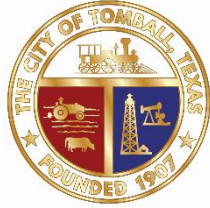


**NOTICE OF WORKSHOP/REGULAR  
CITY OF TOMBALL, TEXAS**



**Tuesday, September 08, 2026  
5:00 P.M.**

**Notice is hereby given of a Workshop and Regular meetings of the Tomball City Council, to be held on Tuesday, September 08, 2026, at 5:00 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.**

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): **+1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 871 4074 5834 Passcode: 720551.** The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. 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 - GC, 551.042.]*

*With no objection from Council, Remarks shall not be Profane, vulgar or abusive language and personal attacks will not be tolerated.*

- C. General Discussion
  - 1. Quarterly Financial Report for period ending June 30, 2026
  - 2. Quarterly Investment Report for the period ending June 30, 2026.
- D. Proposed Future Agenda Items *[The following items are provided for informational purposes for City Council and public review. Any item may be pulled for separate discussion at Council's request.]*

1. Workshop Discussion Only – Approve an agreement with Shane Griffin Power & Electrical Services, LLC for electrical contractor services for Fiscal Year 2027, for a not-to-exceed amount of \$125,000 (RFP 2026-12), approve the expenditure of funds, therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures are included in the Fiscal Year 2026-2027 budget.
  2. Workshop Discussion Only - Approve the expenditure of greater than \$100,000 with Insight Public Sector for software support renewals, not-to-exceed amount of \$116,500, approve the expenditure of funds thereof, and authorize the City Manager to execute any and all documents related to the purchase. These expenditures are included in the FY 2025-2026 budget.
  3. For Informational Purposes Only - Request by Joe E. Evans, Abigail L. Bailey, and Janae E. Evans to consider a zone change from Agricultural (AG) to Commercial (C) on an approximately 0.86 acre portion of Tract 5D, one tract containing approximately 2.96 acres of land, situated in the C Goodrich Survey, Abstract 311, located west of the northwest intersection of FM 2920 and Park Road (15226 FM 2920). The applicant is requesting to match the zoning of the rest of their property
  4. For Informational Purposes Only - Request by Wendy Kaiser to consider a zone change from Single-Family Residential (SF-20) to Old Town (OT) on Lot 22S of the Baker Unrecorded Plat, one lot containing approximately 0.29 acres of land, situated in the J House Survey, Abstract 34, located at the northwest intersection of Hicks Street and Baker Drive (304 Baker Drive). The applicant is requesting to utilize the property for residential or office use
  5. For Informational Purposes Only - Request by Jacqueline Marshall to consider a zone change from Agricultural (AG) to Multifamily Residential (MF-2) on Tract 163 & 167 of Tomball Outlots; one tract containing approximately 5.21 acres of land located west of the northwest intersection of South Cherry Street and Medical Complex Drive. The applicant is requesting to develop the property with an assisted living facility
- E. Recess/Reconvene at 6:00 p.m.
- F. Invocation led by Earl Detwiler, Colonial Hills Bible Chapel
- G. Pledges to U.S. and Texas Flags
- H. 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 - GC, 551.042.]*

*With no objection from Council, Remarks shall not be Profane, vulgar or abusive language and personal attacks will not be tolerated.*

I. Presentations

1. Proclamation Recognizing Tomball's Baseball Team for Winning the State Championship.

2. Proclamation – The Castillo Way Week

J. Reports and Announcements

1. Announcements

I. **Upcoming events:**

- September 10, 2026 - Kaffeeklatsch (Amanda Kelly-Famers Market) from 8:30-10:00 a.m. at Tomball Community Center
- September 11, 2026 - 9/11 Remembrance Ceremony from 8:00-9:00 a.m. at Tomball Depot Plaza, followed by a short evening tribute from 7:30-7:45 p.m. at Tomball Depot Plaza.
- September 12, 2026 - 2<sup>nd</sup> Saturday from 5:00-9:00 p.m. at Tomball Depot Plaza
- September 26, 2026 - GroovFest from 11:00 a.m.-5:00 p.m. at Tomball Depot Plaza

2. Reports by City staff and members of council about items of community interest on which no action will be taken:

K. Old Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

1. Adopt, on Second Reading, Ordinance No. 2026-37, an Ordinance of the City of Tomball, Texas Amending Chapter 46, Article IV of the City of Tomball Code of Ordinances to Establish Conservation and Reuse Credits for water and wastewater impact fees as authorized by Chapter 395 of Texas Local Government Code; Providing for Severability; Making Findings of Fact; Providing for Enforcement; Providing an Effective Date; and Providing for Other Related Matters.
2. Adopt, on Second Reading, Ordinance No. 2026-38, an Ordinance of the City of Tomball, Texas Amending Chapter 46, Article VI of the City of Tomball Code of Ordinances to Establish a Policy for City participation in the cost of oversized water and wastewater mains installed by developers when the additional capacity is required to implement the City's adopted Water and Wastewater Master Plan, Capital Improvement Program, or regional utility planning objectives; Providing for Severability; Making Findings of Fact; Providing for Enforcement; Providing an Effective Date; and Providing for Other Related Matters.
3. Second Reading: Consideration and Adoption of Ordinance No. 2026-39. An Ordinance of the City Council of the City of Tomball, Texas, amending Chapter 32 ("Peddlers and Solicitors") and Chapter 48 ("Vehicles for Hire") of the Code of Ordinances of the City of Tomball; amending Article II of Chapter 32 to replace the term "Permit" with "License" as applied to the peddler occupational authorization; amending Chapter 48, Article III, to remove the fingerprint-based criminal history background-check requirements applicable to tow truck drivers; providing for severability; providing a savings clause; providing for a repealer; and providing an effective date.

L. Old Business

1. Adopt on Second Reading, Ordinance No. 2026-35, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.340940/\$100 of Value Assessed for the Year 2026 on All Taxable Real and Personal Property located in the City of Tomball, Texas; Providing for Penalty, Interest, and additional Penalty on Taxes not timely paid; and Providing other matters relating to the subject.

M. New Business

1. Approve Minutes of August 14, 2026, Joint City Council and TEDC Meeting.  
Approve Minutes of August 17, 2026, Regular City Council Meeting.  
Approve Minutes of August 21, 2026, Joint City Council and TEDC Meeting.



2. Approve a change order with Pate Garver, LP for Project Number 2019-10018, FM 2920 Lift Station Consolidation Project, for a total addendum amount of \$202,250 (contract total not-to-exceed \$5,609,040.41), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. This expenditure is included in the adopted Fiscal Year 2026-2031 Capital Improvement Projects Plan and is included in the Fiscal Year 2025-2026 Capital Improvement Budget.
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):
- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session
  - Sec. 551.074 – Personnel Matters; Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee- Police Chief

N. 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 1st day of September 2026 by 5:00 p.m., and remained posted for at least three consecutive business days preceding the scheduled time of said meeting.

---

Thomas Harris III, TRMC  
City Secretary

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 contact the City Secretary’s office at (281) 290-1019 for further information.

# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

Quarterly Financial Report for period ending June 30, 2026

**Background:**

**Origination:** Finance Director

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Bragg Farmer, Finance Director

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account: # \_\_\_\_\_ To Account: # \_\_\_\_\_

**Signed:** Bragg Farmer 08.19,2026 **Approved by:** \_\_\_\_\_  
Staff Member Date City Manager Date

# Quarterly Financial Update

Fiscal Year 2025-2026

Quarter Ending June 30, 2026



# FY 2025-2026 Highlights

## Sales Tax

- Compared to prior year, sales tax increased by \$574k or 4.0%
- The annual trend for this tax has stabilized and is moving upward.

## Property Tax

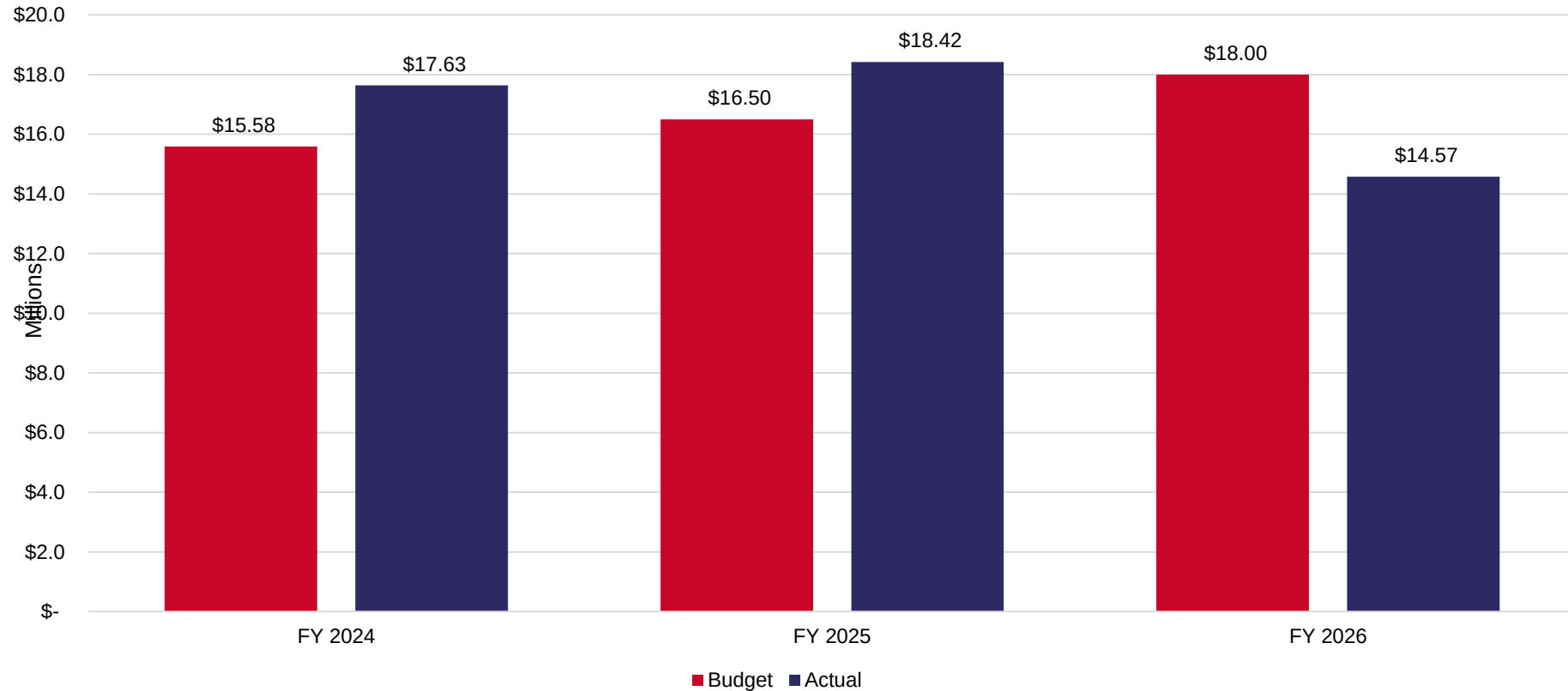
- Collected \$6.837M or 99% of the current year budgeted property tax.
- Collections are being made for both I&S and M&O

## Expenditures

- General Fund expenditures totaled 69.7% of the annual budget
- Enterprise Fund expenditures totaled 61.8% of the annual budget



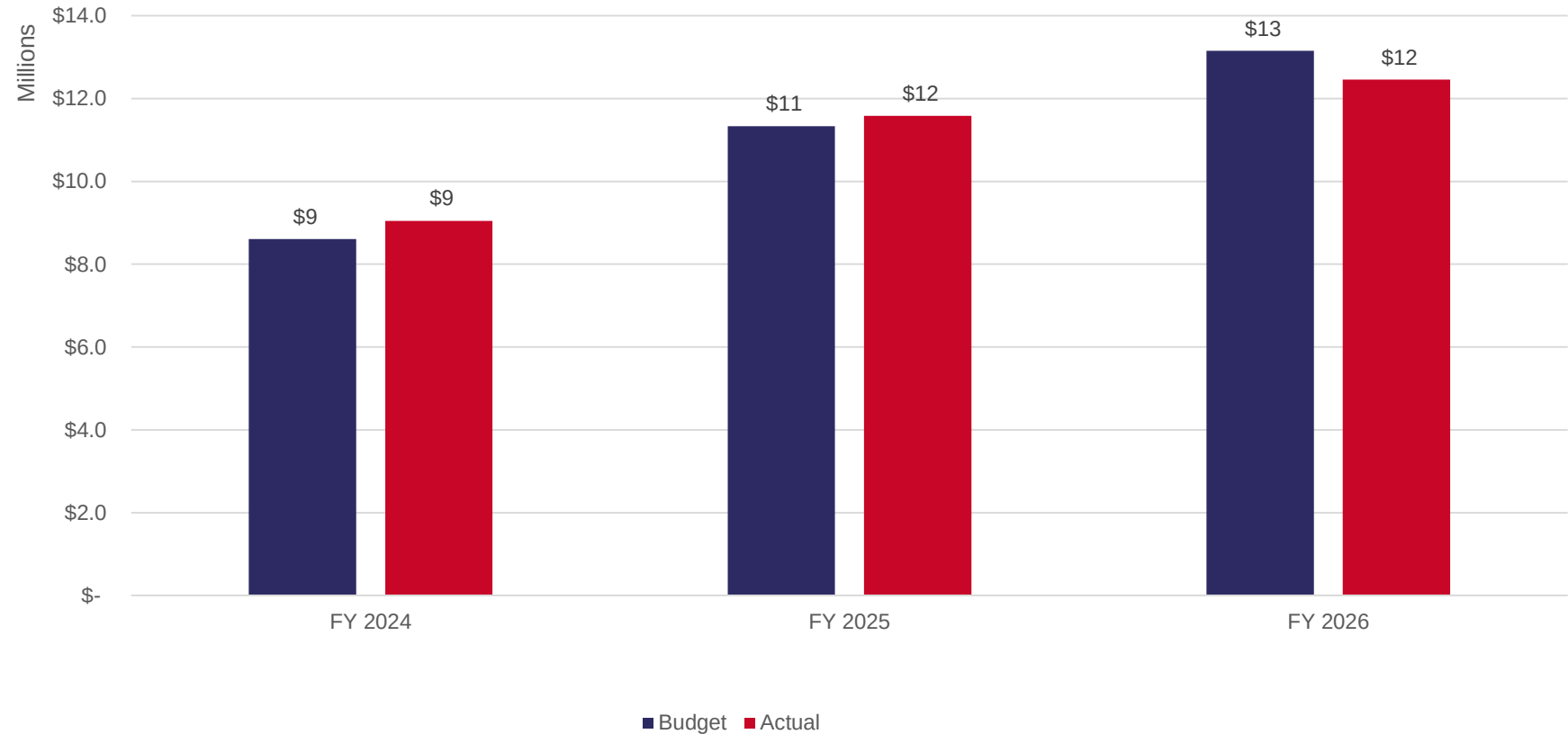
# Sales Tax Collections



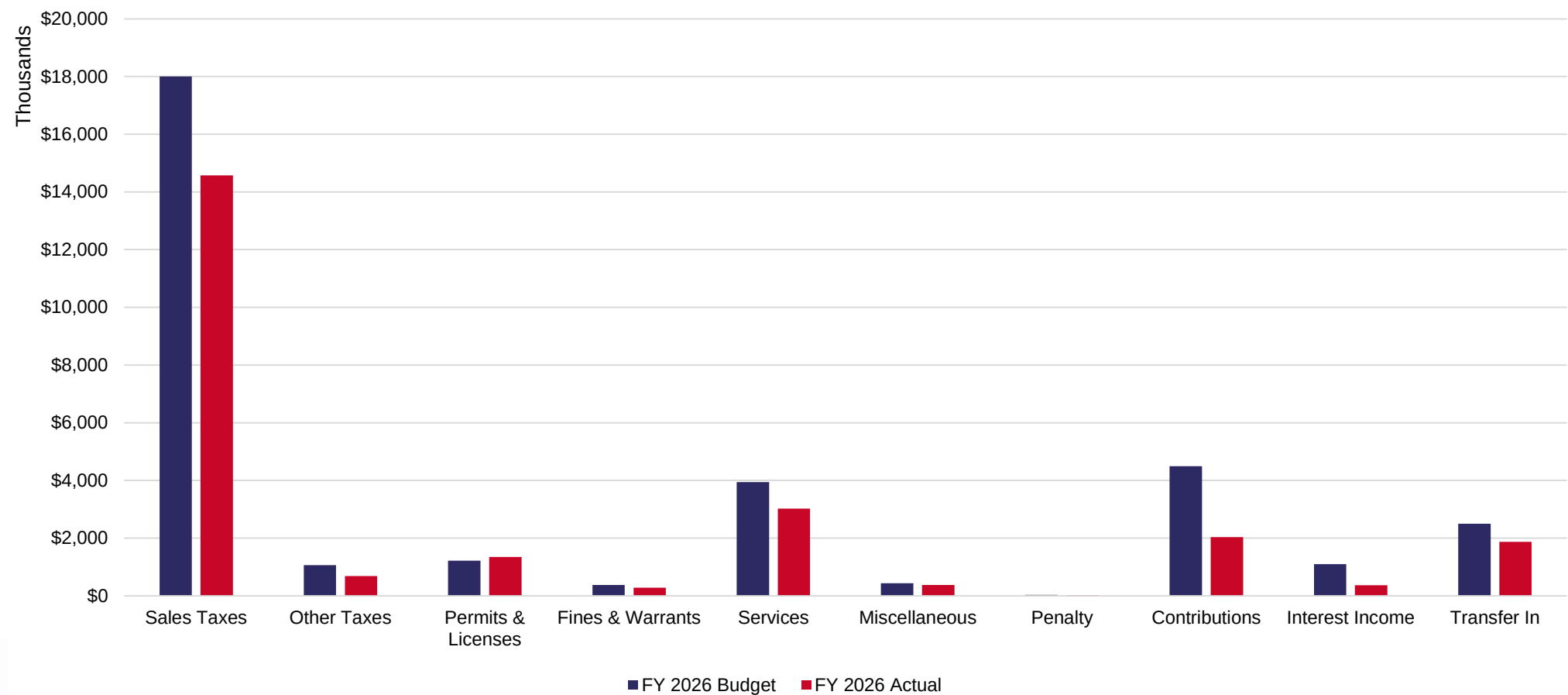
**Note: Represents City's portion of sales tax collections**



