribution lines to remove residual particles and introduce freshly treated water.

Through these efforts, the City of Tomball's public drinking water system has achieved Superior Public Water System status for several years, has been recognized by the Texas Commission on Environmental Quality for successful compliance with the Total Coliform Rule, and was awarded the 2008 Water Fluoridation Quality Award from the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.



this box represents a 2X5 ad size, which is what ad #1 would reduce to when i measured what you guys sent over. as you can see, our column width is wider than the sample you provided.

Theresa Witt

From: Theresa Witt
Sent: Monday, January 10, 2011 3:35 PM
To: 'nmnygaard@tribunenews.com'
Cc: Doris Speer
Subject: Sample Ads for Assignment of Official Newspaper
Attachments: Ad#2.pdf; Ad#3.pdf; Ad#4.pdf; Ad#5.pdf; Ad#6.pdf; Ad#7.pdf; Ad#8.pdf; Ad#9.pdf; Ad#1.pdf

Nancy,
Attached are 9 sample ads that the city placed this past year. Sizes are actual. Please respond with a quote for each of these advertisements, based on size and color if color affects cost.
Also, please send a brief description to include quantity & radius of delivery area as well as a method of delivery.

The City of Tomball City Council will use this information to declare an official newspaper for the current calendar year.

If possible, please respond by Wednesday, January 12.

Thank you.

Theresa Witt
Purchasing Agent
City of Tomball
401 Market St.
Tomball, TX 77375
281-290-1419 office
281-351-6256 fax

The message is ready to be sent with the following file or link attachments:

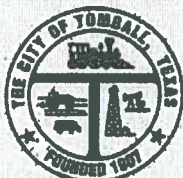
Ad#1.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

*Retail is Legal - mixed in w/ news not in
classified*

Legal - in classified

Ad #1 -



Water System Flush Planned for February 23-25, 2010

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W T
2 col. x 5.5"
3.792"
203.50

Ad #2 -

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
BOARD OF ADJUSTMENTS
AUGUST 19, 2010**

Notice is Hereby Given that a Public Hearing will be held by the Board of Adjustments of the City of Tomball on Thursday, August 19, 2010, at 6:30 P.M. at a Special Meeting, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such date, the Board of Adjustments will consider the following:

BOA Case P10-259: Request by Dan Schaub and Dean Albers for a Special Exception Under Section 9.7 of the City of Tomball Zoning Ordinance from Sections 39.3.D & F ("Nonresidential Off-Street Parking Provisions") of the City of Tomball Zoning Ordinance regarding the installation of concrete curbs around the perimeter of parking areas and drive aisles. The project site is legally described as Lot 1, Block 1 and Lot 6, Block 2 of the Chestnut Business Park Final Plat. The site address is 623 and 711 South Chestnut Street, Tomball, Texas 77375, within the SF-6 Single-Family 6 District (vested as O-Office District).

BOA Case P10-260: Request by Jack Denton, on behalf of Clayton Homes, for a setback variance from Section 14.4.B.1 of the City of Tomball Zoning Ordinance, to allow a 19 foot front setback for an unpermitted concrete stairway and landing where a 60 foot front setback is required in the AG-Agricultural District. The project site is an approximately 2.17 acre tract located at 27225 Tomball Parkway, Tomball, TX 77375.

At the public hearing before the Board of Adjustments, parties in interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Further information may be obtained and reviewed by contacting the City Planner at 281-290-1491, 501 James Street, Tomball, TX 77375.

5.75" T
3 col. x 5"
277.50

Ad #3 -

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



MONDAY, AUGUST 2, 2010 | 7:00 P.M.

Notice is hereby given that a PUBLIC HEARING will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday, August 2, 2010 at 7:00 p.m., at City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following:

Public Hearing for the Purpose of Adopting
the City of Tomball's Budget for
Fiscal Year 2010-2011.

This Budget will raise MORE total property taxes than last year's Budget by \$ 7,247 (0.53%); a portion of that amount will be raised from new property added to the roll this year.

A copy of the Proposed Budget, as submitted to City Council and filed in the City Secretary's office, will be available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas, Monday through Thursday, 7:45 a.m. to 5:00 p.m., and Friday, 7:45 a.m. to 4:00 p.m., beginning on August 2, 2010.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 22nd day of July 2010 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer, City Secretary, TRMC

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

3.792
2 col. x 7.5"
277.50

Ad #4 -

ORDINANCE NO. 2010-13

AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF TOMBALL, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. FIRST AND ONLY READING PASSED AND APPROVED AUGUST 2, 2010.

3.792"
2 col. x 4.5
166 50

Ad #5 -

Mayor's Coffee

Thursday, August 5, 2010

From 5:30 — 7:00 P.M.

Main Street Crossing

111 W. Main

Come by to ask any questions, or address
any concerns you have regarding the City
of Tomball.

Main Street Crossing Info: <http://www.mainstreetcrossing.com>

sponsored by:

CLIFTON

DODSON

SORTINO LLP

ATTORNEYS

AT LAW



Gretchen Fagan
Mayor

5.75

3col. x 6

333⁰⁰

Ad #6 -

NOTICE TO BIDDERS

The City of Tomball, Texas is accepting sealed bids for the purchase of:

Chlorine and Sulfur Dioxide Gas

Sealed bids should be addressed to Theresa Witt, purchasing agent, City of Tomball, 501 James Street, Tomball, Texas 77375 and shall be labeled "Project No. 2010-06 - 'Do Not Open'". Bids will be accepted until 9:00 AM, Wednesday, August 25, 2010, at which time all bids shall be opened and read aloud.

The City of Tomball reserves the right to accept or to reject any or all bids, to waive technicalities and to make any investigation deemed necessary concerning the bidder's ability to provide the products required, and to accept what in their judgment is the most advantageous bid.

Information and specifications may be obtained from Department of Public Works, City of Tomball, 501 James Street, Tomball, Texas 77375.

George Shackelford
City Manager

CERTIFICATION

I certify that the above "Notice to Bidders" was posted on the bulletin board of City Hall, City of Tomball, Texas on the 6th day of August, 2010.

Doris Speer
City Secretary

5.75
3 col. x 4"
222-

Ad #7 -

GET HOPPING!



Register for the
2nd Annual City of
Tomball Bunny Run
5K Run/Walk
& the Kid's 1 Mile!

SATURDAY, APRIL 10, 2010
8:00 A.M. – Certified 5K course Run/Walk
8:45 A.M. – Kids 1 Mile Run/Walk

Registration forms can be downloaded at
www.ci.tomball.tx.us, or picked up at
Tomball City Hall (401 Market St) or
Tomball Public Works (501 James St).
For more information, call 281-351-5484.

SPONSORED BY



REGISTRATION FEES

5K Run	\$20
1 Mile Run/Walk 11 yrs +	\$20
1 Mile Run/Walk 10 & under	\$12

3.792
2 col. x 4.5"
166.50

Ad #8 -

"GIVE THANKS TOMBALL" **AT 2ND SATURDAY AT THE DEPOT** **NOVEMBER 13**

Bring your family's favorite tasty dishes to our
2nd Community "Thanks" Giving Supper...

Or enjoy concessions from
The Tomball Children's Literacy Center
Inside H.E.B.

(Tasty Hamburgers, Popcorn, Etc...)

"Pilgrims" tables and chairs will be provided...

ACTIVITIES:

"BIG"
Bounce House
Sponsored by:
USCANGA Party
Rentals

Crafts
Face Painting
Games

MUSIC:

Provided by
James the Music Man
with great
Memory Lane Songs
and more...

**Help provide Thanksgiving for TEAM families by
bring non-perishable food items to 2nd Saturday.**

Special Showing!



HISTORIC TOMBALL DEPOT PLAZA

201 South Elm • One block south of Main Street
Opens at 5:00 PM • Movie begins at dark

Family entertainment for all ages
Bring your lawn chairs • Concessions available
No Glass Containers!

For more information, please call Rosalie Dillon at 281-610-2595

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



5.75
3col.x6.5"
360.75

**NOTICE OF SPECIAL ELECTION
(AVISO DE ELECCIÓN ESPECIAL)
(THÔNG BÁO VỀ CUỘC BẦU CỬ ĐẶC BIỆT)**

To the Registered Voters of the City of Tomball, Texas:
(A los votantes registrados de la Ciudad de Tomball, Texas:)
(Gửi các Cử Tri Ghi Danh Bỏ Phiếu của Thành Phố Tomball, Texas:)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m. on Saturday, August 14, 2010, for voting in a special election to elect Council Position 5.

(Se notifica por el presente que las casillas electorales indicadas abajo abrirán desde las 7:00 a.m. hasta las 7:00 p.m., el sábado 14 de agosto de 2010 para votar en una Elección Especial para elegir un Concejal para la Posición 5.)

(Thông báo theo đây cho biết rằng các địa điểm bỏ phiếu liệt kê dưới đây sẽ mở cửa từ 7:00 sáng đến 7:00 tối ngày thứ bảy, 14 tháng Tám, 2010 để bỏ phiếu trong một cuộc bầu cử đặc biệt để bầu chọn Thành Viên Hội Đồng Vị Trí số 5.)

