

**NOTICE OF SPECIAL CITY COUNCIL MEETING - WORKSHOP  
CITY OF TOMBALL, TEXAS**



**Monday, April 07, 2025  
5:00 PM**

Notice is hereby given of a Special meeting of the Tomball City Council, to be held on Monday, April 07, 2025 at 5:00 PM, 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: 884 1583 1327 Passcode: 016107. 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.]*
- C. Proposed Future Agenda Items
  - 1. Workshop Discussion Only – Zoning Case Z25-03: Request by Louetta Leasing LP, represented by Kimley-Horn & Associates, Inc., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.05 acres of land legally described as being a portion of Lot 1-B, Block 1 of Tomball 2920 Replat No. 1 from Agricultural (AG) to the Commercial (C) zoning district. The property is located within the 14600 Block (north side) of FM 2920, within the City of Tomball, Harris County, Texas.

2. Workshop Discussion Only – Zoning Case Z25-06: Request by James Grappe, represented by Adkisson GC Partners LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 7.6266 acres of land legally described as a being a tract of land situated in the Jesse Pruitt Survey, Abstract No. 629 and portions of Lots 366 and 367 of Tomball Outlots from Single-Family-20 Estate Residential (SF-20-E) to the Light Industrial (LI) zoning district. The property is located at 1515 South Persimmon Street, within the City of Tomball, Harris County, Texas.
  3. Workshop Discussion Only – Approve the purchase of two 650kW natural gas generators from Evolve Power Generation for the South Wastewater Treatment Plant Expansion through a Choice Partners cooperative purchasing contract (Contract No. 17/020CG-04), for a total contract amount not-to-exceed \$893,452.62, 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 Fiscal Year 2024-2025 Capital Improvement Budget.
  4. Workshop Discussion Only - Adopt, on First and Only Reading, Ordinance No. 2025-15, an Ordinance Approving and Authorizing the Issuance and Sale of the City of Tomball Special Assessment Revenue Bonds, (Winfrey Estates Public Improvement District); Approving and Authorizing an Indenture of Trust and First other Agreements and Documents in Connection Therewith; Making Findings with to the Issuance of Such Bonds; and Providing an Effective Date.
  5. Workshop Discussion Only – Approve a Facility Use Agreement extension with Youth Soccer Club of Montgomery County, Inc. for the maintenance and operation of the soccer fields and related improvements located at Broussard Community Park.
  6. Workshop Discussion Only - Approve Resolution No. 2025-16, A Resolution by the City Council of the City of Tomball, Texas, Authorizing Publication of Notice of Intention to Issue Certificates of Obligation; Approving the Preparation of a Preliminary Official Statement; And Approving Other Matters Incidental Thereto
- D. Future Workshop Items
1. Discuss Council Ethics and Rules & Procedures.
- E. Adjournment

## CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 3rd of April 2025 by 6:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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Shannon Bennett, 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 Agenda Item Data Sheet

Meeting Date: April 7, 2025

**Topic:**

Zoning Case Z25-03: Request by Louetta Leasing LP, represented by Kimley-Horn & Associates, Inc., to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.05 acres of land legally described as being a portion of Lot 1-B, Block 1 of Tomball 2920 Replat No. 1 from Agricultural (AG) to the Commercial (C) zoning district. The property is located within the 14600 Block (north side) of FM 2920, within the City of Tomball, Harris County, Texas.

**Background:**

**Origination:**

Louetta Leasing LP, represented by Kimley-Horn & Associates, Inc.

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Craig T. Meyers, P.E.

**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



**APPLICATION FOR RE-ZONING**  
Community Development Department  
Planning Division

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

There is a \$1,000.00 application fee that must be paid at time of submission or the application will not be processed.

***DIGITAL PLAN SUBMITTALS:***

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY IN A SINGLE PDF BY FOLLOWING THE WEBSITE BELOW:

**WEBSITE:** [tomballtx.gov/secure/send](http://tomballtx.gov/secure/send)  
**USERNAME:** tombalccdd  
**PASSWORD:** Tomball1

**Applicant**

Name: Kimley-Horn & Associates Title: Owner's Representative  
Mailing Address: 11720 Amber Park Drive, Suite 600 City: Alpharetta State: GA  
Zip: 30009 Contact: Jordan Corbitt, P.E.  
Phone: (770) 545-6103 Email: jordan.corbitt@kimley-horn.com