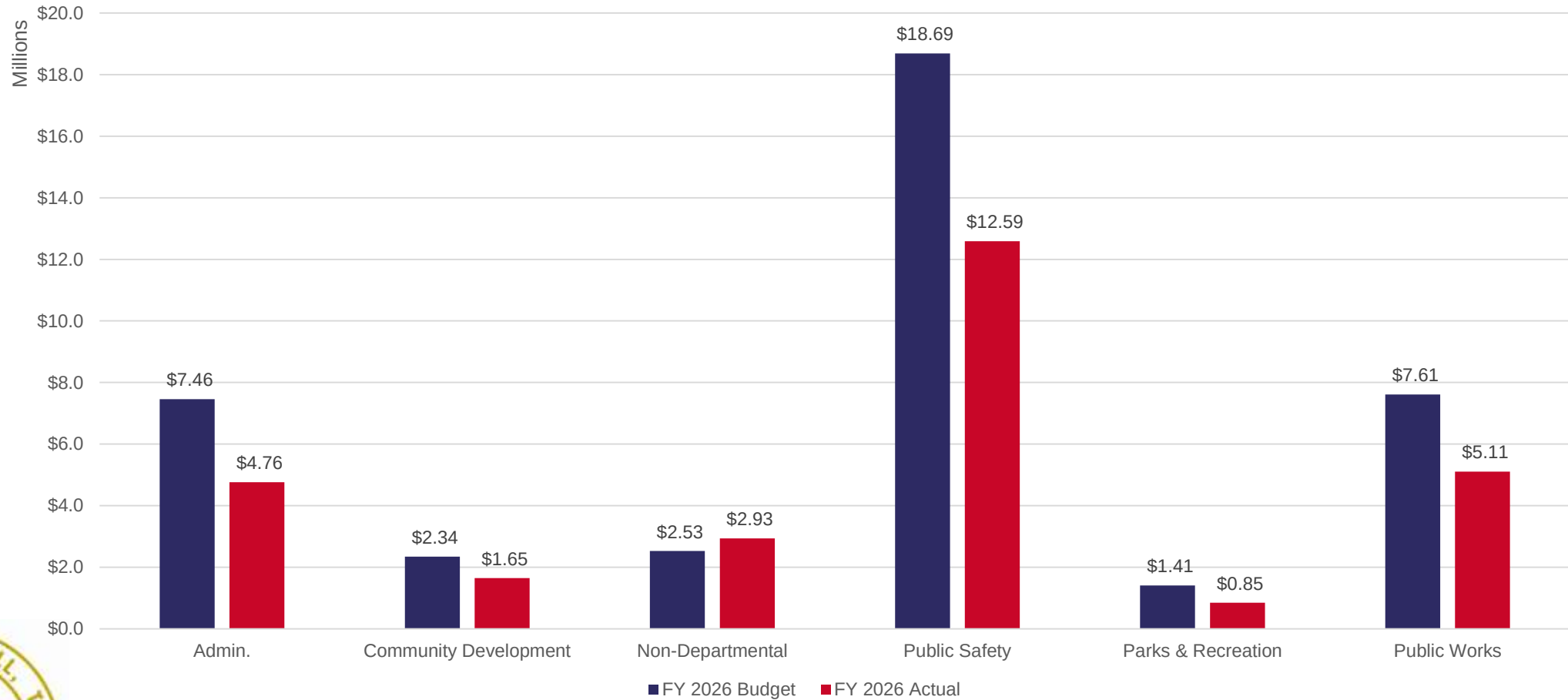
# Property Tax Collections



# General Fund Other Revenue

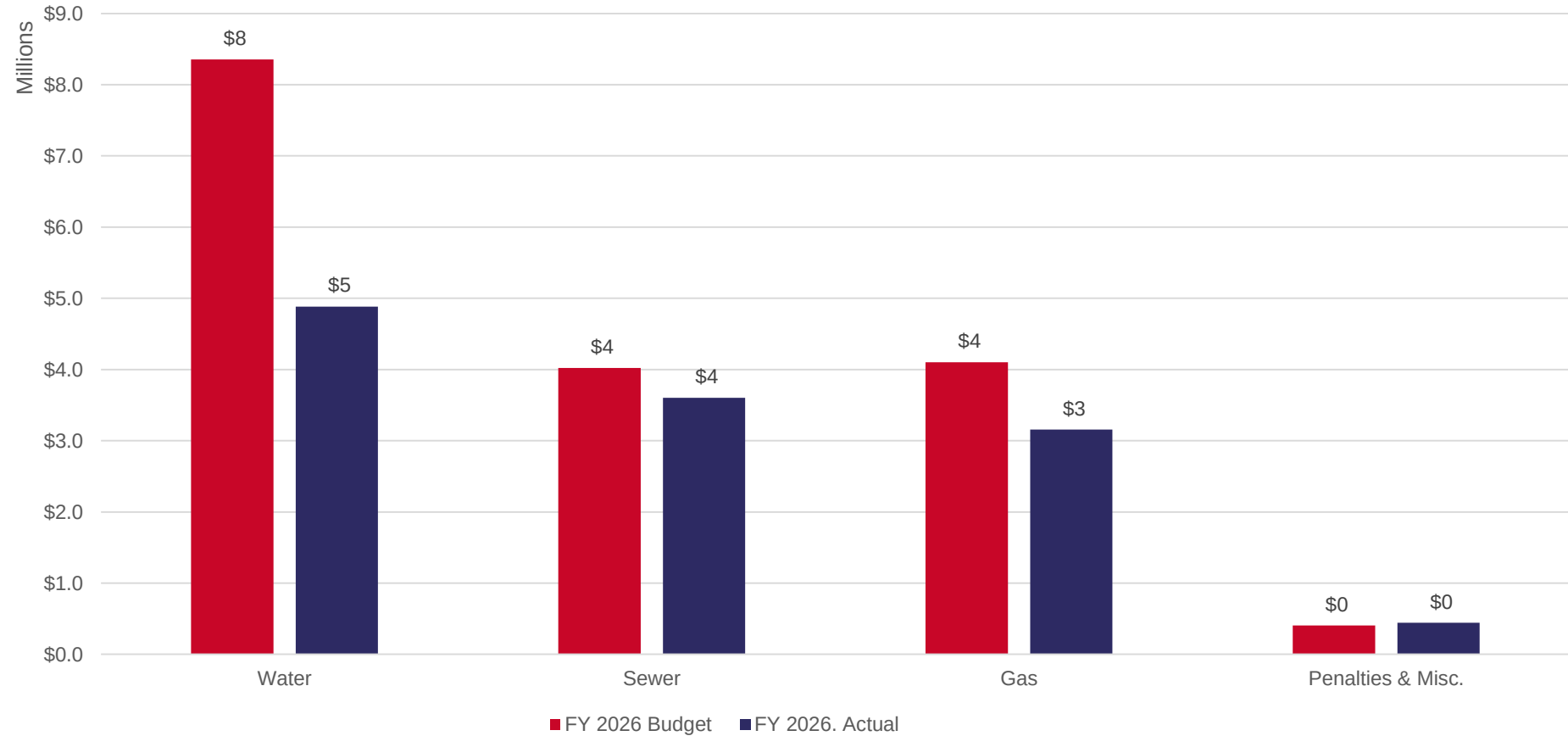


# General Fund Expenditures

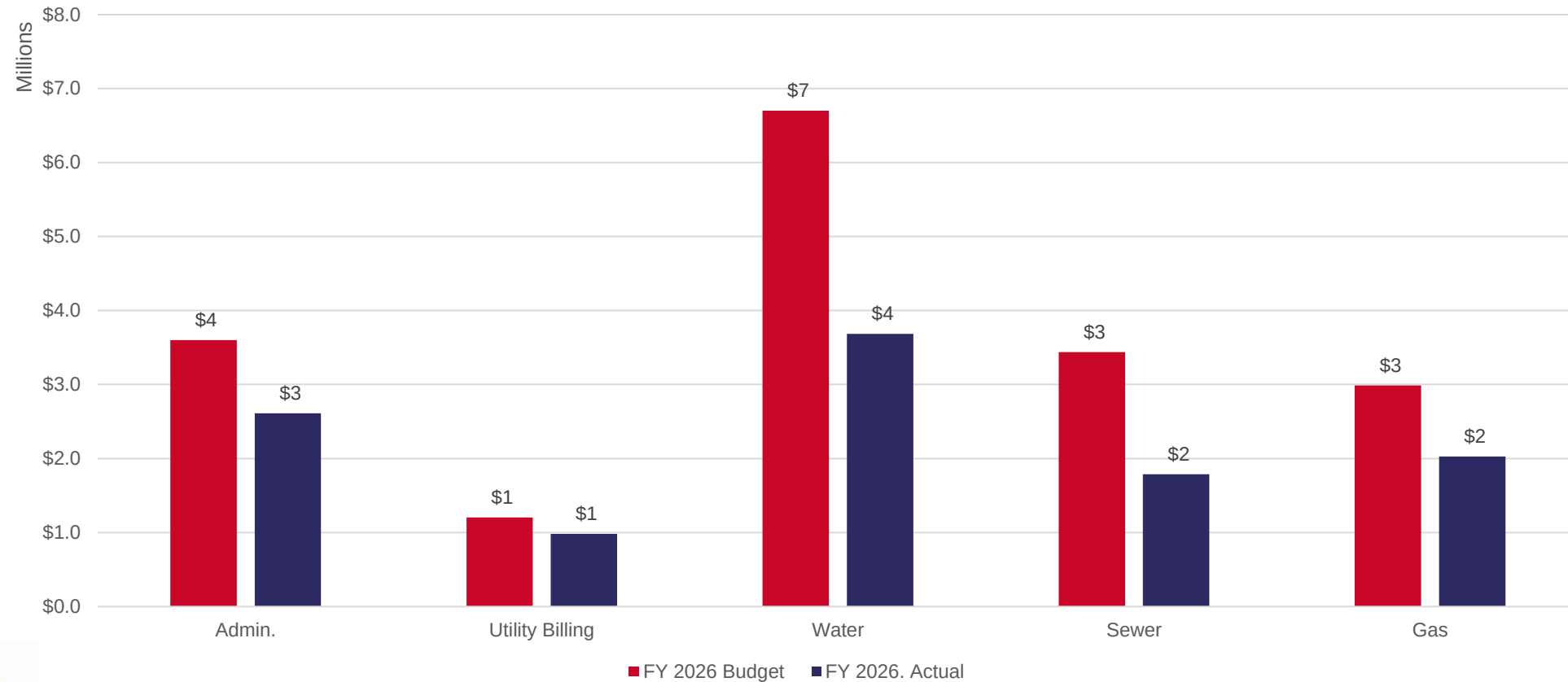




# Enterprise Fund Revenue

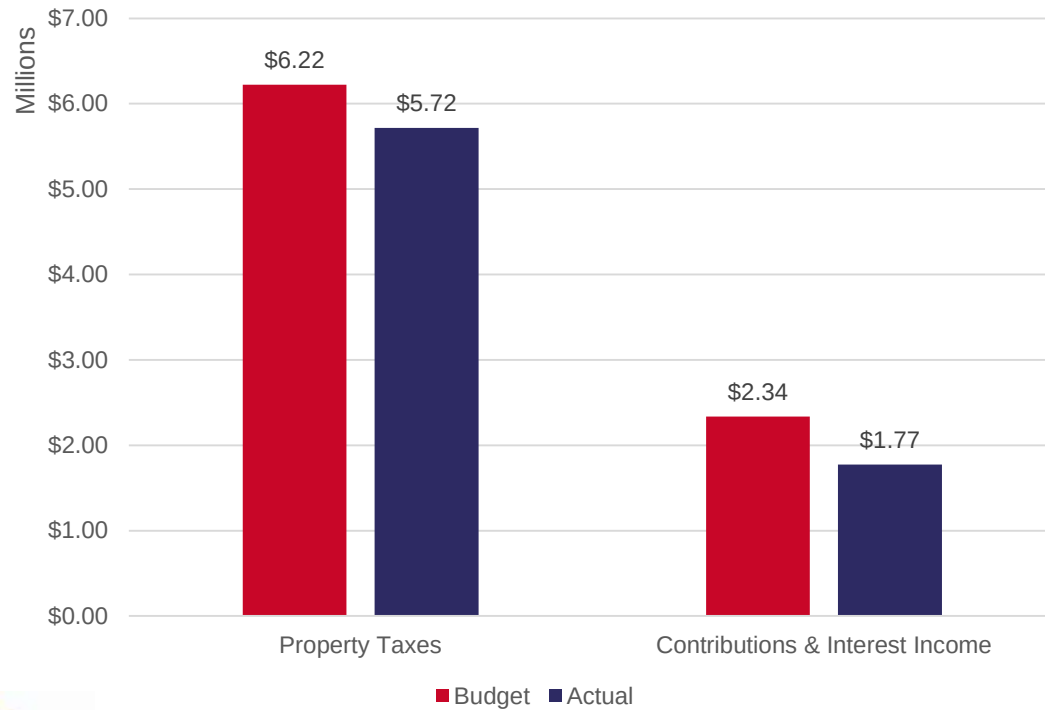


# Enterprise Fund Expenditures

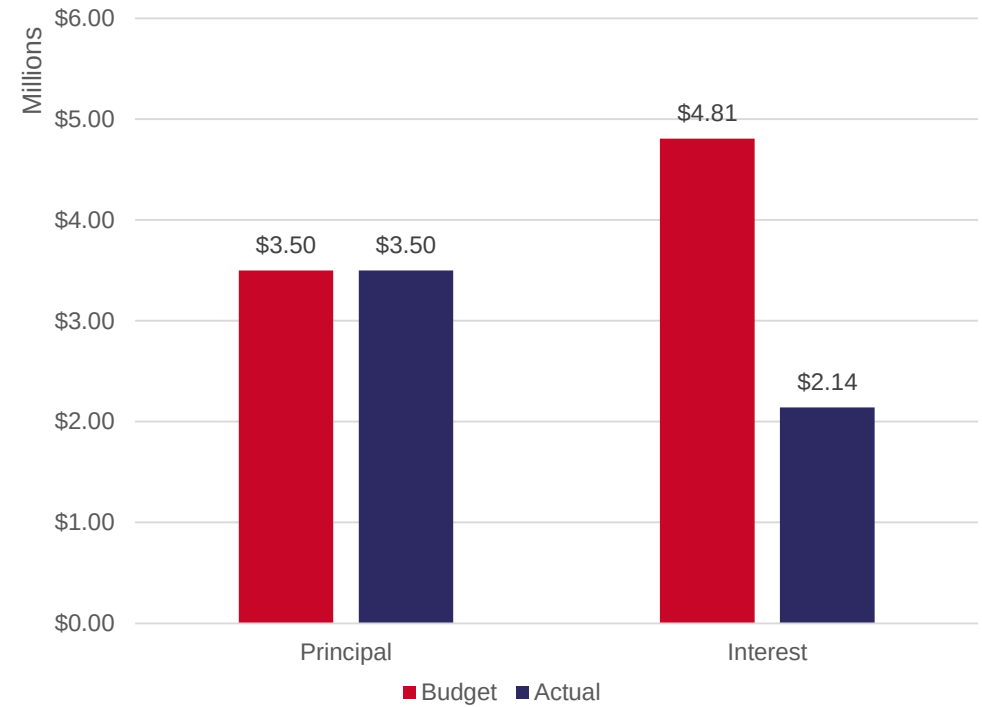


# Debt Service Fund

## REVENUE



## EXPENDITURES



# Special Revenue Fund Con't

| Youth Diversion Fund | Budget    | Actual   |
|----------------------|-----------|----------|
| Revenue              | \$ 15,000 | \$ 9,646 |
| Expenses             | \$ 2,000  | \$ 0     |



# Questions?



# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

Quarterly Investment Report for the period ending June 30, 2026.

## Background:

The Public Funds Investment Act requires that a report on the City's cash and investments be presented to the City Council on a quarterly basis.

**Origination:** Finance Director

### Recommendation:

Information only.

**Party(ies) responsible for placing this item on agenda:** Bragg Farmer, Finance Director

### FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account: # \_\_\_\_\_ To Account: # \_\_\_\_\_

**Signed:** Bragg Farmer 08.19,2026 **Approved by:** \_\_\_\_\_  
                     Staff Member                      Date                      City Manager                      Date

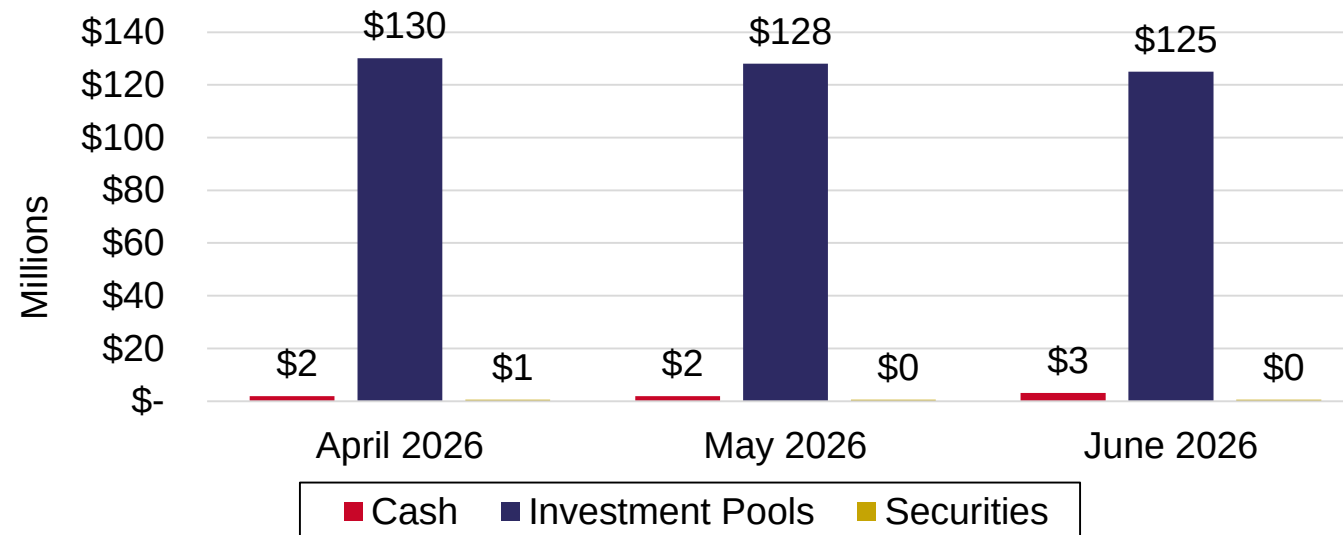
# Quarterly Investment Report

Quarter Ending June 30, 2026



# Investment Portfolio Summary

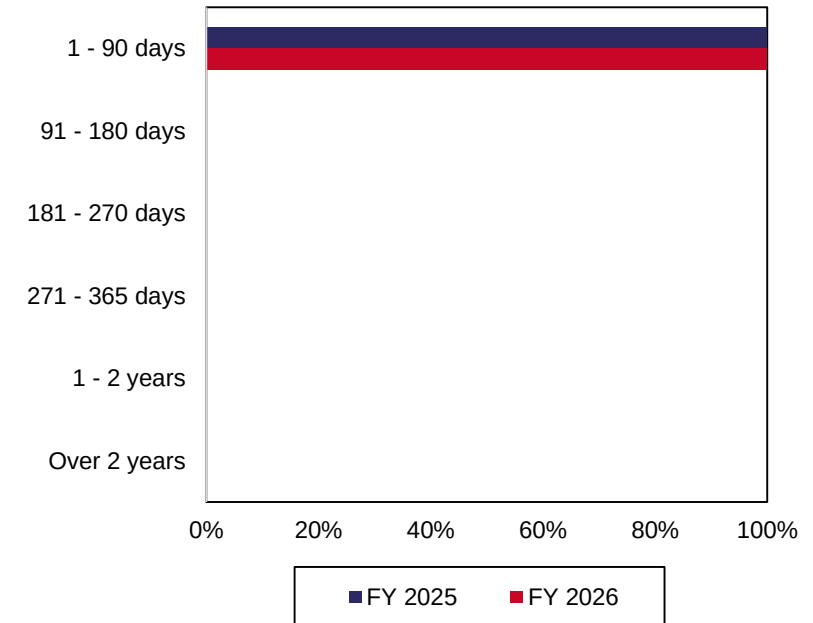
|                  | April 2026           | May 2026             | June 2026            |
|------------------|----------------------|----------------------|----------------------|
| Cash             | \$ 1,901,768         | \$ 1,871,982         | \$ 3,107,083         |
| Investment Pools | \$130,073,070        | \$128,023,905        | \$124,992,311        |
| Securities       | \$ 500,102           | \$ 499,957           | \$ 499,914           |
| <b>TOTAL</b>     | <b>\$132,474,940</b> | <b>\$130,395,844</b> | <b>\$128,599,308</b> |





# Maturity Diversification

|                        | Current<br>Market Value | Percent<br>Portfolio |
|------------------------|-------------------------|----------------------|
| 1 - 90 days            | \$ 128,599,308          | 99.6%                |
| 91 - 180 days          | -                       | 0.0%                 |
| 181 - 270 days         | -                       | 0.0%                 |
| 271 - 365 days         | -                       | 0.0%                 |
| 1 - 2 years            | -                       | 0.0%                 |
| Over 2 years           | -                       | 0.0%                 |
| <b>TOTAL PORTFOLIO</b> | <b>\$ 128,599,308</b>   |                      |



# Questions?



# City Council Meeting

## Agenda Item,

### Data Sheet

Meeting Date: September 8, 2026

#### Topic:

Workshop Discussion Only – Approve an agreement with Shane Griffin Power & Electrical Services, LLC for electrical contractor services for Fiscal Year 2027, for a not-to-exceed amount of \$125,000 (RFP 2026-12), approve the expenditure of funds, therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures are included in the Fiscal Year 2026-2027 budget.