LOCATION OF POLLING PLACE: (DIRECCIÓN DEL LUGAR DE VOTACIÓN:) (ĐỊA ĐIỂM BỎ PHIẾU:)

401 Market Street, Tomball, Texas 77375.

Early voting by personal appearance will be conducted each weekday at: 401 Market Street, Tomball, Texas 77375, between the hours of 7:45 a.m. and 5:00 p.m., Monday, Wednesday, and Thursday, between the hours of 7:45 a.m. and 7:45 p.m. on Tuesday, and between the hours of 7:45 a.m. and 4:00 p.m. on Friday, beginning on August 2, 2010 and ending on August 10, 2010.

(La votación anticipada en persona se llevará a cabo de lunes a viernes en: 401 Market Street, Tomball, Texas 77375, de 7:45 a.m. a 5:00 p.m. el lunes, miércoles y jueves; de 7:45 a.m. a 7:45 p.m. el martes; y de 7:45 a.m. a 4:00 p.m. el viernes, comenzando el 2 de agosto de 2010 y culminando el 10 de agosto de 2010.)

(Thủ tục đích thân đến bỏ phiếu sớm sẽ được tiến hành mỗi ngày trong tuần tại: 401 Market Street, Tomball, Texas 77375, trong khoảng thời gian từ 7:45 sáng đến 5:00 chiều, Thứ Hai, Thứ Tư, và Thứ Năm từ lúc 7:45 sáng đến 7:45 tối ngày thứ Ba, và từ 7:45 sáng đến 4:00 chiều ngày thứ Sáu, bắt đầu từ ngày 2 tháng Tám, 2010 cho đến hết ngày 10 tháng Tám, 2010.)

Applications for ballot by mail shall be mailed to: (Las solicitudes de boletas para votar por correo deben enviarse a:)
(Quý vị có thể gửi đơn xin lá phiếu bầu qua đường bưu điện tới cho:)

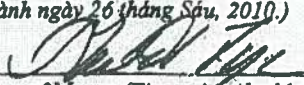
Doris Speer
(Name of Early Voting Clerk)
(Nombre de la Secretaria de Votación Anticipada)
(Tên của Thư Ký phụ trách Bỏ Phiếu Sớm)

401 Market Street
(Address) (Dirección) (Địa chỉ)

Tomball, TX 77375
(City) (Ciudad) (Thành phố) (Zip Code) (Código Postal) (Số Zip Code)

Applications for ballot by mail presented in person must be received no later than the close of business on July 30, 2010. (Las solicitudes de boletas para votar por correo hechas en persona deberán recibirse para el fin del horario de oficina del 30 de julio de 2010.) (Đơn xin lá phiếu bầu qua đường bưu điện phải được nhận trước lúc đóng cửa ngày 30 tháng Bảy, 2010)

Issued this the 26th day of June 2010.
(Emitado este día 26 de junio de 2010.)
(Ban hành ngày 26 tháng Sáu, 2010.)


Signature of Mayor (Firma del Alcalde) (Chữ ký của Thị Trưởng)

4 col. x 8.5
7.108
629-

THE POTPOURRI

Kim Crosier

Account Executive

Office: 281.674.1309

Cell: 713.826.9171

kcrosier@hcnonline.com

January 7, 2011

Thank you Mayor Fagan, Mayor Pro Tem Quinn and members of council for the opportunity to share information about my newspaper with you.

The Tomball Potpourri newspaper has served this community since it was first founded in 1981. With an award-winning editorial staff we produce *The Potpourri* papers that are read every Wednesday without fail in our community.

The Tomball Potpourri's circulation, including home deliveries, racks in the community and copies of the newspaper available at *The Potpourri* office, is 17,854. (**Note:** Please see the enclosed circulation audit report which was completed in 2009 by the Circulation Verification Council to authenticate *The Potpourri's* circulation numbers. This audit report was conducted by *The Potpourri's* parent company, Houston Community Newspapers.)

According to an audit of home delivery conducted by Houston Community Newspaper's Circulation Department, please find a break out of *The Tomball Potpourri's* home delivery distribution by zip codes from the most recent update on October 11, 2010. The zip codes for the *Magnolia Potpourri* have been eliminated from this year's retail buy proposal where appropriate providing for cost savings and more targeted advertising in the coming year. However, I have included their zip codes and distribution to show you where your classified legal ads are being distributed.

While *The Tomball Potpourri* maintains a weekly-home delivery service of 17,292, we also serve those who don't live in homes with racks at apartment complexes and other locations throughout the community with an additional circulation of 562 copies. (**Note:** Please see the enclosed information marked Get "In the Know" for a list of all *Potpourri* racks and their physical street addresses.)

Again, thank you for this opportunity to address you on behalf of *The Potpourri*. If you have any questions when you consider this item, I'd be happy to answer them.

Sincerely,

Kim Crosier
The Tomball Potpourri

HOME DELIVERY CIRCULATION BY ZIP CODES			
Tomball Potpourri			
Location	Number of papers delivered	Number of Households	Home Delivery Penetration
77377	8,712	8,532	102.1%
77375	8,580	11,529	74.4%
Home Delivery Total	17,292	20,061	86.2%
Magnolia Potpourri (classified ads run here)			
77354	8,504	8,894	96%
77355	9,605	6,978	137.6%
77362	630	1,556	40.5%
Home Delivery Total	18,739	17,428	107.5%
Total Home Delivery	36,031	37,489	96.1%

In addition to delivering the paper to homes in the greater Tomball area we also have racks throughout the community where the paper is available at apartment complexes and other locations. The availability of racks is what causes the 100% plus penetration figures above.

CIRCULATION DISTRIBUTION BREAKDOWN	
Tomball Potpourri	
Location	Number of papers delivered
Home Delivery Total	17,292
Bulk (racks in community)	497
Papers available at Potpourri office	65
Total	17,854
Magnolia Potpourri	
Home Delivery Total	18,739
Bulk (racks in community)	500
Papers available at Potpourri office	220
Total	19,459
Total Potpourri Circulation	37,313

Get "In the Know" About Your Hometown!

Pick Up a Potpourri

Tomball Rack Locations

All Seasons Grocery	500 East Main Street	Outside Rack
Century 21 Hardee	30310 Tomball Parkway	Inside
Circle S. Grocery	29910 Dobbin-Hufsmith	Inside
Discount Tire	14239 2920	Inside
Greater Tomball Area Chamber of Commerce	29201 Quinn Road	Inside
Jack's Super Store	1335 West Main Street	Inside
Joe's Barber Shop	417 Main Street	Outside Rack
Lone Star College Library	30555 Tomball Parkway	Inside
Los Arcos	28048 Tomball Parkway	Outside Rack
Pecos Grill	28900 Tomball Parkway	Outside Rack
Texas Sports Medicine	28120 Tomball Parkway	Inside
Tire and Wheel Connection	14431 FM 2920	Inside
Tomball City Hall	401 Market St.	Inside Rack
Tomball Community Center	221 Market Street	Inside
Tomball Post Office	122 N. Holderrieth Blvd.	Outside Rack
Tomball Regional Hospital	605 Holderrieth Blvd.	Heart Entrance
Tomball Water Department	Alma Street	Inside Rack
VFW Post 2427	14408 Alice Road	Inside
Walgreens	Tomball Parkway at Graham	Outside Rack

Magnolia Rack Locations

007 Grocery	831 Magnolia Blvd.	Outside Rack
Circle S. Hardware	27206 FM 2978	Outside Rack
Diamond Shamrock	29603 Highland Blvd.	Outside Rack
Ken's Bread and Butter	37403 FM 249	Outside Rack
Los Fuentas Restaurant	FM 1488	Outside Rack
Los Fuentas Restaurant	FM 1774	Outside Rack
Magnolia Chamber of Commerce	18935 FM 1488	Outside Rack
Magnolia Community Center	31355 Friendship Dr.	Inside
Magnolia Diner	18423 FM 1488	Outside Rack
Magnolia Post Office	815 Goodson Road	Outside Rack
McCurdy Tire	27405 FM 2978	Inside Rack
Mike's Grocery	32002 S.H. 249	Inside
Mr. G's Country Store	32015 S. H. 249	Outside Rack
Pinehurst Country Store	35427 S.H. 249	Outside Rack
Pinehurst Post Office	34635 Wright Road	Inside Rack
Walgreens	6707 Fm 1488	Outside Rack

**Back issues are available at our office. Newstands
are outside so you can pick up a recent edition after
business hours.**

THE POTPOURRI

TOMBALL MAGNOLIA EDITIONS

21901 Tomball Pkwy, Ste. 500
Houston TX 77070

281-674-1300

PROPOSED CITY OF TOMBALL RATES FOR 2011

TOMBALL POTPOURRI

January 7, 2011

Classified Legal Rates

\$7.35/column inch

Package rate for
Magnolia Potpourri &
Tomball Potpourri & online

Examples: Notices of Public Hearings
Ordinance Notices
Notice to Bidders

Retail Rates:

Tomball Potpourri
Full Color

\$9.64/column inch

52X Contract Rate

\$150.00/Ad (if requested)

Examples: Water System Flush
Mayor's Coffee
Bunny Run
2nd Saturday
Notice of General Elections

SKYBOX AD:

above the front page banner in full color

\$241 for a 2 col. (3.388") X 2.5" ad

ONLINE:

33,500 Page Views are received monthly by our website www.YourTomballNews.com
Reach 30,000 of those impressions for only \$300/month with a 6 month commitment

(See Ads #1 – 9 Enclosed, for sample sizes and pricing.)