**Owner**

Name: Louetta Leasing, L.P. Title: \_\_\_\_\_  
Mailing Address: 11011 Northpointe Blvd., Suite D City: Tomball State: TX  
Zip: 77375 Contact: Shane Wilson  
Phone: (832) 641-7604 Email: lmc3802@aol.com

**Engineer/Surveyor (if applicable)**

Name: Bowman Consulting Group Title: Registered Land Surveyor  
Mailing Address: 1445 N. Loop W. Suite 450 City: Houston State: TX  
Zip: 77008 Contact: Mark Piriano, R.P.L.S.  
Phone: (713) 993-0333 Fax: (\_\_\_\_) \_\_\_\_\_ Email: mpiriano@bowman.com

**Description of Proposed Project:** N/A

Physical Location of Property: North of FM 2920, approximately 90' east of Calvert Road

[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: ALTA/NSPS and Topographic Survey of Two Tracts  
Tomball 2920 Replat No. 1; Joseph House Survey, A-34

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

Current Zoning District: AG (Agricultural) and C (Commercial)

Current Use of Property: Undisturbed Land

Proposed Zoning District: C (Commercial)

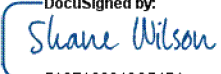
Proposed Use of Property: N/A

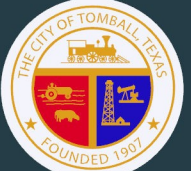
HCAD Identification Number: 1332640010002 Acreage: 14.306 AC

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

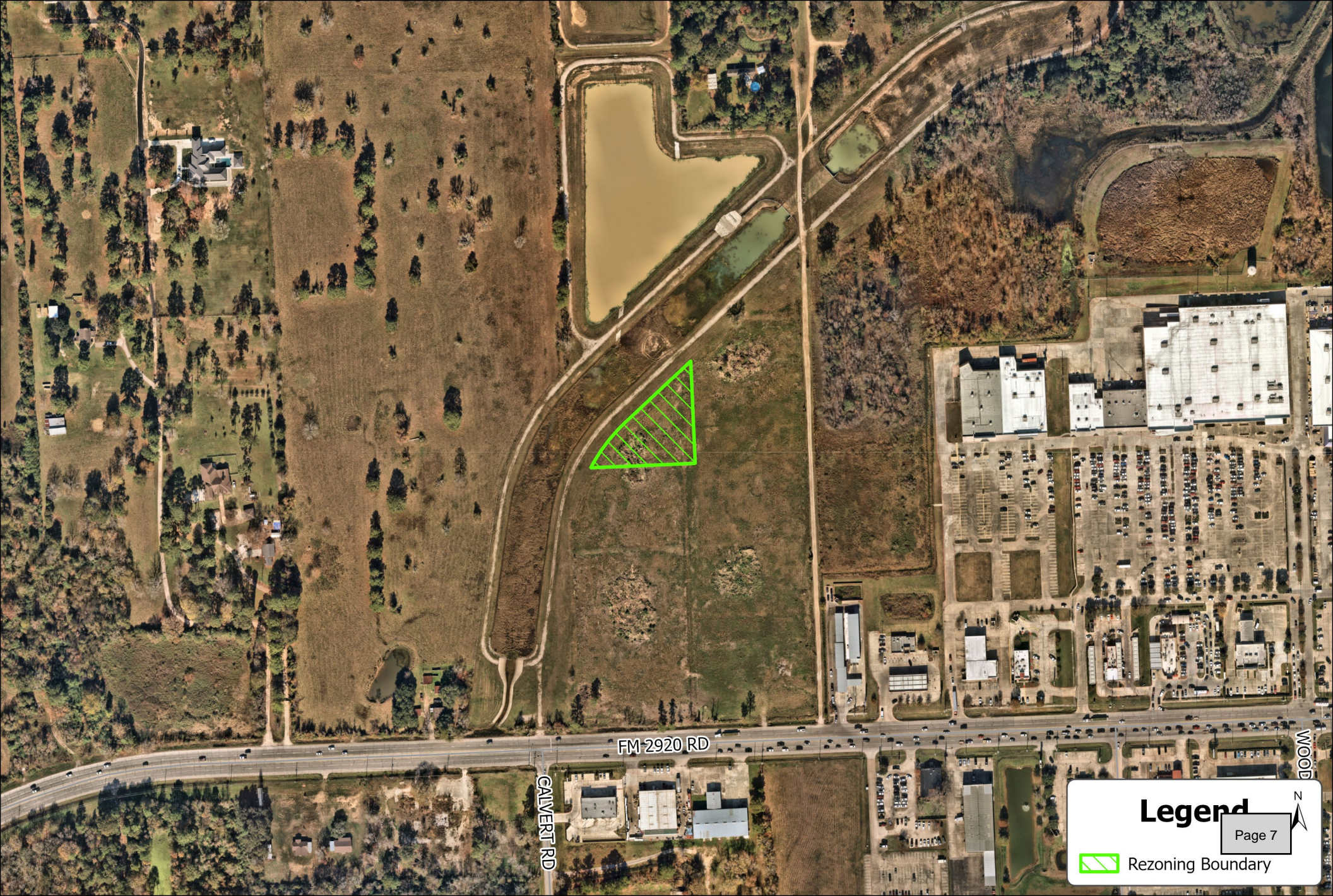
**This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.**