#### Background:

The proposed agreement with Shane Griffin Power & Electrical Services, LLC is for fiscal year 2027, beginning October 1, 2026 and expiring September 30, 2027, has the option for five additional one-year renewals. Shane Griffin Power & Electrical Services, LLC was selected through the Request for Proposals process (RFP 2026-12). Three firms submitted sealed proposals, with Shane Griffin Power & Electrical Services, LLC being selected as offering the best value to the City based on the proposed scope of work. The selection and discussions were held in accordance with the City's adopted Procurement Policy and Manual and state procurement law.

Shane Griffin Power & Electrical Services, LLC is an electrical contractor located in Magnolia, Texas. The company provides licensed electrical work including repair, replacement, upgrade, new construction, and alteration of existing electrical services. The proposed services agreement with Shane Griffin includes a scope of work to perform electrical contractor services for the City on an as-needed basis, a full breakdown of the anticipated work is reflected in the table below, individual projects, if any, totaling \$100,000 or greater will be brought back for Council approval prior to work being conducted.

| Anticipated Electrical Contract Work (FY 2027) |                  |
|------------------------------------------------|------------------|
| Project                                        | Estimated Amount |
| Miscellaneous Projects – Facilities            | \$75,000         |
| Miscellaneous Projects – Parks                 | \$25,000         |
| Miscellaneous Projects – Water                 | \$10,000         |
| Miscellaneous Projects – Wastewater            | \$10,000         |
| Miscellaneous Projects – Gas                   | \$5,000          |
| Agreement Total: \$125,000                     |                  |

This item authorizes an agreement with Shane Griffin Power & Electrical Services, LLC for electrical contractor services to be provided to the City on an as-needed basis for fiscal year 2027.

**Origination:** Project Management

#### Recommendation:

Staff recommends approving an agreement with Shane Griffin Power & Electrical, LLC for electrical contractor services for an amount not-to-exceed \$125,000.

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

### FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes:    X    No:

If yes, specify Account Number:#100-157-6206

#100-153-6207

r:#100-157-6206

#600-613-6207

#600-614-6207

#600-615-6207

If no, funds will be transferred from account: # \_\_\_\_\_ To Account: # \_\_\_\_\_

**Signed:** Meagan Mageo                      **Approved by:** \_\_\_\_\_  
Staff Member                      Date                      City Manager                      Date

# CITY OF TOMBALL SERVICES AGREEMENT

THE STATE OF TEXAS

§

COUNTY OF HARRIS

§

## Description of Services: Electrical Contractor Services

This Agreement is made and entered into by the City of Tomball (referred to as the "City"), with an office at 501 James Street, Tomball, TX and, Shane Griffin Power & Electrical Services, LLC (the "Company"), with an office at 19351 East Lake Drive, Magnolia, Texas 77355, City hereby engages the services of Company as an independent contractor for electrical services, upon the following terms and conditions.

### 1. SCOPE OF AGREEMENT

- 1.1. The City hereby agrees to employ Company and Company agrees to perform the necessary services as set forth in Exhibit A – Scope of Work and Exhibit B – Contract Pricing, attached hereto and incorporated herein for all purposes.
- 1.2. In the event of a conflict among the terms of this Agreement and the Exhibit A, the term most favorable to the City, in the City's sole discretion, shall control.

### 2. TERM OF AGREEMENT; TERMINATION

- 2.1. This Agreement shall be effective upon proper execution by the City. It shall be effective from October 1, 2026 through September 30, 2027, with Five (5) additional one year renewal options remaining. The City reserves the right to withdraw from the Agreement immediately if its governing body fails to appropriate funds necessary for the satisfaction of its contractual obligations. *Either party may terminate this Agreement for any reason with ninety days (90) written notice to the other party.*
- 2.2. The City's obligations under this Agreement shall not constitute a general obligation of the City or indebtedness under the constitution or laws of the State of Texas. Nothing contained herein shall ever be construed so as to require City to create a sinking fund or to assess, levy and collect any tax to fund its obligations under this Agreement.
- 2.3. The City reserves the right to enforce the performance of this Agreement in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of any provision of this Agreement, including immediate termination of this Agreement.

### 3. ENTIRE AGREEMENT

This Agreement represents the entire agreement between Company and the City and no prior or contemporaneous oral or written Agreements or representations shall be construed to alter its terms. No additional terms shall become part of this Agreement without the written consent of both parties and compliance with relevant state law. This Agreement supersedes all other prior agreements either oral or in writing.

### 4. ASSIGNMENT

Company shall not assign or subcontract its obligations under this Agreement without the prior written consent of the City.



## 5. COMPENSATION

For and in consideration of the services rendered by the Company pursuant to this Agreement, the City shall pay the Company only for the actual work performed under the Scope of Work, on the basis set forth in Attachment B, up to an amount not-to-exceed **\$125,000**.

## 6. MODIFICATION OF RATES

Base Rate adjustments for changes in the Consumer Price Index (CPI) will be considered by the City no more than once per year during the renewal term of the Contract, during the month of October of each Contract Year.

## 7. IDEMNITY

### 7.1. DEFINITIONS

For the purpose of this section the following definitions apply:

- a. "City" shall mean all officers, agents and employees of the City of Tomball.
- b. "Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.
- c. "Company" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.
- d. "Company's employees" shall mean any employees, officers, agents, subcontractors, licensees and invitees of Company.
- e. "Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:
  - i. injury or damage to any property or right
  - ii. injury, damage, or death to any person or entity
  - iii. attorneys' fees, witness fees, expert witness fees and expenses,
  - iv. any settlement amounts; and
  - v. all other costs and expenses of litigation
- f. "Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

## **7.2. Indemnity**

**COMPANY AGREES TO INDEMNIFY, HOLD HARMLESS, AND DEFEND THE CITY FROM AND AGAINST LIABILITY FOR ANY CLAIMS FOR DAMAGES ARISING OUT OF THE COMPANY'S WORK AND ACTIVITIES CONDUCTED IN CONNECTION WITH THIS AGREEMENT.**

**COMPANY IS AN INDEPENDENT CONTRACTOR AND IS NOT, WITH RESPECT TO ITS ACTS OR OMISSIONS, AN AGENT OR EMPLOYEE OF THE CITY.**

**COMPANY MUST AT ALL TIMES EXERCISE REASONABLE PRECAUTIONS ON BEHALF OF, AND BE SOLELY RESPONSIBLE FOR, THE SAFETY OF COMPANY'S EMPLOYEES WHILE IN THE VICINITY WHERE THE WORK IS BEING DONE. THE CITY IS NOT LIABLE OR RESPONSIBLE FOR THE NEGLIGENCE OR INTENTIONAL ACTS OR OMISSIONS OF COMPANY OR COMPANY'S EMPLOYEES.**

**THE CITY ASSUMES NO RESPONSIBILITY OR LIABILITY FOR DAMAGES WHICH ARE DIRECTLY OR INDIRECTLY ATTRIBUTABLE TO PREMISE DEFECTS.**

**THE CITY AND COMPANY MUST PROVIDE THE OTHER PROMPT AND TIMELY NOTICE OF ANY COVERED EVENT WHICH IN ANY WAY AFFECTS OR MIGHT AFFECT THE COMPANY OR CITY. THE CITY HAS THE RIGHT TO COMPROMISE AND DEFEND THE SAME TO THE EXTENT OF ITS OWN INTERESTS.**

**THE INDEMNITY OBLIGATIONS HEREIN SHALL SURVIVE THE TERMINATION OF THE AGREEMENT FOR ANY REASON AND SHALL SURVIVE THE COMPLETION OF THE WORK.**

## **8. INSURANCE**

### **8.1. AMOUNTS OF INSURANCE**

Company agrees to provide and to maintain the following types and amounts of insurance, for the term of this Contract:

| <b>TYPE</b>              | <b>AMOUNT</b>                             |
|--------------------------|-------------------------------------------|
| (a) Workers Compensation | (where required – Statutory by State Law) |
| Employer's Liability     | \$100,000 per occurrence                  |

- (b) Commercial (Public) Liability, including but not limited to:
- a. Premises/ Operations                      Combined Single Limit
  - b. Independent Contractors
  - c. Personal Injury
  - d. Products/Completed Operations
  - e. Contractual Liability (insuring above indemnity provisions)

All insured at combined single limits for bodily injury and property damage at \$500,000 per occurrence.



(c) Comprehensive Automobile Liability, in include coverage for:

- a. Owned/Leased Automobiles
- b. Non-owned Automobiles
- c. Hired Cars

All insured at combined single limits for bodily injury and property damage for \$500,000 per occurrence.

## 8.2. OTHER INSURANCE REQUIREMENTS

Company understands that it is its sole responsibility to provide the required Certificates and that failure to timely comply with the requirements of this article shall be a cause for termination of this Contract.

Insurance required herein shall be issued by a company or companies of sound and adequate financial responsibility and authorized to do business in the State of Texas. All policies shall be subject to examination and approval by the City Attorney's Office for their adequacy as to form, content, form of protection, and providing company.

Insurance required by this Contract for the City as additional insured shall be primary insurance and not contributing with any other insurance available to City, under any third party liability policy.

Company further agrees that with respect to the above required liability insurances, the City shall:

- a. Be named as an additional insured;
- b. Be provided with a waiver of subrogation, in favor of the City,
- c. Br provided with 30 days advance written notice of cancellation, nonrenewal, or reduction in coverage (all "endeavor to" and similar language of reservation stricken from cancellation section of certificate); and
- d. Prior to execution of this Agreement, be provided through the office of the City Attorney with their original Certificate of Insurance evidencing the above requirement.

The insurance requirements set out in this section are independent from all other obligations of Company under this Agreement and apply whether or not required by any other provision of this Agreement.

## 9. PAYMENT AND PERFORMANCE

Payment for services described in this Agreement will be made in accordance with the Texas Prompt Payment Act, Chapter 2251 of the Texas Government Code, or as subsequently amended.

## 10. VENUE; RECOVERY OF FEES; DISPUTE RESOLUTION; CHOICE OF LAW

Any suit or claim or cause of action regarding this Agreement shall be brought in Harris County, Texas, as the choice of venue and jurisdiction and site of performance by the parties. If the City is the prevailing party in any such action, the City may recover reasonable costs, including costs of court, attorney's fees, expert witnesses' fees, and trial consultants' fees. The parties further agree that the law of the State of Texas shall govern any interpretation of the terms of this Agreement.

## 11. COMPANY CERTIFICATIONS

Company certifies that neither it, nor any of its agents or employees, have or will offer or accept gifts or anything of value, or enter into any business arrangement, with any employee, official, or agent of the City.



Company certifies, pursuant to Texas Government Code Chapter 2270, that it does not boycott Israel and will not boycott Israel during the term of this Agreement. Company further certifies, pursuant to Texas Government Code Chapter 2252, Subchapter F, that it does not engage in business with Iran, Sudan, or a foreign terrorist organization as may be designated by the United States Secretary of State pursuant to his authorization in 8 U.S.C. Section 1189.

## 12. NO WAIVER OF IMMUNITY

The City does not waive any statutory or common law right to sovereign immunity by virtue of the execution of this Agreement.

## 13. NOTICES

Any written notice provided under this Agreement or required by law shall be deemed to have been given and received on the next day after such notice has been deposited by Registered or Certified Mail with sufficient postage affixed thereto and addressed to the other party to the Agreement; provided, that this shall not prevent the giving of actual notice in any manner.

Notice to Company may be sent to the following address:

19351 East Lake Drive, Magnolia, TX 77355

14. CONTRACT ADMINISTRATOR

This Agreement shall be administered on the City's behalf by the Project Manager, and all notices, questions, or documentation, arising under this Agreement shall be addressed to the Project Manager at:

City of Tomball, Texas  
Attn: Project Manager  
501 James Street  
Tomball, Texas 77375

AGREED to and ACCPETED this 12<sup>th</sup> day of August, 2026.

SHANE GRIFFIN POWER & ELECTRICAL  
Company SERVICES, LLC

[Signature]  
Signature

SHANE GRIFFIN  
Print Name

OWNER  
Title

AGREED to and ACCPETED this \_\_\_\_ day of \_\_\_\_\_, 2026.

City of Tomball

\_\_\_\_\_  
David Esquivel, PE  
City Manager

Attest:

\_\_\_\_\_  
Thomas Harris III  
City Secretary

## **RFP 2026-12 – ELECTRICAL CONTRACTOR SERVICES**

### **EXHIBIT A – SCOPE OF WORK**

#### **I. PURPOSE**

The intent of this document is to provide interested Contractors with sufficient information to enable them to prepare and submit proposals for consideration by the City of Tomball to furnish all labor, materials, tools, equipment, and supervision for electrical services ("Electrical Services") for various City buildings and locations on an as needed basis to assist the City of Tomball with renovations, remodels and maintenance of existing facilities. All work shall be provided in a professional manner in accordance with all applicable laws, regulations and policies, including, but not limited to, all Federal, State and Local safety rules and regulations. The scope of services is to include but not limited to new installation and removal of equipment, and repairs.

#### **II. SCOPE OF SERVICES**

Electrical work may include, but not necessarily be limited to, repair, replacement, upgrade, new construction and alteration of existing electrical services, complete electrical systems, and other associated accessories and components. Scope of work will be but not limited to the following:

- a. Troubleshoots, repairs, installs and replaces building and equipment electrical and electronic systems and components
- b. Performs preventive maintenance utilizing multimeters and other specialty equipment to safely test, measure and then correct any observed deficiencies
- c. Generates material list and acquires materials for efficient work
- d. Keeps accurate records of materials used and maintains daily time reports to efficiently complete work and document details of the functions performed
- e. Performs electrical maintenance work accordance with established safety procedures
- f. Install new and repair existing electrical circuits
- g. Install and repair electrical fixtures of all types
- h. Replace and install electrical lighting, outdoor and indoor
- i. Install and replace metal and plastic conduits and associated pull boxes
- j. Install, repair and replace high / low voltage conductors
- k. Change, repair or install pad mounted transformers
- l. Install, repair or replace site building and pole lighting
- m. Interior electrical short repair
- n. Replace defective disconnects
- o. Emergency Call out

#### **III. CITY HOURS AND OBSERVED HOLIDAYS**

- a. Works Hours
  - i. Regular Hours: Monday through Friday, 7:00 a.m. – 5:00 p.m.
    1. Normally scheduled day hours. Paid for by the hour. Hourly rate shall include all items of cost, overhead, and profit. Work time on the job only.
- b. Weekend Hours: Saturday and Sunday, any hour, day or night



- i. Extra time beyond normal day work hours, needed to finish tasks in progress. Paid for by the hour. Hourly rate shall include all items of cost, overhead and profit. Work time on the job only.
- c. Holidays: any hour day or night per this listing:
  - i. New Year's Day (observed)
  - ii. Memorial Day
  - iii. 4th of July
  - iv. Labor Day
  - v. Veterans Day
  - vi. Thanksgiving Day
  - vii. Day After Thanksgiving
  - viii. Christmas Eve (observed)
  - ix. Christmas Day (observed)

If a Legal Holiday falls on Saturday, it will be observed on the preceding Friday. If a Legal Holiday falls on Sunday, it will be observed on the following Monday. Holiday hours are extra time beyond normal day work hours, needed to finish tasks in progress. Paid for by the hour. Hourly rate shall include all items of cost, overhead and profit. Work time on the job only.

- d. Overtime Hours:
  - i. Monday through Friday, after regular hours.
  - ii. Extra time beyond normal day work hours, needed to finish tasks in progress. Paid for by the hour. Hourly rate shall include all items of cost, overhead and profit. Work time on the job only.
- e. Any Contractor desiring to respond to this RFP is required to do the following for Emergency Service:
  - i. The awarded Contractor must have a trained/qualified technician available 24 hours a day, 7 days a week, 365 days a year. Any responding technician must have the appropriate qualifications for the emergency and must report to the site with the necessary tools/equipment to effectively resolve the reported emergency issue within 30 minutes of the initial contact from City staff. (If the Contractor uses a third-party notification system, the responding technician is still responsible to be on site within the required 30 minutes.)

#### IV. SPECIFICATIONS

- a. Project Estimates
  - i. Contractor shall provide written "not to exceed" estimates on all projects except for emergencies. This estimate shall include the estimated number of hours, contract hourly rate, number and type of employees required, estimated material cost and project completion in number of days.
  - ii. Contractor shall respond to requests for estimates for nonemergency work within two (2) days and provide written estimates within five (5) days of first contact by the City. It shall be the Contractor's responsibility to ensure they have all information to prepare accurate estimates.
- b. Field Investigations
  - i. Review the existing materials, drawing reports, etc. prepared by City staff on the proposed project.