CLUSTER 1				CLUSTER 1 A				CLUSTER 1 B				CLUSTER 2				CLUSTER 3			
Conroe Courier Sunday				Woodlands Villager				Woodlands Villager				Dayton				Kingwood Observer			
77301	1275	77380	5453	77380	5453	77301	1275	77380	5453	77301	1275	77380	5453	77357	2500	77339	10670		
77302	798	77381	12666	77381	12666	77302	798	77381	12666	77302	798	77381	12666	77355	416	77345	6900		
77303	691	77382	9294	77382	9294	77303	691	77382	9294	77303	691	77382	9294	77575	1125	77346	1125		
77304	2970	77384	2008	77384	2008	77304	2970	77384	2008	77304	2970	77384	2008	77580	1149	Home Del.	18695		
77306	215	77385	1836	77385	1836	77306	215	77385	1836	77306	215	77385	1836	Home Del.	5190	Bulk	1040		
77316	476	77386	7358	77386	7358	77316	476	77386	7358	77316	476	77386	7358	Bulk	911	Office	365		
77318	974	Home Del.	38615	Home Del.	38615	77318	974	Home Del.	38615	77318	974	Home Del.	38615	Office	101	Total	20100		
77354	298	Bulk	975	Bulk	975	77354	298	Bulk	975	77354	298	Bulk	975	Total	6202	Atascocita Observer			
77356	2175	Office	178	Office	178	77356	2175	Office	178	77356	2175	Office	178	Eastex Advocate		77396	2575		
77357	529	Complaints	25	Complaints	25	77357	529	Complaints	25	77357	529	Complaints	25	77327	4785	77346	10775		
77378	1079	Total	39793	Total	39793	77378	1079	Total	39793	77378	1079	Total	39793	77331	1677	77044	1833		
77380	440	Lake Conroe Plus		Spring Observer		77380	440	Lake Conroe Plus		77380	440	Lake Conroe Plus		77328	1650	77338	1475		
77381	406	77356	2260	77373	8602	77381	406	77356	2260	77381	406	77356	2260	Home Del.	8112	Home Del.	16658		
77382	199	77316	700	77388	3344	77382	199	77316	700	77388	3344	77382	199	Bulk	1539	Bulk	175		
77384	338	77318	950	77073	1516	77384	338	77318	950	77073	1516	77384	338	Office	100	Office	175		
77385	168	77378	640	77338	2800	77385	168	77378	640	77338	2800	77385	168	Total	9751	Total	17008		
77386	181	77304	740	77014	2340	77386	181	77304	740	77014	2340	77386	181	Cleveland					
Home Del.	13212	Total	5290	Home Del	18602	Home Del.	13212	Total	5290	Home Del.	18602	77327	1366	Humble Observer		Humble Observer			
Misc.	45	Office	159	Bulk	500	Misc.	45	Office	159	Bulk	500	77328	227	77338	7300	77338	7300		
Total	13257	Total	5449	Office	225	Total	13257	Total	5449	Office	225	77371	116	77396	3522	77396	3522		
Courier Plus				Courier Plus				Spring Observer				77372				Home Del.			
77301	1000	77301	1000	77301	1000	77301	1000	77373	8602	77301	1000	77373	8602	77331	71	Home Del.	10822		
77302	1250	77302	1250	77302	1250	77302	1250	77388	3344	77302	1250	77388	3344	77575	175	Bulk	1100		
77303	1250	77303	1250	77303	1250	77303	1250	77073	1516	77303	1250	77073	1516	Home Del	2955	Office	210		
77304	1350	77304	1350	77304	1350	77304	1350	77338	2800	77304	1350	77338	2800	Mail	790	Total	12132		
77306	400	77306	400	77306	400	77306	400	77014	2340	77306	400	77014	2340	Bulk	256	East Montgomery	3760		
77378	350	77378	350	77378	350	77378	350	Home Del	18602	77378	350	Home Del	18602	Office	176	77365	5460		
Home Del.	5600	Home Del.	5600	Home Del.	5600	Home Del.	5600	Bulk	500	Home Del.	5600	Bulk	500	Total	4177	77372	2128		
Office	87	Office	87	Office	225	Office	87	Office	225	Office	87	Office	225	East Montgomery		Home Del.	11348		
Total	5687	Total	5687	Total	19327	Total	5687	Total	19327	Total	5687	Total	19327	77357	3760	Bulk	800		
														77365	5460	Office	185		
														77372	2128	Total	12333		
														Home Del.	11348				
														Bulk	800				
														Office	185				
														Total	12333				

11-Oct-10

WALLER COUNTY NEWS CITIZEN HAS NO CLUSTER IT IS BY ITSELF.

Waller	
77423	18
77445	265
77446	65
77447	37
77484	112
Total	497
Bulk	1000
Office	377
Total	1874

CLUSTER 4		CLUSTER 5		CLUSTER 5		CLUSTER 6		CLUSTER 7		CLUSTER 8	
Lake Houston		Pasadena - Sunday		Deer Park - Broad.		Friendswood Mail		Fort Bend		Memorial Examiner	
77336	2190	77017	48	77536	10450	Mailed	550	77459	18137	77024	10100
77532	4155	77502	782	Home Del.	10450	Bulk	95	Home Del.	18137	77056	3000
Home Del.	6345	77503	341	Bulk	250	Countertops	174	Bulk	735	77055	3258
Bulk	900	77504	252	Mailed	200	Office	125	Office	277	77079	5200
Office	100	77505	168	Office	200	Total	944	S.West	325	77057	3000
Total	7345	77506	368	Total	11100	Friendswood Home		Total	19474	77063	1800
Dayton		77536	171	Bay Area Citizen		77546	7800	Sugar Land		Home Del.	26358
77357	2500	77587	131	77058	1875	Total	7800	77478	5745	Bulk	1000
77535	416	536/505/504/506	666	77059	5630	Pearland Mail		77479	20350	Office	118
77575	1125	Home Del.	2927	77062	7045	Mailed	600	Home Del.	26095	Total	27476
77580	1149	Bulk	739	77573	6775	Bulk	205	Bulk	780	Katy	
Home Del.	5190	Mail	110	77586	4375	Office	150	Office	256	77494	9250
Bulk	911	Office	369	77598	950	Countertops	525	Total	27131	77450	14925
Office	101	Total	4145	Home Del.	26650	Total	1480			77094	2325
Total	6202	Pasadena - Wednesday		Bulk	675	Pearland - Home				Home Del.	26500
Atascocita Observer		77502	2000	Total	27325	77584	12725			Bulk	300
77396	2575	77503	2000	Mailed		77583	625			Office	210
77346	10775	77504	4000	Countertops	600	77581	5650			Total	27010
77044	1833	77505	4000	Office Copies	445	Total	19000				
77338	1475	Home Del.	12000	Total	200						
Home Del.	16658	Bulk	1000								
Bulk	175	Total	13000								
Office	175										
Total	17008										

11-Oct-10

CLUSTER 9		CLUSTER 10		CLUSTER 11		CLUSTER 12	
Cy-Fair Sun		Klein Sun		Magnolia PO		West University	
77040	1670	77379	4180	77354	8504	77005	5800
77064	6663	77388	10077	77355	9605	77006	1000
77065	4306	77068	2600	77362	630	77025	3325
77070	7252	Home Del.	16857	Home Del.	18739	77030	1000
77429	2352	Bulk	300	Bulk	500	77098	1000
Home Del.	22243	Office	186	Office	220	Home Del	12125
Bulk	300	Total	17343	Total	19459	Bulk	1000
Office	287	Champions Sun		Tomball PO		Office	61
Total	22830	77379	12515	77377	8712	Total	13186
Cypress Sun		77066	2393	77375	8580	River Oaks	
77429	14912	77069	3950	Home Del.	17292	77006	2000
77065	1898	77070	3361	Bulk	497	77019	1500
77433	3455	Home Del.	22219	Office	65	77027	1500
77095	12917	Bulk	300	Total	17854	77098	1500
Home Del.	33182	Office	282			Home Del	6500
Bulk	820	Total	22801			Bulk	1000
Office	154					Office	77
Total	34156					Total	7577
						Bellaire Examiner	
						77401	4454
						77096	7019
						Home Del	11473
						Bulk	1000
						Office	75
						Total	12548

11-Oct-10

545535

Total

Ad #9 - Legals Rate 4 col (6.888") X 8.75" = 35" \$257.25/Ad

**NOTICE OF SPECIAL ELECTION
(AVISO DE ELECCIÓN ESPECIAL)
(THÔNG BÁO VỀ CUỘC BẦU CỬ ĐẶC BIỆT)**

To the Registered Voters of the City of Tomball, Texas:
(A los votantes registrados de la Ciudad de Tomball, Texas:)
(Gửi các Cử Tri Ghi Danh Bỏ Phiếu của Thành Phố Tomball, Texas:)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m. on Saturday, August 14, 2010, for voting in a special election to elect Council Position 5.

(Se notifica por el presente que las casillas electorales indicadas abajo abrirán desde las 7:00 a.m. hasta las 7:00 p.m., el sábado 14 de agosto de 2010 para votar en una Elección Especial para elegir un Concejal para la Posición 5.)
(Thông báo theo đây cho biết rằng các địa điểm bỏ phiếu liệt kê dưới đây sẽ mở cửa từ 7:00 sáng đến 7:00 tối ngày thứ bảy, 14 tháng Tám, 2010 để bỏ phiếu trong một cuộc bầu cử đặc biệt để bầu chọn Thành Viên Hội Đồng Vị Trí số 5.)