<b>X</b>	<b>Jordan Corbitt</b>	Digitally signed by Jordan Corbitt DN: C=US, E=jordan.corbitt@kimley-horn.com, O=Kimley-Horn, CN=Jordan Corbitt Date: 2024.07.10 17:13:15-04'00'	<b>07/10/2024</b>
	<b>Signature of Applicant</b>		<b>Date</b>

<b>X</b>		DocuSigned by: FA5E108243C74BA...	<b>7/12/2024</b>
	<b>Signature of Owner</b>		<b>Date</b>



# Location



**Legend**

Page 7

Rezoning Boundary

# City Council Agenda Item Data Sheet

Meeting Date: April 7, 2025

**Topic:**

Zoning Case Z25-06: Request by James Grappe, represented by Adkisson GC Partners LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 7.6266 acres of land legally described as a being a tract of land situated in the Jesse Pruitt Survey, Abstract No. 629 and portions of Lots 366 and 367 of Tomball Outlots from Single-Family-20 Estate Residential (SF-20-E) to the Light Industrial (LI) zoning district. The property is located at 1515 South Persimmon Street, within the City of Tomball, Harris County, Texas.

**Background:**

**Origination:**

James Grappe, represented by Adkisson GC Partners LLC

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:** Craig T. Meyers, P.E.

**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: # \_\_\_\_\_

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





**APPLICATION FOR RE-ZONING**  
Community Development Department  
Planning Division

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

There is a \$1,000.00 application fee that must be paid at time of submission or the application will not be processed.

**DIGITAL PLAN SUBMITTALS:**

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY IN A SINGLE PDF BY FOLLOWING THE WEBSITE BELOW:

**WEBSITE:** [tomballtx.gov/securesend](http://tomballtx.gov/securesend)  
**USERNAME:** [tomballedd](#)  
**PASSWORD:** [Tomball](#)

**Applicant**

Name: ADKISSON GC PARTNERS, LLC Title: GENERAL CONTRACTOR  
Mailing Address: 4809 WESTWAY PARK BLVD. City: HOUSTON State: TX  
Zip: 77041 Contact: ANTHONY SARAO  
Phone: ( 713 ) 204-2026 Email: ANTHONY@ADKISSONDEVELOPMENT.COM

**Owner**

Name: JAMES GRAPPE Title: OWNER  
Mailing Address: 1515 S. PERSIMMON ST. City: TOMBALL State: TX  
Zip: 77375 Contact: JAMES GRAPPE  
Phone: ( 713 ) 816-8548 Email: CWGRAPPE@ATT.NET

**Engineer/Surveyor (if applicable)**

Name: THE PINNELL GROUP Title: SURVEYOR  
Mailing Address: 25207 OAKHURST DRIVE City: SPRING State: TX  
Zip: 77386 Contact: DAN PINNELL  
Phone: ( 281 ) 363-8700 Fax: ( \_\_\_\_\_ ) \_\_\_\_\_ Email: DAN@THEPINNELLGROUP.COM

Description of Proposed Project: INDUSTRIAL TILT WALL OFFICE/WAREHOUSE

Physical Location of Property: 1515 S. PERSIMMON ST. TOMBALL, TX 77375  
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: PT LT 366 & TR 367B (AG-USE) TOMBALL OUTLOTS  
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: RESIDENTIAL