- ii. Review the proposed scope.
  - iii. Review the existing infrastructure in the facility.
  - iv. Locate, quote product and labor costs.
- c. Review material and Labor Options with City Staff
  - i. This phase will consist of review of quotes and materials options.
  - ii. This phase may also include detailed specifications and implementation schedule.
  - iii. Within 10 working days of the award of a project, the Contractor will submit to the City's project manager for approval, a work plan which includes the following.
  - iv. The Contractor's name and titles of personnel assigned to the project.
  - v. The project breakdown showing subprojects, cost and activities and tasks.
  - vi. The time-phased plan for completing the project.
- d. Non-emergency work shall only be performed with the City's written authorization by issuance of a Work Order from the Public Works Department. Actual work shall not exceed the Contractor's estimate without prior written authorization by the City.

#### V. WORK IN PROGRESS

- a. The Contractor will meet with selected representatives on a regular basis or as determined necessary by the Public Works Department Department staff/project manager to review progress and provide necessary guidance to the contractor in solving problems which may arise.
- b. Public Works Department project managers will meet as often as required with the Contractor's project manager for the purpose of reviewing progress and providing necessary guidance.
- c. The Contractor will, on a regular basis, submit brief written summaries of the work accomplished during the reporting period, work to be accomplished during the subsequent reporting period, real or anticipated problems and notification of any significant deviation from previously agreed upon work plans.
- d. All workmanship, materials, and equipment incorporated in the work must fully comply with Division 26 Electrical Technical – City of Tomball Specifications (Division 16 Pre-2004) "Exhibit C."
- e. It shall be the responsibility of the Contractor performing services for this contract to safeguard their own materials, tools, and equipment. The City shall not assume any responsibility for vandalism and/or theft of materials, tools and/or equipment.
- f. The Contractor shall obtain the permission of a Public Works representative regarding any needed storage of materials and equipment. Such storage shall be done in such a manner as not to interfere with the schedule for that building. The City shall not accept responsibility for losses of material or equipment regardless of approval to store in any of the City's facilities or grounds.
- g. All work areas shall be kept in orderly condition, free of unnecessary material and equipment. All debris will be picked up and hauled away by the Contractor. No additional charge for hauling away debris shall be permitted under the contract.

#### VI. INVOICES

- a. Invoices will be required for verification of electrical materials.



- b. The Contractor's invoice shall clearly state actual hours worked at labor rates quoted, actual cost of materials, thereof, and a complete description of work performed, location, and date.
- c. Accompanying their invoices, Contractors must also include copies of their manufacturer's/Contractor's invoices for material used thereby providing verification of actual material costs and copies of all daily work orders listing each skill level of labor and their individual hours worked.
- d. Contractor shall not subcontract any portion of the electrical work required under this contract. All work must be performed by the Contractor's work forces.
- e. Materials incorporated into the work will be paid by the cost of materials multiplied by the contract mark-up.

VII. PROJECT ESTIMATES

- a. The contract price includes all items of cost including overhead and profit for preparing estimates for projects.

VIII. Equipment Rental

- a. Equipment that must be rented to complete the job (i.e., scissor lift). Paid for by the cost of materials multiplied by the contract mark-up

IX. Employees

- a. All employees of the Contractor shall be in a company uniform that clearly identifies the name of the company and the name of the employee. The uniforms shall be clean and neat in appearance. All employees working at City facilities will be required to obtain and display a visitor's pass from the Public Works Department.
- b. Contractors shall complete background checks and maintain an active policy on drugs and alcohol in the work place that supports a drug free environment and be prepared to submit such policy upon City request.
- c. Contractor's shall complete background checks and shall perform criminal background checks on all Assigned Employees prior to the assigned employee be eligible to perform duties for the City.
- d. Contractors shall follow all the most current EEOC guideline regarding the process for performing criminal background checks.
- e. Accordingly, Contractors shall exclude any possible Assigned Employee from working for the City based on job-related functions of the position and consistent with the City's business necessity.
- f. If any person employed on a project by the Contractor shall appear to the City to be incompetent or act in a disorderly or improper manner, such person shall be removed immediately on the request of the City, and shall not be re-employed on the same project except on written consent of the City.
- g. All work shall be performed according to the standards of the electrical code as adopted by the State of Texas and to the complete satisfaction of the City. The City will be responsible for any applicable fees associated with work requiring a local permit or inspection. The Contractor shall be responsible for advising the City when a permit or inspection is needed and will apply for and pick up permit. The contractor shall schedule any needed inspections.

- h. All work shall be done in a safe manner and comply with all governing regulations concerning safety. This shall include, but not limited to OSHA, MOSHA, etc. Adequate barricades shall be erected and maintained around all areas where equipment and materials are stored and used. All work being performed for and/or on City property shall fully conform to all local, state and federal safety regulations.

X. MINIMUM QUALIFICATIONS

- a. Commercial Experience:
  - i. The Contractor must have been in business at least 5 years.
- b. Company must have at least one Master Electrician Licensed in the State of Texas.
- c. Company must have at least four additional qualified electricians available to handle services at multiple City locations concurrently.
- d. Must provide list of number of employees and respective jobs titles and licenses.
- e. Licensed to do business in the State of Texas and provide a copy of Certification.

NOTE: The City of Tomball Staff selects brands/types of equipment/supplies.

**Exhibit B - Cost Proposal**  
**RFP: 2026-12: Electrical Contractor Services**

**Electrician Services Compensation Proposal**

| Description            | Regular Time:<br>Monday-Friday<br>8am-5pm | Overtime | Weekend | Holidays<br>(as determined by State &<br>Federal Govt) |
|------------------------|-------------------------------------------|----------|---------|--------------------------------------------------------|
| Master Electrician     | 150                                       | 225      | 225     | 300                                                    |
| Journeyman Electrician | 125                                       | 187.5    | 187.5   | 250                                                    |
| Apprentice Electrician | 65                                        | 97.5     | 97.5    | 130                                                    |
| Laborer                | 40                                        | 60       | 60      | 80                                                     |

|                                                |               |
|------------------------------------------------|---------------|
| Percentage Mark-up for Materials and Equipment | 20% (percent) |
| Minimum Service Charge                         | \$145.00      |

Company Name:

Address: **(Corporate Headquarters):**

(Operations Office):

Telephone Number:

Telephone Number:

Name & Title:

Signature:

Date:

Shane Griffin Power & Electrical Services LLC (Griffin Power Services)

**19351 East Lake Drive, Magnolia, Texas 77355**

35407 Highway 249, Suite B, Pinehurst, TX 77362

Office: 832-521-3222

Cell Phone: 713-396-6960

Shane Griffin - Owner / President

7/28/2026



**RFP for Electrical Contractor Services**  
**Committee Scoring Summary**

| Committee | Griffin Power Services | Boyer Inc | Tron Electric, Inc |
|-----------|------------------------|-----------|--------------------|
| One       | 100                    | 75        | 60                 |
| Two       | 100                    | 85        | 60                 |
| Three     | 90                     | 70        | 50                 |
| Average   | 97                     | 77        | 57                 |

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# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: 9/8/2026

#### Topic:

Workshop Discussion Only - Approve the expenditure of greater than \$100,000 with Insight Public Sector for software support renewals, not-to-exceed amount of \$116,500, approve the expenditure of funds thereof, and authorize the City Manager to execute any and all documents related to the purchase. These expenditures are included in the FY 2025-2026 budget.

#### Background:

The City relies on Microsoft 365, Adobe, and its IT ticketing system to support daily operations. These annual renewals ensure continued access to this essential software, and licensing for City staff.

To meet our operational needs, staff recommends approving the proposed expenditure with Insight Public Sector, through various Cooperative Contracts listed below.

| Office 365 (Omnia Partners #23-6692-03)         | \$95,000         |
|-------------------------------------------------|------------------|
| Adobe (Texas DIR-CPO-5239)                      | \$14,000         |
| Ticketing Software (Omnia Partners #23-6692-03) | \$6,500          |
| Contingency                                     | \$1,000          |
| <b>Total</b>                                    | <b>\$116,500</b> |

**Origination:** Information Technology

#### Recommendation:

Staff recommends approval of the expenditure with Insight Public Sector for a total not-to-exceed amount of \$116,500 as appropriated in the FY 2025-2026 Budget.

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

#### FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: X No: \_\_\_\_\_

If yes, specify Account Number: # 100-117-6320

If no, funds will be transferred from  
account:

# \_\_\_\_\_

To Account: # \_\_\_\_\_

**Signed:** Ben Lato

Staff Member

Date

**Approved by:** \_\_\_\_\_

City Manager

Date



# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

Proclamation Recognizing Tomball's Baseball Team for Winning the State Championship.

**Background:**

Tomball High Scholl Baseball Team won the UIL 6A DII State Championship with a 9-1 victory of Spring Branch Memorial. The Tomball Cougars capped off a historic season with an incredible 43-11 overall and secured their second state title in the last three years.

**Origination:** Mayor

**Recommendation:**

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

Shannon Bennett, Assistant City  
Secretary

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

|                    |                    |
|--------------------|--------------------|
| Signed _____       | Approved by _____  |
| Staff Member _____ | City Manager _____ |
| Date _____         | Date _____         |

# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

Proclamation – The Castillo Way Week

**Background:**

The Castillo Way week, is to honor Jesse Castillo a dedicated firefighter for Porter and East Montgomery County, with friends and family in Tomball, battling Stage IV cancer, whose dedication, fight and resilience, has created the motto "The Castillo Way" inspiring the next generation of firefighters and public to live every day as he does.

**Origination:** Mayor

**Recommendation:**

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

Shannon Bennett, Assistant City  
Secretary

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

Signed \_\_\_\_\_

Staff Member

Date

Approved by \_\_\_\_\_

City Manager

Date



# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

**Upcoming events:**

- September 10, 2026 - Kaffeeklatsch (Amanda Kelly-Famers Market) from 8:30-10:00 a.m. at Tomball Community Center
- September 11, 2026 - 9/11 Remembrance Ceremony from 8:00-9:00 a.m. at Tomball Depot Plaza, followed by a short evening tribute from 7:30-7:45 p.m. at Tomball Depot Plaza.
- September 12, 2026 - 2<sup>nd</sup> Saturday from 5:00-9:00 p.m. at Tomball Depot Plaza
- September 26, 2026 - GroovFest from 11:00 a.m.-5:00 p.m. at Tomball Depot Plaza

**Background:**

**Origination:** Marketing Department

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Chrislord Templonuevo, Marketing Director

## **FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account: # \_\_\_\_\_ To Account: # \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Approved by:** \_\_\_\_\_  
Staff Member Date City Manager Date

# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

Adopt, on Second Reading, Ordinance No. 2026-37, an Ordinance of the City of Tomball, Texas Amending Chapter 46, Article IV of the City of Tomball Code of Ordinances to Establish Conservation and Reuse Credits for water and wastewater impact fees as authorized by Chapter 395 of Texas Local Government Code; Providing for Severability; Making Findings of Fact; Providing for Enforcement; Providing an Effective Date; and Providing for Other Related Matters.

**Background:**

Ordinance No. 2026-37 amends Chapter 46, Article IV of the City of Tomball Code of Ordinances to establish Conservation and Reuse Credits for water and wastewater impact fees as authorized by Chapter 395 of the Texas Local Government Code. The ordinance implements the requirements of Senate Bill 14, enacted by the 89th Texas Legislature, which requires municipalities that assess impact fees to provide credits for qualifying water conservation and reuse measures.

The proposed ordinance establishes eligibility criteria, application requirements, and the methodology for calculating credits for developments that incorporate facilities, systems, or products that exceed minimum code requirements and reduce water consumption or wastewater generation. To qualify, a developer must install an eligible conservation or reuse facility, demonstrate a reduction in service unit demand of more than ten percent (10%) compared to the City's impact fee study assumptions, submit a sealed Water Conservation Impact Report prepared by a licensed Texas Professional Engineer, and obtain final City acceptance of the facility.

Under the ordinance, eligible developments may receive a credit of up to **2.5 percent** of the applicable water or wastewater impact fee per service unit. Credits are limited to the development in which the qualifying improvements are installed, are determined during civil plan or building permit review, and become void if the qualifying facility is not placed into service.

Approval of this ordinance will ensure the City's impact fee program complies with current state law while encouraging developments that incorporate innovative water conservation and reuse practices that reduce long-term demands on the City's water and wastewater infrastructure.

**Origination:** Project Management

**Recommendation:**

Staff recommends adopting on second reading, Ordinance 2026-37 Amending Chapter 46, Article IV of the City of Tomball Code of Ordinances to Establish Conservation and Reuse Credits for water and wastewater impact fees as authorized by Chapter 395 of Texas Local Government Code.

**Party(ies) responsible for placing this item on agenda:** Meagan Mageo, Project Manager

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

|        |              |             |              |
|--------|--------------|-------------|--------------|
| Signed | _____        | Approved by | _____        |
|        | Meagan Mageo |             |              |
|        | Staff Member |             | City Manager |
|        | Date         |             | Date         |

**ORDINANCE NO. 2026-37**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS AMENDING THE CITY OF TOMBALL CODE OF ORDINANCES REGARDING CONSERVATION AND REUSE CREDITS AGAINST WATER AND WASTEWATER IMPACT FEES PURSUANT TO CHAPTER 395 OF TEXAS LOCAL GOVERNMENT CODE, SECTION 395.0231, AND PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City of Tomball, Texas (the “City”) adopted impact fees for Water and Wastewater on or about DATE under Ordinance No. xxxx-xx (“Impact Fee Ordinance”); and

**WHEREAS**, the 89<sup>th</sup> Texas Legislature, 2<sup>nd</sup> Special Session, passed Senate Bill 14 which was signed into law on September 17, 2025 and which became effective as of January 1, 2026; and

**WHEREAS**, the City of Tomball is now required to provide credits against water and wastewater impact fees pursuant to Chapter 395 of the Texas Local Government Code, Section 395.0231 for facilities, systems or products that result in water reuse, conservation, and savings; and

**WHEREAS**, the City Council desires to establish a fair and consistent method for calculating and applying conservation and reuse credits to new developments that reduce the impacts on the City’s water supply, water distribution, wastewater collection, and wastewater treatment in a way that exceeds the minimum requirements under the various building codes and/or laws or regulations;

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

**SECTION 1:** That all matters stated herein above are found to be true and correct and are incorporated by reference as if copied in their entirety.

**SECTION 2:** That Chapter 46, Article IV – Water, Wastewater, and Drainage Impact Fees is hereby amended to add Division 5. Conservation and Reuse Credits, to read as follows:

**DIVISION 5. CONSERVATION AND REUSE CREDITS**

**Sec. 46-269. Definitions.** These terms are in addition to the terms defined in the Impact Fee Ordinance, which are incorporated by reference herein.

- (a) “Conservation and Reuse Credit” means a credit against water and wastewater impact fees otherwise assessed to a development to a builder or developer for the construction, contribution, or dedication of an eligible facility, system, or product that results in water reuse, conservation, or savings.
- (b) “Eligible Facility” means a facility, system, or product constructed, dedicated, installed, or applied by a developer that results in the following:

- (1) reduces per service unit water consumption, supply requirements, or necessary treatment and distribution infrastructure per service unit;
- (2) decreases the need for wastewater collection and treatment facilities per service unit;
- (3) diminishes the demand for stormwater and drainage facilities per service unit; or
- (4) integrates practices or technologies that achieve water efficiency, reuse, or conservation performance that exceeds standards compliance requirements.

**Sec. 46-270. Eligible Developer.** A developer is eligible for a Conservation and Reuse Credit in the following instances:

- (a) **Eligible Facility.** The developer must install one or more Eligible Facility(ies).
- (b) **Minimum Reduction.** The Eligible Facility must reduce service unit demand relative to baseline land-use assumptions in the City's Impact Fee Study(ies) by greater than ten percent (10%).
- (c) **Compliance with Law.** The Eligible Facility must comply with all Federal, State, and Local laws and regulations.
- (d) **Exceeds Standards.** The Eligible Facility must exceed the minimum standards for such facilities, as required under the adopted International Codes and/or other laws or regulations.
- (e) **Same Development.** A Conservation and Reuse Credit may only be used against the water or wastewater impact fees assessed for the development in which the Eligible Facility was implemented.
- (f) **Engineer's Report.** The developer must submit a Water Conservation Impact Report ("WCIR") signed and sealed by a Professional Engineer licensed in the State of Texas. The WCIR must include the following:
  - (1) Baseline Service Unit analysis;
  - (2) A description of the Eligible Facility and Construction Plans;
  - (3) The calculated reduction in water demand or wastewater generation;
  - (4) Supporting assumptions and design standards; and
  - (5) Any necessary or relevant land acquisitions or easements for the Eligible Facility to be placed into service.
- (g) **City Acceptance.** The Eligible Facility must be fully and finally accepted by the City and placed into service.

**Sec. 46-271. Credit Applicability and Amounts.**

- (a) **Credit Authorized.** The City will provide a Conservation and Reuse Credit to Eligible Developers for Eligible Facilities.
- (b) **Applicability.** Approved Eligible Facilities, that conserve water and promote reuse will receive a credit as to Water Impact Fees, and approved Eligible Facilities that decrease wastewater needs will receive a credit as to Wastewater Impact Fees. Only one credit per service unit per category of infrastructure allowed.
- (c) **Credit Amounts.** The City shall provide credit per Service Unit in the form of a percentage discount up to 2.5% of the Water or Wastewater Impact Fee, as applicable.
  - (d) **Credit Determination.** A Conservation and Reuse Credit must be determined at the time of the approval of civil plans for platting or building permit, as is required

under the Impact Fee Ordinance. A Conservation and Reuse Credit will not require a Credit Agreement contemplated under the Impact Fee Ordinance.

(e) Failure to Install. If the Eligible Facility is not put into service after a determination of a Conservation and Reuse Credit, then the developer will be responsible for the full balance of Water and Wastewater Impact Fees that would otherwise have become due.

(f) Non-assignable. Credits apply only to the specific property and specific development for which they are granted. Credit may transfer to successors in ownership but may not transfer to other developments.

**SECTION 3:** That if any provisions of this Ordinance or the application of any provisions to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinances which can be give effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 4:** That this Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Tomball, Texas, as amended, except where provisions of this Ordinance are in direct conflict with the provisions of such ordinances or such Code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

**SECTION 5:** That this Ordinance shall take effect immediately from and after its passage as the law in such case provides.

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 17<sup>th</sup> DAY OF AUGUST, 2026.

|                         |       |
|-------------------------|-------|
| COUNCILMEMBER MICHNA    | _____ |
| COUNCILMEMBER GARCIA    | _____ |
| COUNCILMEMBER DUNAGIN   | _____ |
| COUNCILMEMBER COVINGTON | _____ |
| COUNCILMEMBER PARR      | _____ |

SECOND READING:

READ, PASSED, APPROVED AND ORDAINED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 8<sup>TH</sup> DAY OF SEPTEMBER 2026.

|                         |       |
|-------------------------|-------|
| COUNCILMEMBER MICHNA    | _____ |
| COUNCILMEMBER GARCIA    | _____ |
| COUNCILMEMBER DUNAGIN   | _____ |
| COUNCILMEMBER COVINGTON | _____ |
| COUNCILMEMBER PARR      | _____ |

\_\_\_\_\_  
Lori Klein-Quinn, Mayor

ATTEST:

\_\_\_\_\_  
Thomas Harris III, City Secretary

|                  |   |
|------------------|---|
| STATE OF TEXAS   | § |
|                  | § |
| COUNTY OF HARRIS | § |

Before me, the undersigned authority, on this day personally appeared Lori Klein Quinn the Mayor of the City of Tomball, known to me to be such persons who signed the above and acknowledged to me that such persons executed the above and foregoing Ordinance in my presence for the purposes stated therein.