LOCATION OF POLLING PLACE: (DIRECCIÓN DEL LUGAR DE VOTACIÓN:) (ĐỊA ĐIỂM BỎ PHIẾU:)

401 Market Street, Tomball, Texas 77375.

Early voting by personal appearance will be conducted each weekday at: 401 Market Street, Tomball, Texas 77375, between the hours of 7:45 a.m. and 5:00 p.m., Monday, Wednesday, and Thursday, between the hours of 7:45 a.m. and 7:45 p.m. on Tuesday, and between the hours of 7:45 a.m. and 4:00 p.m. on Friday, beginning on August 2, 2010 and ending on August 10, 2010.

(La votación anticipada en persona se llevará a cabo de lunes a viernes en: 401 Market Street, Tomball, Texas 77375, de 7:45 a.m. a 5:00 p.m. el lunes, miércoles y jueves; de 7:45 a.m. a 7:45 p.m. el martes; y de 7:45 a.m. a 4:00 p.m. el viernes, comenzando el 2 de agosto de 2010 y culminando el 10 de agosto de 2010.)

(Thủ tục đích thân đến bỏ phiếu sớm sẽ được tiến hành mỗi ngày trong tuần tại: 401 Market Street, Tomball, Texas 77375, trong khoảng thời gian từ 7:45 sáng đến 5:00 chiều, Thứ Hai, Thứ Tư, và Thứ Năm từ lúc 7:45 sáng đến 7:45 tối ngày thứ Ba, và từ 7:45 sáng đến 4:00 chiều ngày thứ Sáu, bắt đầu từ ngày 2 tháng Tám, 2010 cho đến hết ngày 10 tháng Tám, 2010.)

Applications for ballot by mail shall be mailed to: (Las solicitudes de boletas para votar por correo deben enviarse a:)
(Quý vị có thể gửi đơn xin lá phiếu bầu qua đường bưu điện tới cho:)

Doris Speer
(Name of Early Voting Clerk)
(Nombre de la Secretaria de Votación Anticipada)
(Tên của Thư Ký phụ trách Bỏ Phiếu Sớm)

401 Market Street
(Address) (Dirección) (Địa chỉ)

Tomball, TX 77375

(City) (Ciudad) (Thành phố) (Zip Code) (Código Postal) (Số Zip Code)

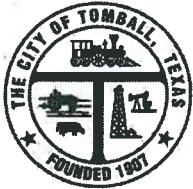
Applications for ballot by mail presented in person must be received no later than the close of business on July 30, 2010. (Las solicitudes de boletas para votar por correo hechas en persona deberán recibirse para el fin del horario de oficina del 30 de julio de 2010.) (Đơn xin lá phiếu bầu qua đường bưu điện phải được nhận trước lúc đóng cửa ngày 30 tháng Bảy, 2010)

Issued this the 26th day of June 2010.
(Emitado este día 26 de junio de 2010.)
(Ban hành ngày 26 tháng Sáu, 2010.)

[Signature]
Signature of Mayor (Firma del Alcalde) (Chữ ký của Thị Trưởng)

Rebid as
Legal Notice

Ad #1 - Retail Rates 2 col. (3.388") X 5.75" = 11.5" \$110.86/Ad



Water System Flush Planned for February 23-25, 2010

The City of Tomball will conduct a major flush of the water system February 23, 24, 25, 2010 starting at 10:00 PM on February 23rd. During the flushing times, some establishments may experience low water pressure. After flushing, some discoloration or sediments may be trapped in your faucets. If that happens, you may need to open your out-side faucets and allow the water to flow until it clears. You may also need to remove and clean the screens on the ends of your indoor faucets.

The City consistently tests and treats our public drinking water to ensure that it is safe. In addition to our extensive testing and treatment program, we also systematically flush our water distribution lines to remove residual particles and introduce freshly treated water.

Through these efforts, the City of Tomball's public drinking water system has achieved Superior Public Water System status for several years, has been recognized by the Texas Commission on Environmental Quality for successful compliance with the Total Coliform Rule, and was awarded the 2008 Water Fluoridation Quality Award from the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.



Ad #2 - Legal Rate 3 col. (5.138") X 4.75" = 14.25" \$104.74/Ad

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
BOARD OF ADJUSTMENTS
AUGUST 19, 2010**

Notice is Hereby Given that a Public Hearing will be held by the Board of Adjustments of the City of Tomball on Thursday, August 19, 2010, at 6:30 P.M. at a Special Meeting, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such date, the Board of Adjustments will consider the following:

BOA Case P10-259: Request by Dan Schaub and Dean Albers for a Special Exception Under Section 9.7 of the City of Tomball Zoning Ordinance from Sections 39.3.D & F ("Nonresidential Off-Street Parking Provisions") of the City of Tomball Zoning Ordinance regarding the installation of concrete curbs around the perimeter of parking areas and drive aisles. The project site is legally described as Lot 1, Block 1 and Lot 6, Block 2 of the Chestnut Business Park Final Plat. The site address is 623 and 711 South Chestnut Street, Tomball, Texas 77375, within the SF-6 Single-Family 6 District (vested as O-Office District).

BOA Case P10-260: Request by Jack Denton, on behalf of Clayton Homes, for a setback variance from Section 14.4.B.1 of the City of Tomball Zoning Ordinance, to allow a 19 foot front setback for an unpermitted concrete stairway and landing where a 60 foot front setback is required in the AG-Agricultural District. The project site is an approximately 2.17 acre tract located at 27225 Tomball Parkway, Tomball, TX 77375.

At the public hearing before the Board of Adjustments, parties in interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Further information may be obtained and reviewed by contacting the City Planner at 281-290-1491, 501 James Street, Tomball, TX 77375.

Ad #3 - Legal Rate 2 col. (3.388") X 7.75" = 15.5" \$113.93/Ad

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



MONDAY, AUGUST 2, 2010 | 7:00 P.M.

Notice is hereby given that a PUBLIC HEARING will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday, August 2, 2010 at 7:00 p.m., at City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following:

Public Hearing for the Purpose of Adopting
the City of Tomball's Budget for
Fiscal Year 2010-2011.

**This Budget will raise MORE
total property taxes than
last year's Budget by \$ 7,247
(0.53%); a portion of that
amount will be raised from
new property added to the
roll this year.**

A copy of the Proposed Budget, as submitted to City Council and filed in the City Secretary's office, will be available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas, Monday through Thursday, 7:45 a.m. to 5:00 p.m., and Friday, 7:45 a.m. to 4:00 p.m., beginning on August 2, 2010.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 22nd day of July 2010 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer
Doris Speer, City Secretary, TRMC

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

Ad #4 - Legal Rate 2 col. (3.388") X 5" = 10" \$73.50/Ad

ORDINANCE NO. 2010-13

AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF TOMBALL, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. FIRST AND ONLY READING PASSED AND APPROVED AUGUST 2, 2010.

Ad #5 - Retail Rate 3 col. (5.138") X 6.25" = 18.75" \$330.75/ad

Mayor's Coffee

Thursday, August 5, 2010

From **5:30—7:00 P.M.**

Main Street Crossing

111 W. Main

Come by to ask any questions, or address
any concerns you have regarding the City
of Tomball.

Main Street Crossing Info: <http://www.mainstreetcrossing.com>

sponsored by:

**CLIFTON
DODSON
SORTINO LLP
ATTORNEYS
AT LAW**



Gretchen Fagan
Mayor

Ad #6 - Legal Rate 3 col. (5.138") X 4.25" = 12.75" \$93.71/Ad

NOTICE TO BIDDERS

The City of Tomball, Texas is accepting sealed bids for the purchase of:

Chlorine and Sulfur Dioxide Gas

Sealed bids should be addressed to Theresa Witt, purchasing agent, City of Tomball, 501 James Street, Tomball, Texas 77375 and shall be labeled **"Project No. 2010-06 - "Do Not Open"**. Bids will be accepted until 9:00 AM, Wednesday, August 25, 2010, at which time all bids shall be opened and read aloud.

The City of Tomball reserves the right to accept or to reject any or all bids, to waive technicalities and to make any investigation deemed necessary concerning the bidder's ability to provide the products required, and to accept what in their judgment is the most advantageous bid.

Information and specifications may be obtained from Department of Public Works, City of Tomball, 501 James Street, Tomball, Texas 77375.

George Shackelford
City Manager

CERTIFICATION

I certify that the above "Notice to Bidders" was posted on the bulletin board of City Hall, City of Tomball, Texas on the 6th day of August, 2010.

Doris Speer
City Secretary

Ad #7 - Retail Rate 2 col. (3.388") X 4.75" = 9.5" \$241.58/Ad

GET HOPPING!



Register for the
2nd Annual City of
Tomball Bunny Run
5K Run/Walk
& the Kid's 1 Mile!

SATURDAY, APRIL 10, 2010

8:00 A.M. – Certified 5K course Run/Walk
8:45 A.M. – Kids 1 Mile Run/Walk

Registration forms can be downloaded at
www.ci.tomball.tx.us, or picked up at
Tomball City Hall (401 Market St) or
Tomball Public Works (501 James St).
For more information, call 281-351-5484.