Given under my hand and seal of office this \_\_\_\_\_.

[NOTARY STAMP]

\_\_\_\_\_  
Notary Public, State of Texas

Exhibit A



# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** September 8, 2026

#### **Topic:**

Adopt, on Second Reading, Ordinance No. 2026-38, an Ordinance of the City of Tomball, Texas Amending Chapter 46, Article VI of the City of Tomball Code of Ordinances to Establish a Policy for City participation in the cost of oversized water and wastewater mains installed by developers when the additional capacity is required to implement the City's adopted Water and Wastewater Master Plan, Capital Improvement Program, or regional utility planning objectives; Providing for Severability; Making Findings of Fact; Providing for Enforcement; Providing an Effective Date; and Providing for Other Related Matters.

#### **Background:**

Ordinance No. 2026-38 amends Chapter 46 of the City of Tomball Code of Ordinances to establish a policy for City participation in the cost of oversized water and wastewater mains installed by developers when the additional capacity is required to implement the City's adopted Water and Wastewater Master Plans, Capital Improvement Program, or other regional utility planning objectives. The ordinance provides a mechanism for reimbursing developers for the incremental cost associated with installing utility infrastructure larger than necessary to serve their development when the additional capacity provides a regional benefit to the City's utility system.

The proposed ordinance establishes eligibility requirements for reimbursement, including that the oversized utility line be required by the City, provide a regional benefit, receive approval prior to construction, and be governed by a Development Agreement or Memorandum of Agreement approved by City Council. The ordinance further provides that reimbursement is limited to the verified difference in material costs between the standard utility size required for the development and the larger utility size required by the City. Labor, construction costs, financing, land acquisition, legal fees, and other non-material costs are specifically excluded from reimbursement.

Reimbursement will occur only after the utility improvements have been accepted by the City, all required documentation has been submitted, warranty requirements have been satisfied, and funds have been appropriated. Each reimbursement will be subject to a separate agreement approved by City Council, and the City retains the right to audit all supporting documentation. Adoption of this ordinance establishes a consistent and transparent process for cost participation in oversized utility infrastructure while ensuring that regional utility improvements are funded in an equitable and fiscally responsible manner.

**Origination:** Project Management

#### **Recommendation:**

Staff recommends adopting on second reading, Ordinance 2026-38 Amending Chapter 46, Article VI of the City of Tomball Code of Ordinances to Establish a Policy for City participation in the cost of oversized water and wastewater mains installed by developers

**Party(ies) responsible for placing this item on agenda:** Meagan Mageo, Project Manager

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

|        |                     |             |              |
|--------|---------------------|-------------|--------------|
| Signed | <u>Meagan Mageo</u> | Approved by | _____        |
|        | Staff Member        |             | City Manager |
|        | Date                |             | Date         |

**ORDINANCE NO. 2026-38**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS AMENDING THE CITY OF TOMBALL CODE OF ORDINANCES REGARDING DEVELOPER CONSTRUCTION OF OVERSIZED WATER AND WASTEWATER MAINS; ESTABLISHING CITY PARTICIPATION IN THE COST OF UPSIZED UTILITY INFRASTRUCTURE; PROVIDING ELIGIBILITY REQUIREMENTS; PROVIDING FOR REIMBURSEMENT OF OVERSIZING COSTS; PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City of Tomball, Texas (the “City”) is a home-rule municipality operating under the Constitution and laws of the State of Texas and is authorized to own, operate, maintain, and expand its public water and wastewater utility systems; and

**WHEREAS**, the City has adopted Water and Wastewater Master Plans, a Capital Improvement Program, Utility Design and Construction Standards, and other planning documents to provide for the orderly growth and expansion of the City’s utility infrastructure; and

**WHEREAS**, from time to time, the City requires developers constructing public water and wastewater facilities to install utility mains and related appurtenances larger than those necessary to serve the proposed development in order to accommodate future growth, improve system reliability, provide system looping, increase fire protection, or implement the City long-term utility planning objectives; and

**WHEREAS**, the installation of such oversized public utility facilities provides a regional benefit to the City’s utility system and future development beyond the needs of the individual development constructing the improvements; and

**WHEREAS**, the City Council finds that it is equitable and in the public interest for the City to participate in the cost of oversized public utility improvements by reimbursing the verified incremental cost attributable solely to the increased size or capacity required by the City; and

**WHEREAS**, the City Council finds that the adoption of this Ordinance will promote the orderly extension of public utility infrastructure, protect the public health, safety, and welfare, implement the City’s adopted utility planning documents, and ensure that the costs associated with providing regional utility capacity are allocated in a fair and reasonable manner.

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

**SECTION 1:** That all matters stated herein above are found to be true and correct and are incorporated by reference as if copied in their entirety.

**SECTION 2:** The purpose of this Ordinance is to encourage the orderly extension of public utility infrastructure while ensuring that developers are not solely responsible for the cost of constructing utility facilities larger than necessary to serve their development when such additional capacity benefits the City.

**SECTION 2:** That Chapter 46, Article VI – Water and Sewer Lines is hereby amended to read as follows:

## ARTICLE VI. WATER AND SEWER LINES.

### **Sec. 46-304. Definitions.**

- (a) “Developer” means the owner or developer constructing public infrastructure required for development.
- (b) “Design Capacity” means the pipe size necessary to adequately serve the proposed development based upon the City’s adopted Water and Wastewater Master Plans and Design Criteria.
- (c) “Oversized Facility” means any water or wastewater main required by the City that exceeds the Design Capacity solely to provide future regional service.
- (d) “Oversizing Cost” means the actual documented difference between:
  - (1) the cost of the City-required oversized pipe, including oversized fittings, valves, and appurtenances solely related to the oversized pipe; and
  - (2) the cost of the required pipe otherwise required to serve only the development.

**Sec. 46-305. City Participation.** When the City determines that an oversized utility line is necessary to implement the Water and Wastewater Master Plan, improve system reliability, provide looping, increase fire flow, or serve future development, the City may participate in the cost of the oversized facilities.

Participation is subject to:

- (a) Available appropriated funds;
- (b) City Council approval; and
- (c) Execution of a Development Agreement or Memorandum of Agreement.

**Sec. 46-306. Eligibility.** A Developer shall be eligible only when:

- (a) The City requires installation of a larger utility line than necessary for the proposed development.
- (b) The larger utility line appears on the City’s adopted Water and Wastewater Master Plan or Capital Improvement Plan or is otherwise determined by the Public Works Director to provide a regional benefit.
- (c) Construction plans are approved before construction begins.
- (d) The developer enters into a Development Agreement Or Memorandum of Agreement before beginning construction.

**Sec. 46-306. Amount of Reimbursement.** The City shall reimburse only the verified oversizing cost. The reimbursement shall equal the actual cost of the oversized pipe including oversized fittings,

valves, and appurtenances as approved by the Public Works Director minus the total quoted price of the standard line size including fittings, valves, and appurtenances required for the development. Construction cost, including labor, bores, etc., will not be considered for reimbursement.

The Public Works Director shall determine the reimbursement amount with provided quotes for both the standard line size and the oversized line size. No reimbursement shall exceed the documented oversizing cost.

No reimbursement shall include:

- (a) developer profit;
- (b) financing;
- (c) land acquisition;
- (d) off-site improvements not approved;
- (e) delay damages;
- (f) legal fees;
- (g) construction cost.

**Sec. 46-307. Payment.** Reimbursement shall occur only after:

- (a) acceptance of the utilities;
- (b) submission of final cost documentation;
- (c) record drawings;
- (d) warranty requirements;
- (e) appropriation of funds.

The City will reimburse as one lump sum.

**Sec. 46-308. Developer Agreement.** Each reimbursement shall be governed by a separate agreement, either a Development Agreement or Memorandum of Agreement, as approved by City Council establishing:

- (a) reimbursement amount;
- (b) eligible costs;
- (c) payment terms;
- (d) audit rights;
- (e) expiration;
- (f) assignment provisions.

**Sec. 46-309. Audit.** The City may audit all invoices, contractor pay applications, change orders, and support documentation. Any unsupported costs shall be excluded.

**Sec. 46-310. No Vested Rights.** Nothing in this Ordinance guarantees reimbursement. Participation remains subject to City Council approval and available appropriations.

**SECTION 3:** That if any provisions of this Ordinance or the application of any provisions to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinances which can be give effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 4:** That this Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances for the City of Tomball, Texas, as amended, except where provisions of this Ordinance are in direct conflict with the provisions of such ordinances or such Code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

**SECTION 5:** That this Ordinance shall take effect immediately from and after its passage as the law in such case provides.

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 17<sup>th</sup> DAY OF AUGUST, 2026.

|                         |       |
|-------------------------|-------|
| COUNCILMEMBER MICHNA    | _____ |
| COUNCILMEMBER GARCIA    | _____ |
| COUNCILMEMBER DUNAGIN   | _____ |
| COUNCILMEMBER COVINGTON | _____ |
| COUNCILMEMBER PARR      | _____ |

SECOND READING:

READ, PASSED, APPROVED AND ORDAINED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 8<sup>TH</sup> DAY OF SEPTEMBER 2026.

|                         |       |
|-------------------------|-------|
| COUNCILMEMBER MICHNA    | _____ |
| COUNCILMEMBER GARCIA    | _____ |
| COUNCILMEMBER DUNAGIN   | _____ |
| COUNCILMEMBER COVINGTON | _____ |
| COUNCILMEMBER PARR      | _____ |

\_\_\_\_\_  
Lori Klein-Quinn, Mayor

ATTEST:

\_\_\_\_\_  
Thomas Harris III, City Secretary

|                  |   |
|------------------|---|
| STATE OF TEXAS   | § |
|                  | § |
| COUNTY OF HARRIS | § |

Before me, the undersigned authority, on this day personally appeared Lori Klein Quinn the Mayor of the City of Tomball, known to me to be such persons who signed the above and acknowledged to me that such persons executed the above and foregoing Ordinance in my presence for the purposes stated therein.

Given under my hand and seal of office this \_\_\_\_\_.

[NOTARY STAMP]

\_\_\_\_\_  
Notary Public, State of Texas

Exhibit A



# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

Second Reading: Consideration and Adoption of Ordinance No. 2026-39. An Ordinance of the City Council of the City of Tomball, Texas, amending Chapter 32 (“Peddlers and Solicitors”) and Chapter 48 (“Vehicles for Hire”) of the Code of Ordinances of the City of Tomball; amending Article II of Chapter 32 to replace the term “Permit” with “License” as applied to the peddler occupational authorization; amending Chapter 48, Article III, to remove the fingerprint-based criminal history background-check requirements applicable to tow truck drivers; providing for severability; providing a savings clause; providing for a repealer; and providing an effective date.

**Background:**

The City’s current regulations for peddlers and truck drivers contain terminology and processes that no longer align with state law or modern regulatory practices. The proposed ordinance makes two targeted updates:

1. Updating peddler regulations to align with Texas Government Code 441.122.
2. Removing redundant fingerprint background checks for tow truck drivers.

Under existing Code Section 32-41, individuals engaging in business as peddlers must obtain a “permit” from the City Secretary. The term “permit” appears throughout Sections 32-41 through 32-54. However, Texas Government Code § 411.122 authorizes political subdivisions to obtain criminal history record information only for “license” applicants or holders. To ensure consistency with this statutory framework, the ordinance replaces the term “permit” with “license” throughout Article II of Chapter 32. This update is purely terminological and does not change the City’s substantive requirements for peddlers. The fingerprint-based background check for peddlers—authorized under Government Code §§ 411.122 and 411.087—is retained and clarified in amended Section 32-45. This ensures the City’s peddler licensing process remains compliant with state law while maintaining appropriate public-safety safeguards.

Tow truck operators and tow companies in Texas are licensed and regulated by the Texas Department of Licensing and Regulation (TDLR) under Chapter 2308, Texas Occupations Code. TDLR already conducts fingerprint-based criminal history checks through DPS and the FBI for:

- every tow operator license applicant,
- every license holder at renewal, and
- controlling persons of licensed tow companies.

Because this state-level background check is comprehensive and recurring, the City’s additional fingerprint requirement in Section 48-192(b)(7) is duplicative. The ordinance removes this subdivision entirely and renumbers the remaining items. This amendment prevents regulatory overreach, reduces administrative burden on applicants, and aligns the City’s process with statewide licensing standards.

**Origination:** City Secretary’s Office/Olson & Olson

**Recommendation:**

Adopt on second and final reading of Ordinance No. 2026-39.

**Party(ies) responsible for placing this item on agenda:** Thomas Harris III, City Secretary

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

|        |              |             |              |
|--------|--------------|-------------|--------------|
| Signed | _____        | Approved by | _____        |
|        | Staff Member |             | City Manager |
|        | Date         |             | Date         |

## ORDINANCE NO. 2026-39

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 32 (“PEDDLERS AND SOLICITORS”) AND CHAPTER 48 (“VEHICLES FOR HIRE”) OF THE CODE OF ORDINANCES OF THE CITY OF TOMBALL; AMENDING ARTICLE II OF CHAPTER 32 TO REPLACE THE TERM “PERMIT” WITH “LICENSE” AS APPLIED TO THE PEDDLER OCCUPATIONAL AUTHORIZATION; AMENDING CHAPTER 48, ARTICLE III, TO REMOVE THE FINGERPRINT-BASED CRIMINAL HISTORY BACKGROUND-CHECK REQUIREMENTS APPLICABLE TO TOW TRUCK DRIVERS; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A REPEALER; AND PROVIDING AN EFFECTIVE DATE.**

---

**WHEREAS**, the City of Tomball, Texas (the “City”) is a home-rule municipality organized and operating under the Constitution and laws of the State of Texas and its Home-Rule Charter; and

**WHEREAS**, Chapter 32 (“Peddlers and Solicitors”) of the City’s Code of Ordinances regulates persons engaged in business as peddlers and solicitors within the City, and Chapter 48 (“Vehicles for Hire”) of the City’s Code of Ordinances regulates tow truck companies and tow truck drivers within the City; and

**WHEREAS**, Texas Government Code Section 411.122(a) authorizes a political subdivision covered by Chapter 53, Texas Occupations Code, that licenses or regulates members of a particular trade, occupation, business, vocation, or profession to obtain criminal history record information relating to an applicant for a license, a holder of a license, or a person requesting a determination of eligibility for a license; and

**WHEREAS**, to align the City’s peddler and solicitor regulations with the statutory framework described above, the City Council desires to amend Article II of Chapter 32 to refer consistently to the peddler occupational authorization as a “license” rather than a “permit”; and

**WHEREAS**, tow truck operators and tow truck companies operating in Texas are licensed and regulated by the Texas Department of Licensing and Regulation (“TDLR”) under Chapter 2308, Texas Occupations Code, and TDLR conducts a criminal history background check, through DPS, on each applicant for and holder of a tow operator’s license and on the controlling persons of each licensed tow company, at original application and at renewal; and

**WHEREAS**, because the State of Texas already performs a criminal history background check on tow truck operators and tow company controlling persons under Chapter 2308, Texas Occupations Code, the City Council has determined that the City’s separate, fingerprint-based criminal history background-check requirement for tow truck drivers set out in Chapter 48 is redundant and should be removed; and

**WHEREAS**, the City Council finds that the amendments set forth in this Ordinance are in the public interest and promote the public health, safety, and welfare of the citizens of the City; and

**WHEREAS**, the City Council has determined that this Ordinance should be read on two separate readings in accordance with the City’s Home-Rule Charter;

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

Throughout this Ordinance, amendments to the Code of Ordinances are shown by ~~striking through~~ the text to be deleted and underlining the text to be added. Text shown without such marking is existing Code text reproduced for context and is unchanged. Ellipses (“...”) indicate existing, unchanged text omitted for brevity.

### **Section 1. Incorporation of Recitals.**

The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct and are incorporated into this Ordinance as if fully set forth herein and adopted as findings of the City Council.

### **Section 2. Amendment of Chapter 32, Article II (Heading).**

The heading of Article II of Chapter 32 of the Code of Ordinances of the City of Tomball is hereby amended to read as follows:

## **ARTICLE II. ~~PERMIT~~LICENSE**

### **Section 3. Amendment of Chapter 32, Article II (Peddler Occupational Authorization; “Permit” Replaced with “License”).**

Sections 32-41 through 32-54 of Chapter 32, Article II, of the Code of Ordinances of the City of Tomball are hereby amended to replace the term “permit” (and its grammatical variants “permits,” “permittee,” and “permitting”) with the term “license” (and its corresponding grammatical variants “licenses,” “licensee,” and “licensing”) wherever such term appears in reference to the peddler occupational authorization, so that a single peddler license is issued to all peddlers regardless of whether the peddler is or is not engaged in interstate commerce, and are amended to read as follows:

#### ***Sec. 32-41. Required.***

It shall be unlawful to engage in business as a peddler within the city without first obtaining a ~~permit~~license to do so ~~unless such person is lawfully engaged in interstate commerce, in which case such peddler shall obtain a license prior to engaging in business as a peddler within the city and such license shall be obtained by registering. A peddler shall obtain a license prior to engaging in business as a peddler within the city, and such license shall be obtained by registering~~ with the city secretary and providing information under oath to the city secretary. Prior to the issuance of the license ~~to the peddler engaged in interstate commerce~~, the city secretary shall obtain all of the following information and any other

information deemed pertinent and necessary by the city secretary. The information to be obtained shall be as follows: ... [subsections (1)–(13) unchanged]

**Sec. 32-42. Application.**

The application for a ~~permit~~license required by the provisions of this article shall state or contain the following: ... [subsections (1)–(9) unchanged]

**Sec. 32-43. Driver's license.**

At the time of filing his application for a ~~permit or a~~ license required by this article, the applicant shall present his driver's license, if he has one, to the city secretary.

**Sec. 32-44. False information.**

It shall be unlawful for any person to give any false or misleading information in connection with his application for a ~~permit or a~~ license required by this article.

**Sec. 32-45. Background checks.**

*[Amended by Section 4 of this Ordinance; the fingerprint-based criminal history authorization is retained. See Section 4, below.]*

**Sec. 32-46. Bond required.**

The application for a ~~permit~~license required by the provisions of this article shall be accompanied by a bond in the penal sum as currently established or as hereafter adopted by resolution of the city council from time to time ... [remainder unchanged]

**Sec. 32-47. Application and ~~permit~~license fee.**

Before an application will be considered or any ~~permit~~license shall be issued under the provisions of this article, the applicant shall pay a fee, based upon the duration he desires to engage in business in the city, as currently established or as hereafter adopted by resolution of the city council from time to time.

**Sec. 32-48. Service of process.**

Before any ~~permit~~license shall be issued under this article, there shall also be filed with the city secretary an instrument in writing, signed by the applicant under oath ... [remainder unchanged]

**Sec. 32-49. Approval, denial, issuance, and appeal.**

(a) No ~~permit or~~ license shall be issued under the provisions of this article until the applicant shall have complied with all the provisions and requirements of this chapter. A ~~permit~~license will not be issued until a background check has been completed on the individual.

(b) No ~~permit or~~ license shall be issued for a mobile food vendor if such mobile food vendor has any unpaid fines in the Tomball Municipal Court related to the operation of the mobile food vendor unit.

(c) ... [unchanged] (d) Any applicant denied a ~~permit~~license may appeal the denial ...  
[remainder unchanged]

***Sec. 32-50. Limitation.***

No peddler's ~~permit or~~ license shall be issued to a corporation, partnership or other impersonal legal entity, but each individual person engaging in the business of peddling within the city shall be required to have a ~~permit or~~ license whether acting for himself or as an agent or representative of another. PermitsLicenses are not assignable and may not be transferred to another individual.

***Sec. 32-51. Contents of ~~permit~~license.***

Each ~~permit or~~ license issued under the provisions of this article shall be signed by the city secretary; shall be dated as of the date of its issuance; and shall state the duration or term of such ~~permit or~~ license on the face thereof. Any ~~permit or~~ license not dated and signed as herein provided, or which was issued in violation of this section, shall be void. A permitlicense, when issued, must contain a photo of the individual permitlicense holder.

***Sec. 32-52. Display.***

Every peddler having a ~~permit or~~ license issued under the provisions of this article and doing business within the city shall display his ~~permit or~~ license upon the request of any person and failure to do so shall be deemed a misdemeanor.

***Sec. 32-53. Duration and renewal.***

Every ~~permit or~~ license issued under the provisions of this article shall be valid for the period of time stated therein, but in no event shall any such ~~permit or~~ license be issued for a period of time in excess of six months. A peddler shall only be allowed one renewal of a permitlicense in any given 12-month period from the date of issuance of the permitlicense.

***Sec. 32-54. Revocation.***

Any ~~permit or~~ license issued under the provisions of this article may be revoked for the violation by the ~~permittee or~~ licensee of any applicable provision of this Code, state law or city ordinance. Upon such revocation, such ~~permit or~~ license shall immediately be surrendered to the city secretary and failure to do so shall be a misdemeanor.

**Section 4. Conforming Amendment to Section 32-45 (Background Checks).**

Section 32-45 of Chapter 32 of the Code of Ordinances is hereby amended for internal consistency with the renamed peddler license, and to retain the fingerprint-based criminal history authorization for peddlers under Texas Government Code Sections 411.122 and 411.087, to read as follows:

This section is enacted pursuant to V.T.C.A., Government Code §§ 411.122 and 411.087, which authorizes the city to obtain criminal history record information maintained or indexed by the Federal Bureau of Investigation ("FBI") through the Texas Department of Public Safety ("DPS"). Each individual whose application for a license, ~~permit or~~

~~authorization~~ or any renewal thereof is subject to this section shall be required to provide a complete set of fingerprints from a Fingerprint Applicant Services of Texas (“FAST”) facility using the City’s FAST pass provided to the Applicant by the City and other identifying information to the official designated by the ~~permitting, licensing or authorizing~~ department, along with any applicable fee and any release or waiver forms required in order for the official to conduct a national background check through the FBI.

Upon receipt of the fingerprints and any applicable fee, the city is authorized to submit the fingerprints to the DPS for a search of the state’s criminal history record, and the DPS is authorized to forward a set of the fingerprints to the FBI for a national criminal history check. The results of the FBI check will be returned to the DPS, which will disseminate the results of state and national criminal history checks to the city.

In addition, each applicant for a license, ~~permit~~ or renewal shall provide two photos of themselves.

**Section 5. Amendment of Chapter 48, Article III, Division 3 (Removal of Tow Truck Driver Fingerprint and Criminal History Background-Check Requirement).**

Subsection (b) of Section 48-192 of Chapter 48, Article III, Division 3, of the Code of Ordinances is hereby amended by deleting Subdivision (7) in its entirety and renumbering the subsequent subdivisions accordingly, to read as follows:

(b) Each person desiring a tow truck driver permit shall submit an application to the city secretary on a form furnished by the city. On the application the applicant shall set forth: ... [subdivisions (1)–(6) unchanged]

~~(7) Pursuant to V.T.C.A., Government Code §§ 411.122 and 411.087, which authorizes the city to obtain criminal history information maintained or indexed by the Federal Bureau of Investigation (“FBI”) through the Texas Department of Public Safety (“DPS”), each applicant: a. shall be required to provide a complete set of fingerprints from a Fingerprint Applicant Services of Texas (“FAST”) facility using the city’s FAST pass provided to the applicant by the city and other identifying information to the official designated by the permitting, licensing or authorizing department, along with any applicable fee and any release or waiver forms required in order for the official to conduct a national background check through the FBI. Upon receipt of the fingerprints and any applicable fee, the city is authorized to submit the fingerprints to the DPS for a search of the state’s criminal history record, and the DPS is authorized to forward a set of the fingerprints to the FBI for a national criminal history check. The results of the FBI check will be returned to the DPS, which will disseminate the results of state and national criminal history checks to the city.~~

~~(8)(7)~~ Such other information as the chief of police or his designee finds relevant; and

~~(9)(8)~~ Two current photographs of the applicant.

**Section 6. Severability.**

If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 7. Savings Clause.**

This Ordinance shall not affect any violation of the Code of Ordinances of the City of Tomball occurring before the effective date of this Ordinance, and any such violation shall be governed and shall continue to be punishable to the same extent as if this Ordinance had not been enacted. Any peddler license (formerly styled a peddler permit) or tow truck driver permit validly issued and outstanding on the effective date of this Ordinance shall remain valid, subject to this Ordinance, until its stated expiration, renewal, revocation, or suspension.

**Section 8. Repealer.**

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict only. All other provisions of Chapters 32 and 48 of the Code of Ordinances not expressly amended by this Ordinance shall remain in full force and effect.

**Section 9. Codification.**

The City Secretary is hereby authorized and directed to cause the amendments set forth in this Ordinance to be incorporated into the Code of Ordinances of the City of Tomball, and the codifier is authorized to make the conforming terminology substitutions of “license” for “permit” described in Section 3 throughout Sections 32-41 through 32-54 consistent with the intent of this Ordinance, and to renumber, re-letter, and correct cross-references as necessary to carry out the intent of this Ordinance.

**Section 10. Effective Date.**

This Ordinance shall take effect and be in full force and effect from and after its final passage and adoption on second and final reading, and any publication required by law and the City’s Home-Rule Charter, in accordance with law.

FIRST READING:



READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON **AUGUST X, 2026.**

|                         |       |
|-------------------------|-------|
| COUNCILMEMBER MICHNA    | _____ |
| COUNCILMEMBER GARCIA    | _____ |
| COUNCILMEMBER DUNAGIN   | _____ |
| COUNCILMEMBER COVINGTON | _____ |
| COUNCILMEMBER PARR      | _____ |

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON **AUGUST X, 2026.**

|                         |       |
|-------------------------|-------|
| COUNCILMEMBER MICHNA    | _____ |
| COUNCILMEMBER GARCIA    | _____ |
| COUNCILMEMBER DUNAGIN   | _____ |
| COUNCILMEMBER COVINGTON | _____ |
| COUNCILMEMBER PARR      | _____ |

**CITY OF TOMBALL, TEXAS**

\_\_\_\_\_  
Lori Klein Quinn, Mayor

**ATTEST:**

\_\_\_\_\_  
Thomas Harris III, TRMC, City Secretary

# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

Adopt on Second Reading, Ordinance No. 2026-35, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.340940/\$100 of Value Assessed for the Year 2026 on All Taxable Real and Personal Property located in the City of Tomball, Texas; Providing for Penalty, Interest, and additional Penalty on Taxes not timely paid; and Providing other matters relating to the subject.

**Background:**

A Public Hearing was held and First Reading was approved during the August 17, 2026, Regular City Council meeting.

The proposed tax rate for Fiscal Year 2026-2027 (Tax Year 2026) is \$0.340940/\$100, with \$0.155156 for the Interest and Sinking Fund and \$0.185784 for the Maintenance and Operations Fund.

**Origination:** Finance Director

**Recommendation:**

Adopt Resolution No. 2026-35 on Second Reading.

**Party(ies) responsible for placing this item on agenda:** Bragg Farmer, Finance Director

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account: # \_\_\_\_\_ To Account: # \_\_\_\_\_

**Signed:** Bragg Farmer 08.18.2026 **Approved by:** \_\_\_\_\_  
Staff Member Date City Manager Date

**ORDINANCE NO. 2026-35**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, SETTING THE TAX LEVY OF \$0.340940/\$100 VALUE ASSESSED FOR THE YEAR 2026 ON ALL TAXABLE REAL AND PERSONAL PROPERTY LOCATED IN THE CITY OF TOMBALL, TEXAS; PROVIDING FOR PENALTY, INTEREST, AND ADDITIONAL PENALTY ON TAXES NOT TIMELY PAID; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT.**

\* \* \* \* \*

**WHEREAS**, pursuant to the provisions of the Constitution and Laws of the State of Texas, the City Council of the City of Tomball, Texas, is vested with the power to levy, assess and collect an annual tax upon all taxable real and personal property located within the City Limits, and said power allowing for the granting of homestead exemptions for all City of Tomball property owners sixty-five years of age and over or who are disabled; and

**WHEREAS**, pursuant to the Charter of the City of Tomball, this ordinance has been read two (2) times and considered at two (2) sessions of the City Council, and published in the City's official newspaper after the first reading; and

**WHEREAS**, the Council is required to set a tax rate, expressed as a rate per hundred-dollar valuation of said property, located in the City of Tomball, January 1, 2026; and

**WHEREAS**, Section 26.05 of the Texas Property Tax Code provides that before the later of September 30<sup>th</sup> or the 60<sup>th</sup> day after the date the certified appraisal roll is received by the taxing unit, the governing body of each taxing unit shall adopt a tax rate for the current tax year; and

**WHEREAS**, such Section further provides that where the tax rate consists of two components (one which will impose the amount of taxes needed to pay the unit's debt service and the other which will impose the amount of taxes needed to fund maintenance and operation expenditures of the unit for the next year), each of the components must be approved separately; and

**WHEREAS**, the proposed tax rate for the current tax year of the City of Tomball, Texas, consists of two components, a tax rate of \$0.155156 cents per \$100.00 dollars of taxable value for the purpose of paying the accruing interest and to provide a sinking fund for payment of the indebtedness of the City,

and a tax rate of \$0.185784 cents per \$100.00 dollars of taxable value for the purpose of funding the maintenance and operation expenditures of the City for the next fiscal year; and

**WHEREAS**, City Council has approved, by separate motions, the tax rates heretofore specified for each of said components; and

**WHEREAS**, all notices and hearings required by law as a prerequisite to the passage, approval, and adoption of this Ordinance have been timely and properly given and held;

**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 found to be true and correct and are hereby adopted, ratified, and confirmed.

**Section 2.** That said tax levied as aforesaid, based upon valuations established by Harris County Appraisal District, will be sufficient to meet the requirements of the City for the Budget Year 2026-2027.

**Section 3.** There is hereby levied, for the tax year 2026, to fund the City's fiscal year 2026-2027 municipal budget, an ad valorem tax at the total rate of \$0.340940 on each \$100.00 of assessed valuation on all property, real, personal, and mixed, within the corporate limits of the City, upon which an ad valorem tax is authorized by law to be levied by the City of Tomball, Texas. All such taxes shall be assessed and collected in current money of the United States of America.

**Section 4.** Of such total tax levied in Section 3 hereof, \$0.185784 is levied to fund maintenance and operation expenditures of the City for the fiscal year 2026-2027. Of the total tax levied in Section 3 hereof, \$0.155156 is levied for the purpose of paying the interest on bonds, warrants, certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City of Tomball, Texas, including the various installments of principal due on the serial bonds, warrants,

certificates of obligation, or other lawfully authorized evidence of indebtedness issued by the City as such installments shall respectively mature, in the fiscal year 2026-2027.

**Section 5.** This year's levy to fund maintenance and operations expenditures is GREATER than last year's maintenance and operations tax levy.

- (A) THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; and***
- (B) THE TAX RATE WILL EFFECTIVELY DECREASE BY 2.65 PERCENT AND WILL LOWER TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$2.65.***

**Section 6.** All ad valorem taxes levied hereby, in the total amount of \$0.340940 on each \$100.00 of assessed valuation, as reflected by Sections 3 and 4 hereof, shall be due and payable on or before January 31, 2027. All ad valorem taxes due the City of Tomball, Texas, and not paid on or before January 31<sup>st</sup> following the year for which they were levied, shall bear penalty and interest, and if not paid before July 1st shall incur an additional penalty of twenty percent (20%), as prescribed in the Texas Property Tax Code.

**Section 7.** All ordinances and parts of ordinances inconsistent or in conflict herewith are hereby repealed to the extent of such conflict.

**Section 8.** If any provision of this Ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction, the same shall not invalidate or impair the validity, force, or effect of any other provision of this Ordinance.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 17TH DAY OF AUGUST 2026.

|                      |            |
|----------------------|------------|
| COUNCILMAN MICHNA    | <u>YEA</u> |
| COUNCILMAN GARCIA    | <u>YEA</u> |
| COUNCILMAN DUNAGIN   | <u>YEA</u> |
| COUNCILMAN COVINGTON | <u>YEA</u> |
| COUNCILMAN PARR      | <u>YEA</u> |

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 8TH DAY OF SEPTEMBER 2026.

|                      |       |
|----------------------|-------|
| COUNCILMAN MICHNA    | _____ |
| COUNCILMAN GARCIA    | _____ |
| COUNCILMAN DUNAGIN   | _____ |
| COUNCILMAN COVINGTON | _____ |
| COUNCILMAN PARR      | _____ |

\_\_\_\_\_  
LORI KLEIN QUINN, MAYOR  
City of Tomball

ATTEST:

\_\_\_\_\_  
THOMAS HARRIA III, City Secretary  
City of Tomball

# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** September 8, 2026

**Topic:**

- Approve Minutes of August 14, 2026, Joint City Council and TEDC Meeting
- Approve Minutes of August 17, 2026, Regular City Council Meeting
- Approve Minutes of August 21, 2026, Joint City Council and TEDC Meeting

**Background:**

**Origination:** City Secretary Office

**Recommendation:**

Approve Minutes

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

Shannon Bennett, Assistant City  
Secretary

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account # \_\_\_\_\_

To #  
account \_\_\_\_\_

Signed \_\_\_\_\_

Staff Member

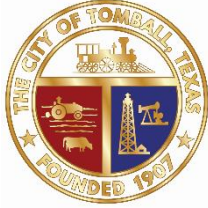
Date

Approved by \_\_\_\_\_

City Manager

Date

**MINUTES OF SPECIAL JOINT CITY COUNCIL AND TOMBALL  
ECONOMIC DEVELOPMENT CORPORATION MEETING  
CITY OF TOMBALL, TEXAS**



**Friday, August 14, 2026  
5:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for August 14, 2026, 5:00 P.M., at 401 Market Street, Tomball, Texas 77375.

- A. Mayor Lori Klein Quinn called the meeting of the City of Tomball Council to order at 5:00 P.M.

**PRESENT:**

Mayor Lori Klein Quinn  
Council 1 Shelley Michna  
Council 2 Paul Garcia  
Council 3 Dane Dunagin  
Council 4 Lisa A. Covington  
Council 5 Randy Parr

**CITY STAFF PRESENT:**

City Manager - David Esquivel  
Assistant City Manager- Sakura Moten  
City Attorney – Loren A. Smith  
City Attorney – Joseph Hayes  
City Secretary – Thomas Harris III  
Assistant City Secretary – Shannon Bennett  
Public Works Director - Drew Huffman  
Interim Police Chief – Shon Davis  
Finance Director - Bragg Farmer  
Director of Human Resources – Kristie Lewis  
Director of I.T. – Ben Lato  
Special Project Director - Luisa Taylor  
Police Officer – Bryce Smith

President Lisa Covington called meeting of the Tomball Economic Development Corporation to order at 5:00 P.M.

**PRESENT:**

President Lisa Covington  
Vice President Danny Hudson  
Treasurer Latrell Shannon  
Member Wayne Hall  
Member Becky Clepper



Member Angie Johnson  
Member Cody Miller

TEDC STAFF PRESENT:  
Executive Director - Kelly Violette  
Assistant Director -Tiffani Wooten  
Administrative Assistant- McKayley Dannelley

- B. 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 - GC, 551.042.]*- There were no comments received.

C. General Discussion

1. The Tomball City Council and Tomball Economic Development Corporation will enter into a Workshop Session to discuss the Proposed Fiscal Year 2027 Tomball Economic Development Corporation Budget.

Mayor Lori Klein Quinn led a discussion reviewing the financial statements and addressed questions to ensure there was no misunderstanding of the figures presented before proceeding with consideration and approval of the budget Tomball Economic Development Corporation Budget.

D. Adjournment

Mayor Lori Klein Quinn adjourned the meeting at 6:44 p.m.

Motion made by TEDC Member Danny Hudson, Seconded by TEDC Member Becky Clepper to adjourn the meeting at 6:44 P.M.

Voting Yea: Vice President Danny Hudson, Member Cody Miller, Member Angie Johnson  
Member Latrell Shannon, Member Wayne Hall, Member Becky Clepper

Motion carried unanimously.

PASSED AND APPROVED on this 8<sup>th</sup> day of September 2026.

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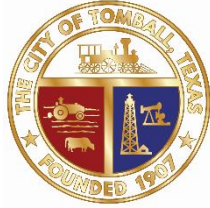
Thomas Harris III, TRMC  
City Secretary

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Lori Klein Quinn  
Mayor



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



**Monday, August 17, 2026  
5:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for August 17, 2026, 5:00 P.M., at 401 Market Street, Tomball, Texas 77375.

A. Mayor Pro Tem Paul Garcia called the meeting to order at 5:03 P.M.

### **PRESENT:**

Council 1 Shelley Michna  
Council 2 Paul Garcia (Mayor Pro Tem)  
Council 3 Dane Dunagin  
Council 4 Lisa A. Covington  
Council 5 Randy Parr

### **Absent (Excused):**

Mayor Lori Klein Quinn

### **CITY STAFF PRESENT:**

City Manager - David Esquivel  
City Attorney – Joseph Hayes  
City Secretary - Thomas Harris  
Assistant City Secretary - Shannon Bennett  
Building Official – Jeremy Griffin  
Interim Police Chief – Shon Davis  
Fire Chief – Joe Sykora  
Finance Director - Bragg Farmer  
Public Works Director - Drew Huffman  
Director of Human Resources – Kristie Lewis  
Director of Marketing & Tourism - Chrislord Templonuevo  
Director of I.T. – Ben Lato  
City Planner – Caleb Mittanck  
Special Project Director - Luisa Taylor  
Project Manager – Meagan Mageo  
Municipal Judge - Brett Peabody  
Police Captain – Brandon Patin  
Police Officer – Juan Rodriguez

- B. 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 - GC, 551.042.]*- There were no comments received.
- C. General Discussion
1. The Tomball City Council and city staff will enter into a workshop session to discuss the city-wide Compensation and Benefits Study.  
  