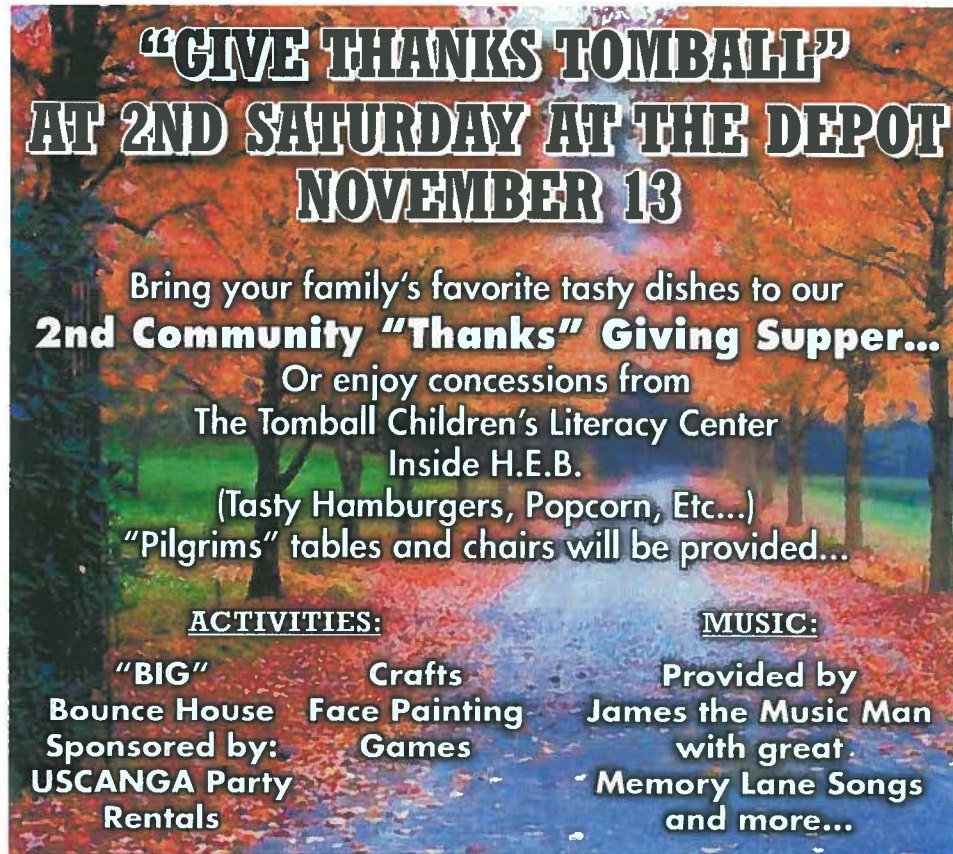
SPONSORED BY



REGISTRATION FEES

5K Run	\$20
1 Mile Run/Walk 11 yrs +	\$20
1 Mile Run/Walk 10 & under	\$12

Ad #8 - Retail Rate 3 col. (5.138") X 6.75" = 20.25" \$345.21/Ad



"GIVE THANKS TOMBALL"
AT 2ND SATURDAY AT THE DEPOT
NOVEMBER 13

Bring your family's favorite tasty dishes to our
2nd Community "Thanks" Giving Supper...
Or enjoy concessions from
The Tomball Children's Literacy Center
Inside H.E.B.
(Tasty Hamburgers, Popcorn, Etc...)
"Pilgrims" tables and chairs will be provided...

ACTIVITIES:		MUSIC:
"BIG"	Crafts	Provided by
Bounce House	Face Painting	James the Music Man
Sponsored by:	Games	with great
USCANGA Party		Memory Lane Songs
Rentals		and more...

**Help provide Thanksgiving for TEAM families by
bring non-perishable food items to 2nd Saturday.**

Special Showing!

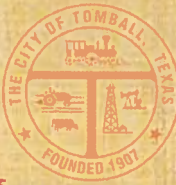


HISTORIC TOMBALL DEPOT PLAZA
201 South Elm • One block south of Main Street
Opens at 5:00 PM • Movie begins at dark

Family entertainment for all ages
Bring your lawn chairs • Concessions available
No Glass Containers!

For more information, please call Rosalie Dillon at 281-610-2595

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



Ad #9 - Retail Rate 4 col (6.888") X 8.75" = 35" \$337.40/Ad

**NOTICE OF SPECIAL ELECTION
(AVISO DE ELECCIÓN ESPECIAL)
(THÔNG BÁO VỀ CUỘC BẦU CỬ ĐẶC BIỆT)**

To the Registered Voters of the City of Tomball, Texas:
(A los votantes registrados de la Ciudad de Tomball, Texas:)
(Gửi các Cử Tri Ghi Danh Bỏ Phiếu của Thành Phố Tomball, Texas:)

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m. on Saturday, August 14, 2010, for voting in a special election to elect Council Position 5.

(Se notifica por el presente que las casillas electorales indicadas abajo abrirán desde las 7:00 a.m. hasta las 7:00 p.m., el sábado 14 de agosto de 2010 para votar en una Elección Especial para elegir un Concejal para la Posición 5.)

(Thông báo theo đây cho biết rằng các địa điểm bỏ phiếu liệt kê dưới đây sẽ mở cửa từ 7:00 sáng đến 7:00 tối ngày thứ bảy, 14 tháng Tám, 2010 để bỏ phiếu trong một cuộc bầu cử đặc biệt để bầu chọn Thành Viên Hội Đồng Vị Trí số 5.)

LOCATION OF POLLING PLACE: (DIRECCIÓN DEL LUGAR DE VOTACIÓN:) (ĐỊA ĐIỂM BỎ PHIẾU:)

401 Market Street, Tomball, Texas 77375.

Early voting by personal appearance will be conducted each weekday at: 401 Market Street, Tomball, Texas 77375, between the hours of 7:45 a.m. and 5:00 p.m., Monday, Wednesday, and Thursday, between the hours of 7:45 a.m. and 7:45 p.m. on Tuesday, and between the hours of 7:45 a.m. and 4:00 p.m. on Friday, beginning on August 2, 2010 and ending on August 10, 2010.

(La votación anticipada en persona se llevará a cabo de lunes a viernes en: 401 Market Street, Tomball, Texas 77375, de 7:45 a.m. a 5:00 p.m. el lunes, miércoles y jueves; de 7:45 a.m. a 7:45 p.m. el martes; y de 7:45 a.m. a 4:00 p.m. el viernes, comenzando el 2 de agosto de 2010 y culminando el 10 de agosto de 2010.)

(Thủ tục đích thân đến bỏ phiếu sớm sẽ được tiến hành mỗi ngày trong tuần tại: 401 Market Street, Tomball, Texas 77375, trong khoảng thời gian từ 7:45 sáng đến 5:00 chiều, Thứ Hai, Thứ Tư, và Thứ Năm từ lúc 7:45 sáng đến 7:45 tối ngày thứ Ba, và từ 7:45 sáng đến 4:00 chiều ngày thứ Sáu, bắt đầu từ ngày 2 tháng Tám, 2010 cho đến hết ngày 10 tháng Tám, 2010.)

Applications for ballot by mail shall be mailed to: (Las solicitudes de boletas para votar por correo deben enviarse a:)
(Quý vị có thể gửi đơn xin lá phiếu bầu qua đường bưu điện tới cho:)

Doris Speer

(Name of Early Voting Clerk)

(Nombre de la Secretaria de Votación Anticipada)

(Tên của Thư Ký phụ trách Bỏ Phiếu Sớm)

401 Market Street

(Address) (Dirección) (Địa chỉ)

Tomball, TX

77375

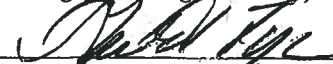
(City) (Ciudad) (Thành phố) (Zip Code) (Código Postal) (Số Zip Code)

Applications for ballot by mail presented in person must be received no later than the close of business on July 30, 2010. (Las solicitudes de boletas para votar por correo hechas en persona deberán recibirse para el fin del horario de oficina del 30 de julio de 2010.) (Đơn xin lá phiếu bầu qua đường bưu điện phải được nhận trước lúc đóng cửa ngày 30 tháng Bảy, 2010)

Issued this the 26th day of June 2010.

(Emitado este día 26 de junio de 2010.)

(Ban hành ngày 26 tháng Sáu, 2010.)



Signature of Mayor (Firma del Alcalde) (Chữ ký của Thị Trưởng)

Audit Period: July 1, 2008 – June 30, 2009

Houston Community Newspapers

523 N Sam Houston Pkwy East, Suite 600

Houston, TX 77060

(281) 668-1100

(713) 980-6995 FAX

EMAIL: tstamper@hcnonline.com

www.hcnonline.com

1. Publication Information

Average Net Circulation:	See Paragraphs 5A – 5 AR**
Number of Editions:	44 - 2 Daily - The Courier (7), The Pasadena Citizen (5), 32 Weekly
Format / Average Page Count:	Broadsheet / 18 Pages
Circulation Cycle:	Daily – The Courier (7) & The Pasadena Citizen (5) Weekly – All Others (see paragraphs 5, 9 & 10)
Circulation Day / Time:	Varies by publication / by 5 PM
Ownership:	ASP Westward Communications, LLC
Year Established:	1892
Publication Type:	Community Newspaper
Content:	50% Advertising / 50% Editorial
Circulation Paid/Unpaid:	98% Unpaid / 2% Paid / <1% Sponsored (NIE)
Primary Delivery Methods:	93% Home Delivery / 1% Mail / 6% Controlled Bulk
Insert Zoning Available:	Yes - Zip Code / County / Route / Zone
CVC Member Number:	See Paragraphs 5A – 5 AR
DMA/MSA:	Houston, TX / Houston--Galveston--Brazoria, TX CMSA
Audit Funded By:	Publisher

2. Rate Card and Mechanical Data

Rate Card Effective Date:	January 1, 2009
Mechanical Data:	Six (6) columns x 21.5-inch column depth Full page: 10.5" wide X 21.5" depth.
Open Rate:	Local: \$5.72 - \$189.72 per column inch National: \$5.72 - \$189.72 per column inch
Insert Open Rate:	\$48.00 - \$80.00 per thousand
Classified Rate:	\$5.48 - \$161.03 per column inch

Volume, frequency, contract, color, and other rates may be available from the publisher.