Malayna Halvorson with McGrath Human Resources Group provided a Compensation and Benefits Study via Zoom.
  2. The Tomball City Council and the Tomball Economic Development Corporation Board of Directors will enter into a Workshop Session to discuss the Fiscal Year 2026-2027 Tomball Economic Development Corporation Budget. There was no discussion held.
  3. Discussion Only - Discussion and direction to the Tomball Economic Development Corporation (TEDC) for the Legacy Square Project. There was no discussion held, action was taken during New Business.
- D. Recess/Reconvene at 6:00 p.m.  
  
Mayor Pro Tem Paul Garcia recessed the meeting at 5:42 p.m. and reconvened at 6:00 p.m.
- E. Invocation led by Council Member Lisa Covington
- F. Pledges to U.S. and Texas Flags led by Council Member Shelley Michna
- G. 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 - GC, 551.042.]*  
  
There were no comments received.
- H. Reports and Announcements
1. Announcements

**I. Upcoming events:**

- September 8, 2026 - Public Safety Citizens Academy program begins. Classes are every Tuesday night for 10-weeks. Registration is required
- September 10, 2026 – Kaffeeklatsch (Tomball Farmers Market- Amanda Kelly) from 8:30 – 10:00 a.m. at Tomball Community Center
- September 11, 2026 – 9/11 Remembrance Ceremony from 8:00 – 9:00 a.m. at Tomball Depot Plaza, followed by a short evening tribute from 7:30 – 7:45 p.m. at Tomball Depot Plaza
- September 12, 2026 – 2nd Saturday from 5:00 – 9:00 p.m. at Tomball Depot Plaza
- September 26, 2026 – GroovFest from 11:00 a.m. – 5:00 p.m. at Tomball Depot Plaza

2. Reports by City staff and members of council about items of community interest on which no action will be taken:

- Council member Randy Parr announced that he attended the funeral service for the former Fort Bend County Judge Bob Hebert.
- Council member Lisa Covington announced that a Centenarian presentation will be held on Wednesday, August 19th at 6:00 p.m. at Pecos.
- Mayor Pro Tem Paul Garcia reported on his attendance at the TML Newly Elected Officials Seminar in San Antonio, Texas. He stated that the seminar included discussion regarding the elimination of property taxes.

I. Old Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

1. Adopt, on Second Reading, Ordinance No. 2026-21, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Pine Country Public Improvement District Number 1 (PID 1).

2. Adopt, on Second Reading, Ordinance No. 2026-22, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Raleigh Creek Public Improvement District Number 2 (PID 2).
3. Adopt, on Second Reading, Ordinance No. 2026-23, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Reserve at Spring Lake Public Improvement District Number 3 (PID 3).
4. Adopt, on Second Reading, Ordinance No. 2026-24, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Alexander Estates Public Improvement District Number 4 (PID 4).
5. Adopt, on Second Reading, Ordinance No. 2026-25, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Yaupon Trails Public Improvement District Number 5 (PID 5).
6. Adopt, on Second Reading, Ordinance No. 2026-26, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Copper Cove Public Improvement District Number 6 (PID 6).
7. Adopt, on Second Reading, Ordinance No. 2026-27, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Grand Junction Public Improvement District Number 7 (PID 7).
8. Adopt, on Second Reading, Ordinance No. 2026-28, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Timber Trails Public Improvement District Number 8 (PID 8).
9. Adopt, on Second Reading, Ordinance No. 2026-29, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Raburn Reserve Public Improvement District Number 10 (PID 10).
10. Adopt, on Second Reading, Ordinance No. 2026-30, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Wood Leaf Reserve Public Improvement District Number 11 (PID 11).

11. Adopt, on Second Reading, Ordinance No. 2026-31, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Winfrey Estates Public Improvement District Number 12 (PID 12).
12. Adopt, on Second Reading, Ordinance No. 2026-32, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Pine Trails Public Improvement District Number 13 (PID 13).
13. Adopt, on Second Reading, Ordinance No. 2026-33, an Ordinance of the City of Tomball, Texas Authorizing and Approving the Calendar Year 2026 Annual Service and Assessment Plan (SAP) Update for the Seven Oaks Public Improvement District Number 14 (PID 14).
14. Second Reading: Consideration of and Action on Ordinance No. 2026-36. An Ordinance of the City of Tomball, Texas, Amending Chapter 2, Administration, Article III, Division 5, Code of Ethics, of the Code of Ordinances by adding a new Section 2-219, Social Media and Online Conduct, and by renumbering existing Sections 2-219, 2-220, and 2-221 as Sections 2-220, 2-221, and 2-222, respectively; providing a repealer clause; providing for severability; making findings of fact; providing for enforcement; providing an effective date; and providing for other related matters.
15. Second Reading of Ordinance No. 2025-27 granting the request for annexation of the territory (Graylou Grove) being 50.1051 acres consisting of 0.8041 of one acre or 35,026 square feet of land situated in the Elizabeth Smith Survey, Abstract Number 70, Harris County, Texas, being a portion of that certain unrestricted reserve "A" of Tomball Greens, a subdivision as shown on map or plat recorded under Film Code Number 440128 of the maps records of Harris County, Texas; 31.994 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being a portion of that certain residue of called 33.153 acres of land described in deed recorded in the official public records of real property of Harris County, Texas, under County Clerk's File Number U968294, a portion of those certain lots 489, 490, 495 and 496 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the map records of Harris County, Texas and those certain lots 491, 492, 493 and 494 of said Tomball Townsite; and 17.307 acres of land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being that certain residue of called 1.1767 acres of land described in deed recorded in the official public records of real property of Harris County, Texas, under County Clerk's file number 20120276873, that certain called 5.678 acres of land described in deed recorded in the official public records of real property of Harris County, Texas, under County Clerk's file number 20070687993, that certain residue of called 8.1479 acres of land described in deed

recorded in the official public records of real property of Harris County, Texas, under County Clerk's file number Y978757, that certain residue of called 4.998 acres of land described in deed recorded in the official public records of real property of Harris County, Texas, under County Clerk's file number 20110051826, that certain reserve "A" of Brandt Holding, a subdivision as shown on map or plat recorded under film code number 679589 of the map records of Harris County, Texas, that certain lot 1, block 1 of said Brandt Holdings and a portion of those certain lots 496, 497 and 498 of Tomball Townsite, a subdivision as shown on map or plat recorded under Volume 2, Page 65 of the map records of Harris County, Texas); and providing for severability.

Motion made by Council 5 Parr, Seconded Council 3 Dunagin by to approve Old Business Consent Agenda except Item #15.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

#### J. Old Business

1. Adopt on Second Reading, Ordinance No. 2026-34, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2026-2027; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2025-2026 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance.

Motion made by Council 3 Dunagin, Seconded by Council 5 Parr to adopt Ordinance No. 2026-34.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

#### K. New Business

1. Approve Minutes of August 3, 2026, Joint City Council and TEDC meeting.

Motion made by Council 3 Dunagin, Seconded by Council 5 Parr to approve Minutes of August 3, 2026.



Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

2. Approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2026-2027 Budget. There was no action taken.
3. Discussion and direction to the Tomball Economic Development Corporation (TEDC) for the Legacy Square Project.

City Secretary Thomas Harris III recapped the consensus points from the August 14, 2026 Special Joint City Council and Tomball Economic Development meeting.

- 1) Commence transition of Building A - Main Sanctuary to a multifunctional facility acting also as the community center.
- 2) Prepare Building C - Small chapel for Pearl Fincher
- 3) Prepare Plans for Building F- Fellowship Hall conversion to a retail outlet facility for the purpose of renting spaces for workshops, barn-space, arts and crafts. This project will not be subsidized by the city and fully waived from city liability.
- 4) Initiate demolishing all buildings other than the Main and Small chapel and the Fellowship Hall referred to as Buildings A, C and F. Convert area to green space to tie to the Museum.
- 5) Submit a detailed plan on the sequence of events necessary to transition Legacy Square to include:
  - a) O&M cost
  - b) Operation Responsibility of facility
  - c) Programming Responsibilities
  - d) Projected Revenue
- 6) Commence plans for Parking Lot N behind the depot.

Motion made by Council 1 Michna, Seconded by Council 3 Dunagin to approve the consensus points regarding Legacy Square.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 5 Parr

Voting Nay: Council 4 Covington

Motion carried 4 to 1.

4. Approve Resolution No. 2026-40, a Resolution of the City Council of the City of Tomball, Texas, accepting the PID petition and calling for a public hearing on

October 5, 2026, for the creation of Tomball Public Improvement District No. 15 (Graylou Grove) and being located within the City of Tomball.

Motion made by Council 5 Parr, Seconded by Council 1 Michna to approve Resolution No. 2026-40.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

5. Consideration of and Action on a variance request from La Reserva Meat Market for alcohol sales at 22824 Hufsmith-Kohrville Road, Tomball, Tx, due to proximity to a public school property.

Motion made by Council 4 Covington, Seconded by Council 5 Parr to approve a variance request from La Reserva Meat Market for alcohol sales at 22824 Hufsmith-Kohrville Road, Tomball, Tx, due to proximity to a public school property.

Applicant Steve Sandoval answered questions regarding his request.

Voting Nay: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion failed unanimously.

6. Consideration of and Action on a variance request from Kohrville Rd LLC for alcohol sales at 22623 Hufsmith-Kohrville Road, Tomball, Tx, due to proximity to a public school property.

Motion made by Council 4 Covington, Seconded by Council 5 Parr, to approve a variance request from Kohrville Rd LLC for alcohol sales at 22623 Hufsmith-Kohrville Road, Tomball, Tx, due to proximity to a public school property.

Voting Yea: Council 2 Garcia

Voting Nay: Council 1 Michna, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion failed 1 to 4.

7. Consideration of and Action on Resolution No. 2026-42. A Resolution of the City of Tomball, Texas, Approving and authorizing an Interlocal Cooperation Contract between the City of Tomball, by and through its Municipal Court, and the Texas Department of Public Safety for participation in the Texas Conviction Reporting (TXCR) system; authorizing the City Manager or the City Manager's Authorized Delegate to execute the contract and all related documents; making findings of fact; and providing for other matters relating thereto.

Motion made by Council 5 Parr, Seconded by Council 4 Covington to approve Resolution No. 2026-42.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

8. Approve Resolution No. 2026-37, a Resolution of the City of Tomball, Texas approving updates to the Fiscal Year 2026-2027 Master Fee Schedule.

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington to approve Resolution No. 2026-37.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

9. Approve Resolution No. 2026-39, a Resolution of the City of Tomball, Texas adopting the City of Tomball's Fiscal Year 2027-2031 Capital Improvement Plan.

Motion made by Council 4 Covington, Seconded by Council 1 Michna to approve Resolution No. 2026-39.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

10. Ratify the FY 2026-2027 Budget and find that the Proposed Tax Rate of \$0.340940/\$100 EXCEEDS the No-New-Revenue Tax Rate and Will Generate More Property Tax Revenue than the FY 2025-2026 Budget.

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington to ratify the FY 2026-2027 Budget and find that the Proposed Tax Rate of \$0.340940/\$100

EXCEEDS the No-New-Revenue Tax Rate and Will Generate More Property Tax Revenue than the FY 2025-2026 Budget.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

11. Adopt \$0.155156 as the portion of the 2026 Tax Rate to Fund the Interest and Sinking (Debt Service) Fund for Fiscal Year 2026-2027.

Motion made by Council 4 Covington, Seconded by Council 5 Parr to Adopt \$0.155156 as the portion of the 2026 Tax Rate to Fund the Interest and Sinking (Debt Service) Fund for Fiscal Year 2026-2027.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

12. Adopt \$0.185784 as the portion of the 2026 Tax Rate to Fund the Maintenance and Operations (M&O) Fund for Fiscal Year 2026-2027.

Motion made by Council 4 Covington, Seconded by Council 1 Michna Adopt \$0.185784 as the portion of the 2026 Tax Rate to Fund the Maintenance and Operations (M&O) Fund for Fiscal Year 2026-2027.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously

13. Conduct a public Hearing regarding the Proposed 2026 Tax Rate of \$0.340940/\$100 Assessed Value for the City of Tomball, Texas.

Mayor Pro Tem Garica opened the public hearing at 7:14 p.m.

Mayor Pro Tem Garica closed the public hearing at 7:15 p.m.

Public Hearing only. No action was taken.

14. Adopt on First Reading, Ordinance No. 2026-35, an Ordinance of the City of Tomball, Texas, Setting the Tax Levy of \$0.340940/\$100 of Value Assessed for the Year 2026 on All Taxable Real and Personal Property located in the City of

Tomball, Texas; Providing for Penalty, Interest, and additional Penalty on Taxes not timely paid; and Providing other matters relating to the subject.

Motion made by Council 5 Parr, Seconded by Council 4 Covington to adopt Ordinance No. 2026-35.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

15. Adopt, on First Reading, Ordinance No. 2026-37, an Ordinance of the City of Tomball, Texas Amending Chapter 46, Article IV of the City of Tomball Code of Ordinances to Establish Conservation and Reuse Credits for water and wastewater impact fees as authorized by Chapter 395 of Texas Local Government Code; Providing for Severability; Making Findings of Fact; Providing for Enforcement; Providing an Effective Date; and Providing for Other Related Matters.

Motion made by Council 3 Dunagin, Seconded by Council 5 Parr to adopt Ordinance No. 2026-37.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

16. Adopt, on First Reading, Ordinance No. 2026-38, an Ordinance of the City of Tomball, Texas Amending Chapter 46, Article VI of the City of Tomball Code of Ordinances to Establish a Policy for City participation in the cost of oversized water and wastewater mains installed by developers when the additional capacity is required to implement the City's adopted Water and Wastewater Master Plan, Capital Improvement Program, or regional utility planning objectives; Providing for Severability; Making Findings of Fact; Providing for Enforcement; Providing an Effective Date; and Providing for Other Related Matters.

Motion made by Council 4 Covington, Seconded by Council 1 Michna to adopt Ordinance No. 2026-38.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

17. Approve the expenditure greater than \$100,000.00 with Axon Enterprises Inc. for annual renewal contract. The contract starts in October 2026 and runs through 2030.

Motion made by Council 5 Parr, Seconded by Council 3 Dunagin to approve the expenditure greater than \$100,000.00 with Axon Enterprises Inc. for annual renewal contract.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

18. Consideration of and Action on Ordinance No. 2026-39. An Ordinance of the City Council of the City of Tomball, Texas, amending Chapter 32 (“Peddlers and Solicitors”) and Chapter 48 (“Vehicles for Hire”) of the Code of Ordinances of the City of Tomball; amending Article II of Chapter 32 to replace the term “Permit” with “License” as applied to the peddler occupational authorization; amending Chapter 48, Article III, to remove the fingerprint-based criminal history background-check requirements applicable to tow truck drivers; providing for severability; providing a savings clause; providing for a repealer; and providing an effective date.

Motion made by Council 4 Covington, Seconded by Council 1 Michna to adopt Ordinance No. 2026-39.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

19. 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):

Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session.

Sec. 551-074- Personnel Matters – Police Chief and Assistant City Manager.

Executive Session started at 7:31 p.m.

Executive Session ended at 7:53 p.m.

## L. Adjournment

Mayor Pro Tem Paul Garcia adjourned the meeting at 7:53 p.m.

PASSED AND APPROVED on this 8<sup>th</sup> day of September 2026.

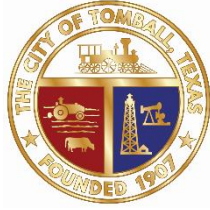
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Thomas Harris III, TRMC  
City Secretary

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Lori Klein Quinn  
Mayor

**MINUTES OF SPECIAL JOINT CITY COUNCIL AND TOMBALL  
ECONOMIC DEVELOPMENT CORPORATION MEETING  
CITY OF TOMBALL, TEXAS**



**Friday, August 21, 2026  
1:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for August 21, 2026, 1:00 P.M., at 401 Market Street, Tomball, Texas 77375.

A. Mayor Pro Tem Paul Garcia called the meeting to order at 1:00 p.m.

**PRESENT:**

Council 1 Shelley Michna  
Council 2 Paul Garcia  
Council 3 Dane Dunagin  
Council 4 Lisa A. Covington  
Council 5 Randy Parr

**ABSENT (EXCUSED):**

Mayor Lori Klein Quinn

**CITY STAFF PRESENT:**

City Manager - David Esquivel  
City Attorney – Loren A. Smith  
Assistant City Secretary – Shannon Bennett  
Public Works Director - Drew Huffman  
Interim Police Chief – Shon Davis  
Finance Director - Bragg Farmer  
Director of Human Resources – Kristie Lewis  
Special Project Director - Luisa Taylor  
Police Officer – Matthew Maglitto

TEDC President Lisa Covington called meeting of the Tomball Economic Development Corporation to order at 1:00 p.m.

**PRESENT:**

President Lisa Covington  
Vice President Danny Hudson  
Treasurer Latrell Shannon  
Member Wayne Hall  
Member Becky Clepper  
Member Angie Johnson  
Member Cody Miller



TEDC STAFF PRESENT:

Executive Director - Kelly Violette

Assistant Director -Tiffani Wooten

Administrative Assistant - McKayley Dannelley

- B. 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 - GC, 551.042.]*

- Esther Mera, Tomball, Texas gave comments regarding the TEDC
- John Reed, Tomball, Texas spoke in support of a Community Center
- Kristen Heck, Tomball, Texas spoke in opposition of Legacy Square
- Kendall Wolfe, Tomball, Texas spoke in opposition of Legacy Square
- Lisa Daniels, Tomball, Texas spoke in opposition of Legacy Square
- Victora Hernandez, Tomball, Texas spoke about Legacy Square -Arts
- Eric Sundin, Houston, Texas, spoke in favor of having an Art Museum
- Chris, Tomball, Texas spoke regarding the traffic on Epps Street

C. New Business

1. Consideration and possible action by Tomball EDC to approve the Tomball Economic Development Corporation Fiscal Year 2026-2027 Budget.

- Public Hearing on the Fiscal Year 2026-2027

TEDC President Lisa Covington opened the public hearing at 1:23 p.m.

TEDC President Lisa Covington closed the public hearing at 1:24 p.m.

Motion was made by Member Wayne Hall, seconded by Member Danny Hudson to approve the Tomball Economic Development Corporation Fiscal Year 2026-2027 Budget with the proposed changes.

TEDC Executive Director advised that there are three changes to the budget based on the conversation with the Council at the last meeting. To changes include:

- A reduction in the Legacy square line item from \$2 million to \$750,000;
- A reduction in the South Live Oak line item from \$600,00 to \$350,000; and
- The removal of any funds for property acquisitions

Yoting Yea by Hand: President Lisa Covington, Member Danny Hudson, Member Cody Miller, Member Latrell Shannon, Member Angie Johnson, Member Wayne Hall and Member Becky Clepper

Motion carried unanimously

2. Consideration and possible action by Tomball City Council to approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2026-2027 Budget.

Motion made by Council 3 Dunagin, Seconded by Council 5 Parr to approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2026-2027 Budget.

Voting Yea: Council 1 Michna, Council 2 Garcia, Council 3 Dunagin, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

3. Discussion and direction regarding the Tomball Legacy Square Project.

After a lengthy discussion for direction. A consensus of the Council is to move forward with the demolition of all buildings other than Buildings A, C, and F (the Main Sanctuary).

#### D. Adjournment

Mayor Pro Tem Garcia adjourned the meeting at 2:23 p.m.

Motion was made by Member Becky Clepper, Seconded by Member Latrell Shannon to adjourn the meeting at 2:23 p.m.

Yoting Yea: President Lisa Covington, Member Danny Hudson, Member Cody Miller, Member Latrell Shannon, Member Angie Johnson, Member Wayne Hall and Member Becky Clepper

Motion carried unanimously.

PASSED AND APPROVED on this 8<sup>th</sup> day of September 2026.

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Thomas Harris III, TRMC  
City Secretary

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Lori Klein Quinn  
Mayor



# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** September 8, 2026

#### **Topic:**

Approve a change order with Pate Garver, LP for Project Number 2019-10018, FM 2920 Lift Station Consolidation Project, for a total addendum amount of \$202,250 (contract total not-to-exceed \$5,609,040.41), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. This expenditure is included in the adopted Fiscal Year 2026-2031 Capital Improvement Projects Plan and is included in the Fiscal Year 2025-2026 Capital Improvement Budget.

#### **Background:**

The FM 2920 Lift Station project is part of the City's efforts to increase capacity within the wastewater collection system on the southwest side of the City. The existing FM 2920 lift station does not have sufficient capacity to accommodate anticipated future development. As part of the project evaluation, alternatives to expand the existing lift station and force main were compared with the option of decommissioning the lift station and conveying wastewater by gravity. Following evaluation of the alternatives, it was determined that the preferred option was to consolidate the lift station and construct a gravity wastewater line from FM 2920 to SH 249 along the identified route, which requires easement acquisition.

Staff entered into a professional services agreement with Freese & Nichols in November 2022 to complete the design of the project. The project was divided into two phases:

- Phase I: 7,080 linear feet of 30-inch sanitary sewer line beginning at the existing sanitary sewer near SH 249
- Phase II: 8,040 linear feet of 24-inch sanitary sewer line connecting to the 30-inch sanitary line and extending to FM 2920 and decommissioning of the existing lift station

In accordance with the City's Procurement Policy, sealed bids were solicited for construction of Phase I, with bid documents available through CivCast and at the Freese & Nichols, Inc. office. A total of seven (7) bids were received. On February 3, 2026, City Council awarded a construction contract to Pate Garver, LP in an amount not to exceed \$5,384,286.50. A previous change order in the amount of \$22,503.91 was approved in March 2026.

During construction, the contractor encountered previously unidentified gas lines belonging to Tortuga within the proposed wastewater line alignment. To reduce construction risk and avoid conflicts with the existing gas facilities, the contractor has requested a change in construction methodology for approximately 150 linear feet of the gravity wastewater line. Rather than utilizing open-cut excavation, this portion of the line would be installed by bore.

Below is a summary of the current funding allocated for the project.

| FM 2920 Lift Station Consolidation Project – Phase I |                                            |                                             |
|------------------------------------------------------|--------------------------------------------|---------------------------------------------|
| Project Element                                      | Total Contract (with addendum)             | Remaining Contract Amount                   |
| Land Acquisition                                     | \$575,927.54                               | \$52,834.54                                 |
| Engineering – FNI                                    | \$2,412,788.57                             | \$917,317.47                                |
| Construction – Phase I                               | \$5,609,040.41                             | \$588,552.38                                |
| Construction – Phase II*                             | \$9,251,995.26                             | N/A                                         |
| <b>Project Budget<br/>\$17,849,751.78</b>            | <b>Total Contracts<br/>\$17,849,751.78</b> | <b>Remaining Funding<br/>\$1,558,704.39</b> |

\*Phase II – Construction is an estimate only – bid is pending

The proposed change order for the additional boring work is **\$202,250**, increasing the total construction contract from **\$5,406,790.41 to \$5,609,040.41**. Funding is available within the existing project budget, and no additional appropriation is required.

**Origination:** Project Management

**Recommendation:**

Staff recommends approving a change order with Pate Garver, LP for the construction of phase one of the FM 2920 Lift Station Consolidation Project, for a total amount of \$202,250, for a total contract amount not-to-exceed \$5,609,040.41.

**Party(ies) responsible for placing this item on agenda:** Meagan Mageo, Project Manager

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: #400-614-6409

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

Signed Meagan Mageo Approved by \_\_\_\_\_  
 Staff Member Date City Manager Date

August 20, 2026

Meagan Mageo  
Project Manager  
City of Tomball  
501 James St.  
Tomball, TX 77375  
(281) 290-1411

**Re: FM2920 LS Consolidation PH. I Project (2019-10008)**  
**Request for Execution - Change Order No. 2**

Mrs. Mageo:

Enclosed for your review and execution is Change Order No. 2 in the amount of **\$202,250.00** for the referenced project. The change order covers additional work required to bore beneath the Tortuga Gas Lines, which conflict with the installation of the 30-inch sanitary sewer lines.

Please sign and return the executed change order to me. Upon receipt, I will forward the executed copy to Pate Garver, L.P. and upload a copy to the project files.

Please contact me if you have any questions regarding the change order or the requested work.

Sincerely,



Bret Calvert, CCM  
Construction Manager  
Freese and Nichols, Inc.

cc: Drew Huffman; Erik Lopez, P.E.; Carlos Quintero, P.E.

|                             |                                           |                       |               |
|-----------------------------|-------------------------------------------|-----------------------|---------------|
| <b>Project</b>              | FM2920 Lift Station Consolidation Phase 1 | <b>Project Number</b> | 2019-10008    |
| <b>Owner</b>                | City of Tomball                           |                       |               |
| <b>Contractor</b>           | Pate Garver, LP                           |                       |               |
| <b>Construction Manager</b> | Freese and Nichols                        |                       | TMB22900 PH 1 |
| <b>Design Professional</b>  | Freese and Nichols                        |                       | TMB22900 PH 1 |

|                             |                        |  |
|-----------------------------|------------------------|--|
| Change Order No. <u>002</u> | Date <u>08/20/2026</u> |  |
|-----------------------------|------------------------|--|

**Make the following modifications to the Contract Documents:**

| Item                                                  | Description                                | Change Amount |
|-------------------------------------------------------|--------------------------------------------|---------------|
| 1                                                     | WCD-001 Auger Bore Under Tortuga Gas Lines | \$ 202,050.00 |
| <b>Net Change in Contract Price this Change Order</b> |                                            | \$ 202,050.00 |
| <b>Net Change in Contract Times this Change Order</b> |                                            | <u>0</u> days |

*The compensation in this Change Order is the full, complete, and final compensation for all costs Contractor may incur because of or relating to this change whether said costs are known, unknown, foreseen, or unforeseen at this time, including without limitation, any cost for delay, extended overhead, ripple or impact cost, or any other effect on changed or unchanged Work because of this Change Order. The changes in Contract Times are the complete and final adjustments for impacts to the ability of Contractor to complete the Work within the Contract Times and are the only adjustments to which Contractor is entitled. All terms and provisions of the Contract Documents remain in effect except as specifically modified by this Change Order.*

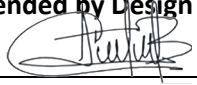
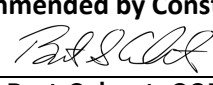
  

|                                                                |                 |
|----------------------------------------------------------------|-----------------|
| a. Original Contract Price                                     | \$ 5,384,286.50 |
| b. Previously Approved Change Order/Contract Amendment Amounts | \$ 22,503.91    |
| c. Adjusted Contract Price ( a + b )                           | \$ 5,406,790.41 |
| d. Contract Amendment Amount                                   | \$ 202,050.00   |
| e. Revised Contract Price ( c + d )                            | \$ 5,608,840.41 |
| f. Percent Change in Contract Price to Date                    | <u>4.17</u> %   |

|                                    | Original          | Previous          | Current           |
|------------------------------------|-------------------|-------------------|-------------------|
| <b>Substantial Completion Date</b> | <u>07/29/2026</u> | <u>07/29/2026</u> | <u>07/29/2026</u> |
| <b>Final Completion Date</b>       | <u>08/28/2026</u> | <u>08/28/2026</u> | <u>08/28/2026</u> |

|                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Recommended by Design Professional</b><br><br><u>08 / 20 / 2026</u><br>Name _____ Date _____<br><br><b>Approved by Contractor</b><br><br><u>8/20/2026</u><br>Name _____ Date _____ | <b>Recommended by Construction Manager</b><br><br><u>8/20/26</u><br>Name <b>Bret Calvert, CCM</b> Date _____<br><br><b>Approved by Owner</b><br>_____<br>Name _____ Date _____ |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Work Change Directive

|                             |                                                    |                       |
|-----------------------------|----------------------------------------------------|-----------------------|
| <b>Project</b>              | FM2920 Lift Station Consolidation Phase 1 – 30” SS | <b>Project Number</b> |
| <b>Owner</b>                | City of Tomball                                    | 2019-10008            |
| <b>Contractor</b>           | Pate Garver                                        |                       |
| <b>Construction Manager</b> | Freese & Nichols, Inc                              | TMB22900              |
| <b>Design Professional</b>  | Freese & Nichols, Inc                              | TMB22900              |

|                                  |    |                                      |
|----------------------------------|----|--------------------------------------|
| <b>Work Change Directive No.</b> | 01 | <b>Description</b>                   |
| <b>Specification</b>             |    | Auger Bore under Tortuga Gasline     |
| <b>Drawing No.</b>               |    | <b>Detail Description</b>            |
|                                  |    | Auger Bore, Sta. 13+50 to Sta. 15+00 |

**Make the following additions, modifications, or deletions to the Work described in the Contract Documents:**

- Install approximately 150 LF of 42-inch steel casing by auger bore from Sta. 13+50 to Sta. 15+00, with 30-inch FRP carrier pipe installed inside the casing.
- Receipt of this Work Change Directive will also resolve the claim related to the SiEnergy delay, identified as CP-003 in FNI Manager.

**Auger Bore**

| Pay Item         | Description                          | Qty | Unit | Unit Price   | Total               |
|------------------|--------------------------------------|-----|------|--------------|---------------------|
| CO-OPT 1         | Auger Bore, Sta. 13+50 to Sta. 15+00 | 150 | LF   | \$1,542.00   | \$231,300.00        |
| (Deduct)<br>A-09 | Deduct Existing Pay Item A-09        | 150 | LF   | (\$195.00)   | (\$29,250.00)       |
|                  |                                      |     |      | <b>Total</b> | <b>\$202,050.00</b> |

- Submit time impact after the bore and 30” FRP installation is completed.

*Owner directs Contractor to proceed with Work described in this Work Change Directive. Compensation for this Work will be determined using the methods described below. Costs for the Work Change Directive may not exceed the total authorized compensation shown for this Work Change Directive shown below without authorization of the Owner by other Work Change Directives or by Change Order. Contractor is to submit a Change Proposal when impacts on Contract Price and Contract Times can be determined. A Change Order will be issued to incorporate changes in Contract Price or Contract Times.*

**Basis of Compensation**

☒ Unit Prices    ☐ Lump Sum calculated using Cost of Work provisions in the Contract  
☐ Time and Materials using Cost of Work provisions in the Contract

**Compensation for this Work Change Directive may not exceed** \$ **\$202,050.00**

**Required Documentation**

☐ Detailed cost breakdown attached showing labor, materials, equipment, and all other costs for this change  
☐ Schedule attached to show impacts and justification for requested change in Contract Times

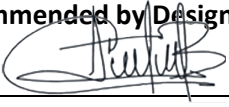
  

**Reason for Work Change Directive**

Reduce construction risk by avoiding open-cut excavation in the vicinity of the Tortuga gas lines.



Recommended by Design Professional



08 / 18 / 2026

Name

Date

Approved by Owner



8/20/2026

Name

Date

Recommended by Construction Manager



8-18-2026

Name

Bret Calvert, CCM

Date

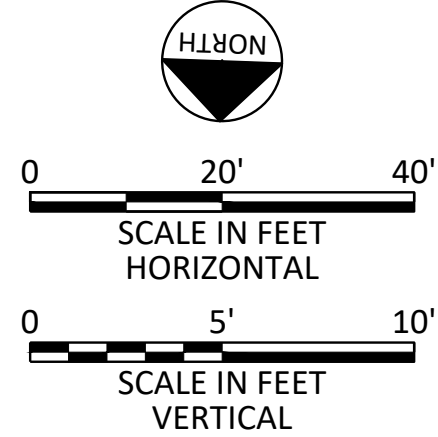
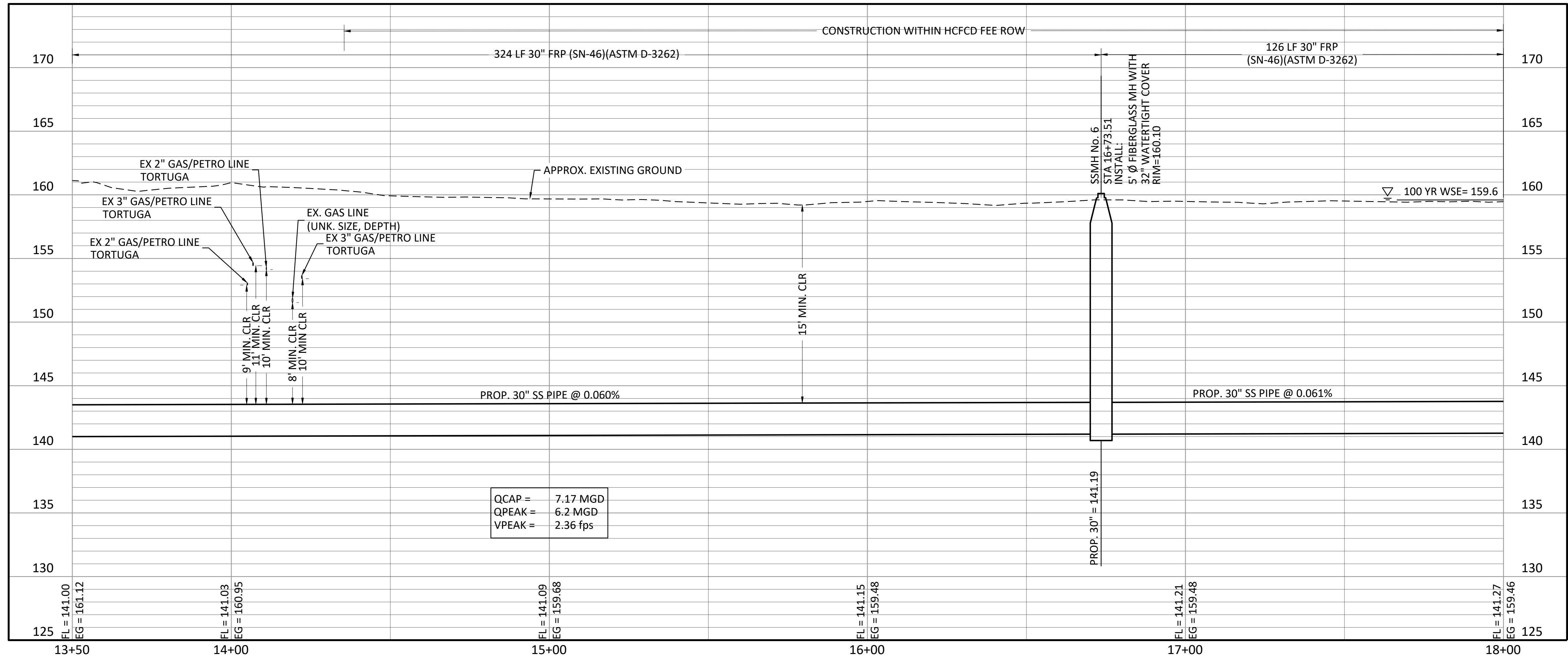
Received by Contractor

Name

Date

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL TREES SHALL BE PROTECTED DURING CONSTRUCTION. RE: DT-01. IF TREES ARE REMOVED DURING CONSTRUCTION, CONTRACTOR TO REPLACE THEM ACCORDING TO HARRIS COUNTY STANDARDS.
3. FOR MANHOLES OUTSIDE OF HCFCD ROW, MANHOLE LIDS SHALL BE 6" ABOVE FINISHED GRADE UNLESS IN PAVED AREA. ALL PROPOSED MANHOLES TO BE CLOSED BOTTOM PER FRP MANHOLES. RE:DT-02
4. ALL MANHOLE COVERS TO BE WATERTIGHT. RE: 1/DT-05
5. CONTRACTOR TO COORDINATE LANE CLOSURE ON HOLDERRIETH ROAD WITH HARRIS COUNTY. TRAFFIC CONTROL DEVICES SHALL BE REMOVED DAILY AFTER WORK OPERATIONS HAVE BEEN COMPLETED FOR THE DAY. RE: DT-09
6. THE MAXIMUM DEFLECTION OF ANY JOINT MAY NOT EXCEED 75 PERCENT OF THE MANUFACTURER'S MAXIMUM RECOMMENDED JOINT DEFLECTION.
7. FOR MANHOLES WITHIN HARRIS COUNTY FLOOD CONTROL ROW, MANHOLE LIDS MUST MATCH EXISTING GRADE AND HAVE A CONCRETE MOWSTRIP 3' AROUND, SEE DETAIL 6/DT-05. REFER TO SHEET DT-16 FOR CONCRETE REQUIREMENTS FOR CONCRETE MOWSTRIP.





Holderrieth Rd  
Tomball TX 77375  
United States  
Mar 30, 2026 at 1:13:13 PM



Holderrieth Rd  
Tomball TX 77375  
United States  
Mar 30, 2026 at 1:16:09 PM



Holderrieth Rd  
Tomball TX 77375  
United States  
Mar 30, 2026 at 1:14:49 PM



Holderrieth Rd  
Tomball TX 77375  
United States  
Mar 30, 2026 at 1:17:04 PM





Holderrieth Rd  
Tomball TX 77375  
United States  
Mar 30, 2026 at 1:14:59 PM



Holderrieth Rd  
Tomball TX 77375  
United States  
Mar 30, 2026 at 1:15:33 PM





# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** September 8, 2026

**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):

Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session

Sec. 551.074 – Personnel Matters; Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee- Police Chief

**Background:**

**Origination:** Kristie Lewis, HR Director

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Kristie Lewis, HR Director

**FUNDING (IF APPLICABLE)**

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: #100-115-6304

If no, funds will be transferred from account # \_\_\_\_\_ To account # \_\_\_\_\_

|        |              |             |              |
|--------|--------------|-------------|--------------|
| Signed | _____        | Approved by | _____        |
|        | Staff Member |             | City Manager |
|        | Date         |             | Date         |