3. Contact Information

Publisher:	Tom Stamper	EMAIL: tstamper@aspwestward.com
Advertising:	Donald Borucki	EMAIL: dborucki@hcnonline.com
Circulation:	Angela Hicks	EMAIL: ahicks@hcnonline.com

4. Circulation Pricing

Houston Community Newspapers are controlled and paid circulation daily and weekly publications. Annual mail subscription rate: Varies by publication

5. Audited Circulation, Distribution and Net Press Averages - Print Edition

CVC Account Number: 01-0905		Houston Community Newspapers – Weeklies Consolidated Houston, TX
Audit Period Summary		
Average Net Circulation	(5-H)	580,339
Average Gross Distribution	(5-F)	581,402
Average Net Press Run	(5-A)	583,419
Audit Period Detail		
A. Average Net Press Run		583,419
B. Office / File		2,017
C. Controlled Distribution		
1. Home Delivery		539,720
2. Controlled Bulk Delivery / Demand Distribution		28,167
3. Mail		352
4. Restock & Office Service		4,986
5. Other:		0
TOTAL AVERAGE CONTROLLED DISTRIBUTION		573,225
D. Paid Distribution		
1. Home Delivery		3,312
2. Single Copy		2,230
3. Mail		2,528
4. Restock & Office Service		107
5. Other:		0
TOTAL AVERAGE PAID DISTRIBUTION		8,177
E. Sponsored / Voluntary Paid Distribution		
1. Home Delivery		0
2. Single Copy		0
3. Mail		0
4. Restock & Office Service		0
5. Other:		0
TOTAL AVERAGE SPONSORED DISTRIBUTION		0
F. Average Gross Distribution		581,402
G. Unclaimed / Returns		(1,063)*
H. Average Net Circulation		580,339



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5AQ. Audited Circulation, Distribution and Net Press Averages - Print Edition

CVC Account Number: 01-2278 Wednesday		Magnolia Potpourri Magnolia, TX
Audit Period Summary		
Average Net Circulation	(5-H)	20,867
Average Gross Distribution	(5-F)	20,867
Average Net Press Run	(5-A)	20,917
Audit Period Detail		
A. Average Net Press Run		20,917
B. Office / File		50
C. Controlled Distribution		
1. Home Delivery		19,739
2. Controlled Bulk Delivery / Demand Distribution		1,042
3. Mail		0
4. Restock & Office Service		86
5. Other:		0
TOTAL AVERAGE CONTROLLED DISTRIBUTION		20,867
D. Paid Distribution		
1. Home Delivery		0
2. Single Copy		0
3. Mail		0
4. Restock & Office Service		0
5. Other:		0
TOTAL AVERAGE PAID DISTRIBUTION		0
E. Sponsored / Voluntary Paid Distribution		
1. Home Delivery		0
2. Single Copy		0
3. Mail		0
4. Restock & Office Service		0
5. Other:		0
TOTAL AVERAGE SPONSORED DISTRIBUTION		0
F. Average Gross Distribution		20,867
G. Unclaimed / Returns		(0)*
H. Average Net Circulation		20,867



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5AR. Audited Circulation, Distribution and Net Press Averages - Print Edition

CVC Account Number: 01-0554 Wednesday		Tomball Potpourri Tomball, TX
Audit Period Summary		
Average Net Circulation	(5-H)	18,887
Average Gross Distribution	(5-F)	18,887
Average Net Press Run	(5-A)	18,937
Audit Period Detail		
A. Average Net Press Run		18,937
B. Office / File		50
C. Controlled Distribution		
1. Home Delivery		17,292
2. Controlled Bulk Delivery / Demand Distribution		1,580
3. Mail		0
4. Restock & Office Service		15
5. Other:		0
TOTAL AVERAGE CONTROLLED DISTRIBUTION		18,887
D. Paid Distribution		
1. Home Delivery		0
2. Single Copy		0
3. Mail		0
4. Restock & Office Service		0
5. Other:		0
TOTAL AVERAGE PAID DISTRIBUTION		0
E. Sponsored / Voluntary Paid Distribution		
1. Home Delivery		0
2. Single Copy		0
3. Mail		0
4. Restock & Office Service		0
5. Other:		0
TOTAL AVERAGE SPONSORED DISTRIBUTION		0
F. Average Gross Distribution		18,887
G. Unclaimed / Returns		(0)*
H. Average Net Circulation		18,887

6A. Audited Average Website Reporting

	Audit Period Average
Website Unique Visitors	Not Reported
Website Page Views	Not Reported

6B. Audited Online Edition Reporting

	Audit Period Average
Unique Digital Edition Visitors	Not Applicable
Digital Edition Page Views	Not Applicable

7. Explanatory

PARAGRAPH FIVE AUDIT PERIOD SUMMARY

****** Paragraph 5 represents a consolidated average for those publications that are distributed on a weekly basis and does not include those with a daily edition cycle. Those with daily edition cycles are represented in paragraphs 5A through 5L.

AVERAGE NET CIRCULATION: See audit period detail (H).

AVERAGE GROSS DISTRIBUTION: See audit period detail (F).

NET PRESS RUN: See audit period detail (A).

AUDIT PERIOD DETAIL

- A. 1. NET PRESS RUN: Average net press run during the audit period indicated. The net press run average does not include press waste, or start-up copies.
- B. 1. OFFICE / FILE: Undistributed editions maintained by the publisher for office purposes. Office / File editions do not qualify as controlled, paid, or sponsored distribution.
- C. CONTROLLED DISTRIBUTION (NON-PAID): Editions distributed by the publisher free of charge.
1. HOME DELIVERY: Editions delivered by private carrier to single family residences, and/or multi-family residences, and/or businesses.
2. CONTROLLED BULK / DEMAND DISTRIBUTION: Editions distributed to newsracks, newsstands, and/or area retail businesses and available to individual readers. Subject to paragraph 5E returns.
3. MAIL: Editions delivered by United States Postal Service mail to single family residences, and/or multi-family residences, and/or businesses.
4. RESTOCK / OFFICE SERVICE: Editions maintained and distributed by the publisher for restock of newsracks, newsstands, area retail businesses, office deliveries, and advertising purposes during the edition cycle. Subject to paragraph 5E returns.
5. OTHER: Editions delivered by private carrier to single family residences, and/or multi-family residences, and/or businesses, as part of a sampling program.
- D. PAID DISTRIBUTION: Editions distributed by the publisher through paid subscription or other monetary exchange with individual readers.
1. HOME DELIVERY: Editions distributed by private carrier to paid subscribers in single family residences, and/or multi-family residences, and/or businesses.
2. SINGLE COPY: Editions distributed to newsracks, newsstands, and/or area retail businesses and available to individual readers. Subject to paragraph 5E returns.
3. MAIL: Editions delivered by United States Postal Service mail to paid subscribers in single family residences, and/or multi-family residences, and/or businesses.
4. RESTOCK / OFFICE SERVICE: Editions maintained and distributed by the publisher for restock of newsracks, newsstands, area retail businesses, office deliveries, and advertising purposes during the edition cycle. Subject to paragraph 5E returns.
- E. SPONSORED / VOLUNTARY PAID DISTRIBUTION: Editions distributed by the publisher that are sponsored by a third party monetary exchange.
1. HOME DELIVERY: Editions delivered by private carrier to sponsored subscribers in single family residences, and/or multi-family residences, and/or businesses.
2. SINGLE COPY: Editions distributed to newsracks, newsstands, and/or area retail businesses and available to individual readers on a voluntary pay basis. Subject to paragraph 5E returns.
3. MAIL: Editions delivered by United States Postal Service mail to sponsored subscribers in single family residences, and/or multi-family residences, and/or businesses.
4. RESTOCK / OFFICE SERVICE: Editions maintained and distributed by the publisher for restock of voluntary or sponsored newsracks, newsstands, area retail businesses, office deliveries, and advertising purposes during the edition cycle. Subject to paragraph 5E returns.
- F. 1. AVERAGE GROSS DISTRIBUTION: Average gross distribution for the audit period indicated. (Total of controlled distribution (A), paid distribution (B), and sponsored distribution (C)).
- G. 1. UNCLAIMED / RETURNS: Distributed editions returned to the publisher unsold and/or unclaimed during the edition cycle *(See paragraph 12 for CVC return/unclaimed confirmation.)
- H. 1. AVERAGE NET CIRCULATION: Average net circulation for the audit period indicated. (Total of controlled distribution (C), paid distribution (D), and sponsored distribution (E) minus unclaimed / return (G)).

PARAGRAPH SIX (A)

UNIQUE VISITORS: A unique visitor to a website where the user registers or where the user is identified or marked by a cookie, IP address, or other ID that is attached to the browser within the defined cycle. Limitations apply to the measurement of unique visitors. Please see CVC Rules & Regulations for further information.

PAGE VIEWS: The transmittal of a full page contained within the website to the user's browser.

PARAGRAPH SIX (B)

UNIQUE DIGITAL EDITION VISITORS: Unique visitors to a digital edition publication where the user registers or where the user is identified or marked by a cookie, IP address, or other ID, within a defined time period (i.e. day, week or month). A unique visitor counts once within the timescale. A visitor can make multiple visits. Limitations apply to the measurement of unique visitors. Please see CVC Rules & Regulations for further information.

DIGITAL EDITION PAGE VIEWS: Requests for files whose types are defined as pages; transmittals of full pages contained within the digital edition publication to the user's browser. Several page views are expected to be logged per Visit/Session.

9AN. Distribution by Zip Code (6/24/2009 Edition) Thursday - Fort Bend Sun

ZIP CODE	CITY / AREA	COUNTY	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
77459	Missouri City	Fort Bend	18,137	1,060	0	277	19,474
TOTAL			18,137	1,060	0	277	19,474

9AO. Distribution by Zip Code (6/25/2009 Edition) Thursday - The Villager - Woodlands

ZIP CODE	CITY / AREA	COUNTY	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
77380	Spring	Montgomery	5,453	0	0	0	5,453
77381	Spring	Montgomery	12,666	0	0	0	12,666
77382	Spring	Montgomery	9,294	0	0	0	9,294
77384	Conroe	Montgomery	2,008	0	0	0	2,008
77385	Conroe	Montgomery	1,836	0	0	0	1,836
77386	Spring	Montgomery	7,358	0	0	0	7,358
Misc.	Assorted	Assorted	0	850	0	328	1,178
TOTAL			38,615	850	0	328	39,793

9AP. Distribution by Zip Code (6/24/2009 Edition) Thursday - Bellaire Examiner

ZIP CODE	CITY / AREA	COUNTY	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
77096	Houston	Harris	7,019	0	0	0	7,019
77401	Bellaire	Harris	5,954	0	0	0	5,954
Misc.	Assorted	Assorted	0	1,000	0	75	1,075
TOTAL			12,973	1,000	0	75	14,048

9AQ. Distribution by Zip Code (6/24/2009 Edition) Wednesday - Magnolia Potpourri

ZIP CODE	CITY / AREA	COUNTY	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
77354	Magnolia	Montgomery	8,504	0	0	0	8,504
77355	Magnolia	Montgomery	9,605	0	0	0	9,605
77362	Pinehurst	Montgomery	1,630	0	0	0	1,630
Misc.	Assorted	Assorted	0	500	0	220	720
TOTAL			19,739	500	0	220	20,459

9AR. Distribution by Zip Code (6/24/2009 Edition) Wednesday - Tomball Potpourri

ZIP CODE	CITY / AREA	COUNTY	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
77375	Tomball	Harris	8,580	0	0	0	8,580
77377	Tomball	Harris	8,712	0	0	0	8,712
Misc.	Assorted	Assorted	0	497	0	65	562
TOTAL			17,292	497	0	65	17,854

10A. Distribution by County (6/28/2009 Edition) The Courier - Sunday

COUNTY	CITY / AREA	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
Montgomery	Conroe Magnolia Montgomery New Caney Spring Willis	9,595	3,617	0	0	13,212
Misc.	Assorted	0	0	0	45	45
TOTAL		9,595	3,617	0	45	13,257

10AM. Distribution by County (6/24/2009 Edition) Thursday - Pearland Journal

COUNTY	CITY / AREA	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
Brazoria	Pearland Rosharon	19,000	0	0	0	19,000
Misc.	Assorted	0	730	600	150	1,480
TOTAL		19,000	730	600	150	20,480

10AN. Distribution by County (6/24/2009 Edition) Thursday - Fort Bend Sun

COUNTY	CITY / AREA	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
Fort Bend	Missouri City	18,137	1,060	0	277	19,474
TOTAL		18,137	1,060	0	277	19,474

10AO. Distribution by County (6/25/2009 Edition) Thursday - The Villager - Woodlands

COUNTY	CITY / AREA	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
Montgomery	Conroe Spring	38,615	0	0	0	38,615
Misc.	Assorted	0	850	0	328	1,178
TOTAL		38,615	850	0	328	39,793

10AP. Distribution by County (6/24/2009 Edition) Thursday - Bellaire Examiner

COUNTY	CITY / AREA	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
Harris	Bellaire Houston	12,973	0	0	0	12,973
Misc.	Assorted	0	1,000	0	75	1,075
TOTAL		12,973	1,000	0	75	14,048

10AQ. Distribution by County (6/24/2009 Edition) Wednesday - Magnolia Potpourri

COUNTY	CITY / AREA	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
Montgomery	Magnolia Pinehurst	19,739	0	0	0	19,739
Misc.	Assorted	0	500	0	220	720
TOTAL		19,739	500	0	220	20,459

10AR. Distribution by County (6/24/2009 Edition) Wednesday - Tomball Potpourri

COUNTY	CITY / AREA	HOME DELIVERY	CONTROLLED BULK	MAIL	OFFICE / RESTOCK	TOTAL
Harris	Tomball	17,292	0	0	0	17,292
Misc.	Assorted	0	497	0	65	562
TOTAL		17,292	497	0	65	17,854



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11. Verification of Receivership & Readership

Controlled Home Delivery and Mail Distribution

The Circulation Verification Council interviewed 2,566 residents in the primary market areas indicated in paragraph nine. The purpose was to identify the number of residents who indicate they receive the publication on a regular basis, and further identify the number of residents who read or look through the publication. The interviews took place throughout the audit period between the hours of 5:30 PM-8:30 PM and 10:00 AM-2:00 PM. All respondents identified themselves as 18 or older.

1. The (appropriate Houston Community Newspaper) is distributed regularly in your area. Do you receive the (appropriate Houston Community Newspaper) on a regular basis?
2. (If response to #1 was YES) Do you or someone in your household regularly read or look through the (appropriate Houston Community Newspaper)?

CVC interviews indicate that 2,396 of 2,566 households or 93.4% indicated they receive the (appropriate Houston Community Newspaper) on a regular basis.

CVC interviews indicate that 1,747 of 2,396 or 72.9% indicate they regularly read or look through the (appropriate Houston Community Newspaper).

*Households reporting stop delivery requests were excluded from the survey.

The Circulation Verification Council estimates that all the information in this text box has a minimum accuracy level of +/-2.5%.

12. Verification of Distribution

Controlled Bulk / Demand Distribution

The Circulation Verification Council interviewed and/or visited controlled bulk/demand distribution locations chosen randomly from the publication's delivery list. The purpose was to identify the number of locations who indicate they receive the publication on a regular basis, and further verify the number of publications distributed at the beginning of the edition cycle, and the number of editions left unclaimed by readers at the end of the edition cycle.

CVC interviews indicate that over 99% of reported controlled bulk drop locations indicated they received the (appropriate Houston Community Newspaper) on a regular basis.

CVC interviews indicate that less than 10% of the (appropriate Houston Community Newspaper)'s controlled bulk distributed editions are returned to the publisher unclaimed after the edition cycle.

13. Paid Reporting Analysis

HOME DELIVERY	Basic Rates: Varies by publication
	AVERAGE NUMBER OF SUBSCRIPTIONS
Full Basic Rate	73,809 Cumulative per week
Over 75% of basic rate	0
Over 50% of basic rate	0
Under 50% of basic rate	0
MAIL	Basic Rates: Varies by publication
	AVERAGE NUMBER OF SUBSCRIPTIONS
Full Basic Rate	3,310 Cumulative per week
Over 75% of basic rate	0
Over 50% of basic rate	0
Under 50% of basic rate	0
SINGLE COPY	COVER PRICE: Varies by publication
	AVERAGE WHOLESALE RATE: Varies by publication

14. Council Audit Statement

Circulation Verification Council (CVC) reviewed the printing, distribution, circulation, and general business records of this publication for the purpose of compiling this information. The review was completed using Council audit procedures considered necessary under the circumstances of the audit in compliance with CVC Rules and Requirements. In our opinion, this report fairly and accurately represents the publication's printing, distribution, and circulation for the period indicated.



The current status of this report expires September 30, 2010.

If this report is presented after September 30, 2010 please call the toll-free number listed below.

Houston Community Newspapers – Houston, TX – 01-0905 - Supplemental Readership Study

The Circulation Verification Council interviewed 2,566 residents in the primary market areas indicated in publication's CVC audit report. The purpose was to identify the number of residents who indicate they receive the publication on a regular basis, identify the number of residents who read or look through the publication, and gather readership study information useful for advertising purchase decisions. Market statistics estimates appearing in CVC reports are obtained from EASI Software. The population studied consisted of adults age 18 and over, living in households within the survey area. Within this area, each household and each adult within the household had a known (or "non-zero") probability of being selected for the sample. Interviews were conducted solely with pre-designated respondents and no substitutions were permitted. The verification and readership study took place throughout the audit cycle between the hours of 5:30 PM and 8:30 PM and 10:00 AM and 2:00 PM. Initial interview attempts were spread evenly across all survey days (i.e., Tuesday through Saturday). A minimum of 250 completed interviews is required with no more than one interview per household. Interview Procedures: To ensure the highest degree of comparability and to facilitate the auditing process, a standard, consistent, specified list of interview questions was asked. Interviews were conducted by CVC with supervision, interview training, and monitoring capabilities. Interviews were conducted over a minimum period of four weeks to minimize the impact of weather and/or special events. Every effort was made to ensure that interviews were assigned randomly by day and that an approximately equal number of interviews were completed on each interviewing day. Where appropriate, data was balanced and/or weighted by ZIP code using up-to-date known demographics: gender, age, number of adults in household and ethnicity in those cases where one minority comprised no less than ten percent of the total population. Non-responses to any single question were eliminated from the survey. In all cases, at least six attempts were made to contact all pre-designated respondents. The telephone rang a minimum of six times each time a number was dialed before the attempt was classified as a "no answer." Each number was dialed at different times and, as necessary, on different days. Every effort was made to surmount language, cultural, behavioral and other barriers to a successful interview; and to the extent feasible, callbacks were scheduled on a random basis. At least one callback attempt per respondent was made on a weekend. During the interview process, no questions were asked prior to the publication readership question, with the exception of a qualifying question designed to determine the ZIP code of recipient residence; and a general warm-up call explanation designed to put the respondent at ease. Warm-up questions did not include any reference to the publication itself or the nature of the study. This study followed recommended guidelines developed in part from the Advertising Research Foundation (ARF) readership guidelines. Survey totals may not equal 100% due to rounding. The Circulation Verification Council estimates that all the information in this survey has a maximum error margin of +/-2.5 at the 95% confidence level. *X Survey respondents were interviewed during the verification of home delivery and mail distribution. X Survey respondents reported reading a minimum of two of the last four issues through single copy, controlled bulk, or pass along distribution.

• Average readers per edition during the audit period: 1.825*

*Readership estimates compiled from 2009 CVC circulation & readership study data.

1. The (appropriate Houston Community Newspaper) is distributed regularly in your area. Does your household regularly receive the (appropriate Houston Community Newspaper)?

YES	2,396	93.4%
NO	170	06.6%

2. Do you or someone in your household regularly read or look through the (Houston Community Newspaper)?

YES	1,747	72.9%
NO	649	27.1%

3. Do you frequently purchase products or services from ads seen in the (Houston Community Newspaper)?

YES	1,394	79.8%
NO	353	20.2%

4. How long do you keep the (Houston Community Newspaper) before discarding it?

59%	1-2 Days
15%	3-4 Days
05%	5-6 Days
21%	1 Week or More

5. What is the highest level of education you have obtained?

Reader Demographics	Market Demographics
04%	16% Some High School or Less
17%	21% Graduated High School
34%	29% Some College
34%	23% Graduated College
11%	11% Completed Post Graduate

PAGE 1 OF 2

6. Please select the category that best describes your age.

Reader Demographics	Market Demographics
02%	06% 18 - 20
06%	08% 21 - 24
22%	20% 25 - 34
26%	22% 35 - 44
24%	21% 45 - 54
15%	13% 55 - 64
04%	06% 65 - 74
02%	05% 75 years or older

7. What category best describes your combined annual household income for last year?

Reader Demographics	Market Demographics
08%	17% Under \$25,000
16%	22% \$25,001 - \$49,999
27%	18% \$50,000 - \$74,999
24%	14% \$75,000 - \$99,999
16%	16% \$100,000 - \$149,999
09%	12% Over \$150,000

8. Which of the following products or services do you plan to purchase during the next twelve months?

12%	New Automobile	(% = Positive respondents)
12%	Used Automobile	
21%	Antiques / Auctions	
49%	Furniture / Home Furnishings	
20%	Major Home Appliance	
16%	Home Computers	
48%	Home Improvements / Supplies	
35%	Television / Electronics	
17%	Carpet / Flooring	
64%	Automobile Accessories (tires, brakes & service)	
71%	Lawn & Garden	
40%	Florist / Gift Shops	
32%	Home Heating / Air Conditioning (service, new equipment)	
49%	Vacations / Travel	
04%	Real Estate	
81%	Men's Apparel	
88%	Women's Apparel	
50%	Children's Apparel	
01%	Boats / Personal Watercraft	
32%	Art & Crafts Supplies	
25%	Childcare	
55%	Education / Classes	
10%	Attorney	
19%	Veterinarian	
15%	Chiropractor	
26%	Financial Planner (Retirement, Investing)	
58%	Tax Advisor / Services	
31%	Health Club / Exercise Class	
31%	Cleaning Services (Carpet Cleaning, Air Duct Cleaning, Home Cleaning)	
06%	Weight Loss	
39%	Lawn Care Service (Maintenance & Landscaping)	
54%	Legal Gambling Entertainment (Lottery, Casinos, Racetracks, Bingo)	
61%	Pharmacist / Prescription Service	
23%	Cellular Phone New/Update Service	
84%	Dining & Entertainment	
19%	Jewelry	
11%	Wedding Supplies	
43%	Athletic & Sports Equipment	

Houston Chronicle

Theresa Witt

From: Fernandez, Scott L [Scott.Fernandez@chron.com]
Sent: Wednesday, January 12, 2011 11:41 AM
To: Theresa Witt
Cc: Doris Speer
Subject: RE: Ad Quotes for City of Tomball
Attachments: Neighborhood News 2010 (5).ppt

Hello Theresa,

This would be perfect for our **Ultimate Tomball section**. This reaches approximately 100,000 readers and is delivered to subscribers every Thursday. Non subscribers will receive through the mail on Thursday or Saturday and it goes to households with an income of \$40 plus.

For the section we charge \$15 per column inch for color and \$14 per column inch in B/W.

Quote

Ad # 1 B/W 2 column inches x 7 inches = \$196

Ad # 9 B/W 4 column inches x 10 inches = \$560

Ad# 5 Color 3 column inches x 6 inches = \$270

Ad# 7 Color 2 column inches x 7 inches = \$210

Ad# 8 Color 3 column inches x 6 inches = \$270

Feel free to contact me with any questions you might have.

Thank you,

Scott Fernandez

Regional Sales Specialist

P | 281-362-4416

M | 602-525-1524

F | 713-354-3361

E | Scott.Fernandez@chron.com

HEARST media services

Houston Chronicle | chron.com | Yahoo!

801 Texas Avenue • Houston • TX 77002

From: Theresa Witt [<mailto:twitt@ci.tomball.tx.us>]
Sent: Tuesday, January 11, 2011 10:37 AM
To: Fernandez, Scott L
Cc: Doris Speer
Subject: Ad Quotes for City of Tomball

Scott,

Please provide me with quotes for ads #5, #7, & #8 – in size and coloring as example. All 3 would be considered “retail”. However, I’m unsure of ads #1 & #9....both look legal to me but our current provider shows them as “retail” too. Please provide quotes for ads #1 & #9 – size is as per example and both are black & white.

Also, could you provide me with the size of the subscription area, # of subscriptions, and method of delivery?
Many thanks & I look forward to receiving your quotes

Theresa Witt

Purchasing Agent
City of Tomball
401 Market St.
Tomball, TX 77375
281-290-1419 office
281-351-6256 fax

=====
This e-mail message is intended only for the personal
use of the recipient(s) named above. If you are not
an intended recipient, you may not review, copy or
distribute this message.

If you have received this communication in error, please
notify the sender immediately by e-mail and delete the original message.
=====

Theresa Witt

From: Torrence, Cynthia [Cynthia.Torrence@chron.com]
Sent: Monday, January 10, 2011 4:54 PM
To: Theresa Witt
Subject: RE: City of Tomball Quotes

Theresa, the production dept printed them out for me. They are all legal/public notices and as such would run through my dept. I'm giving you the cost based on the size notices you sent over. The rate for our **Thursday zoned paper** is \$24.51 per column inch **per day**. The Election Notice and the 2 Public Hearing Notices I would recommend that you keep close to the same size, but the other notices for the ordinances and bids. They don't need to be that size unless you just prefer them that way. The Chronicle uses a standard 6 pt legal font, and if we typed them as line ads your would save quite a bit of money. Cynthia.

Ad 1 - 3x5.75 - \$422.80 per day

Ad 6 - 4x4.25 - \$416.67

Ad 4 - 3x4.5 - \$330.88

Ad 3 - 3x7.5 - \$551.47

Ad 2 - 4x5 - \$490.20

Ad 9 - 6x8.5 - \$1250.01

Cynthia Anne Torrence

Legal Advertising Representative

p | 713-362-6435

f | 713-354-3798

e | legals@chron.com

HEARST media services

Houston Chronicle | chron.com | Yahoo!

801 Texas Avenue • Houston, Texas • 77002

-----Original Message-----

From: Theresa Witt [<mailto:twitt@ci.tomball.tx.us>]
Sent: Monday, January 10, 2011 4:11 PM
To: Classified Legals
Cc: Doris Speer
Subject: City of Tomball Quotes

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 7, 2011

Topic:

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

- Section 551.071. Consultation with Attorney on a Matter in which the Duty of the Attorney to the City Council under the Texas Rules of Professional Conduct of the State Bar Clearly Conflicts with the Chapter; and
- Section 551.074. Personnel Matters: Deliberation of the Appointment, Employment, Evaluation, Duties and Dismissal of a Public Officer or Employee - the Director of Engineering and Planning

Background:

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	☐ 1 ST ☐ 2 ND	

Regular City Council
Agenda Item
Data Sheet

Meeting Date: February 7, 2011

Topic:

Discuss and Approve City Manager's Removal of Mark McClure as Director of Engineering and Planning

Background:

Origination:

City Manager

Recommendation:

Funding:

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

City Manager

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