Current Use of Property: RESIDENTIAL

Proposed Zoning District: LIGHT INDUSTRIAL

Proposed Use of Property: HIGH-PERFORMANCE SEAL MANUFACTURER

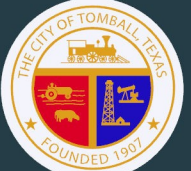
HCAD Identification Number: 0352920000529 Acreage: 7.62

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

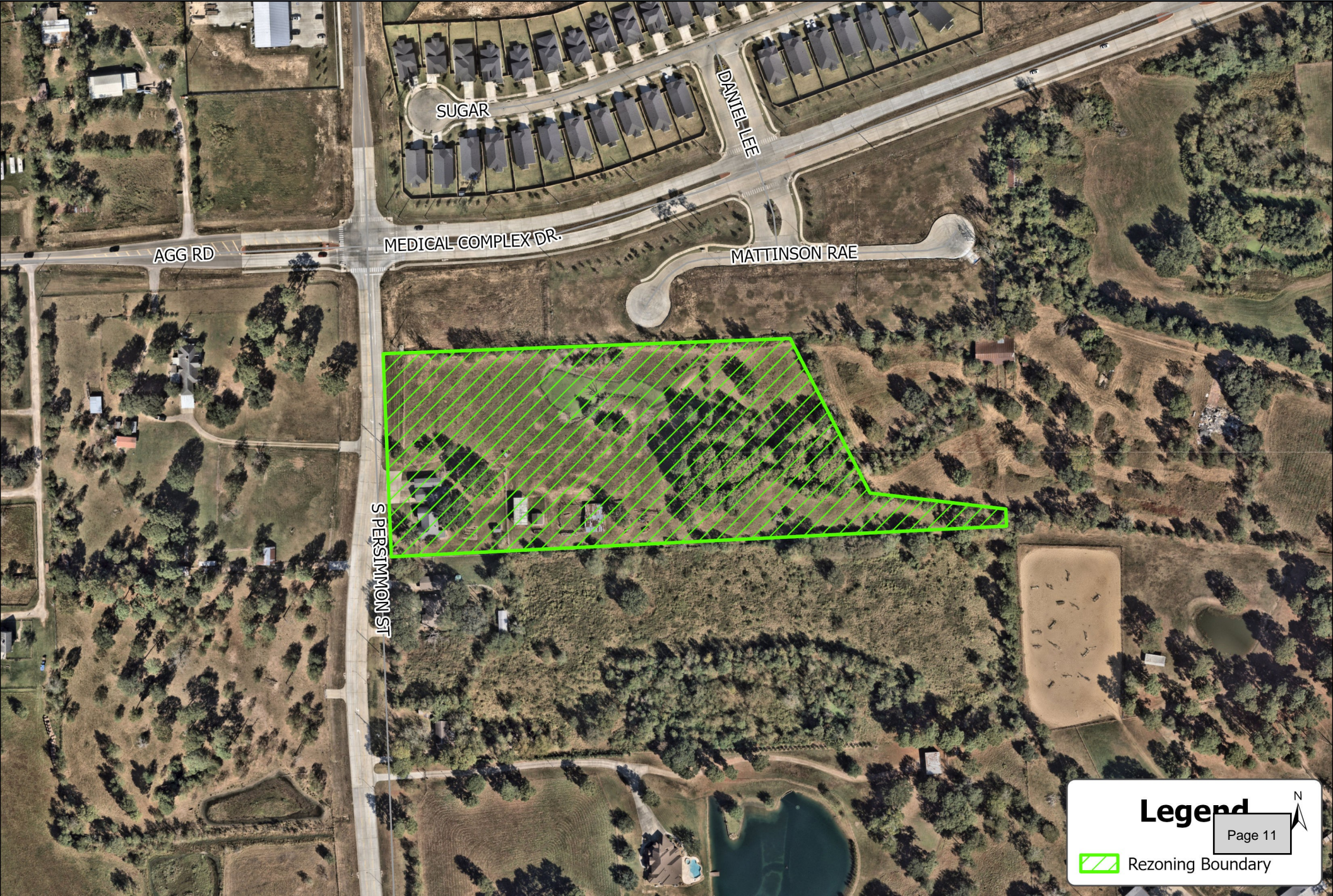
**This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.**

X  02/12/2025  
Signature of Applicant Date

X  2/28/25  
Signature of Owner Date



# Location



AGG RD

SUGAR

DANIELLE

MEDICAL COMPLEX DR.

MATTINSON RAE

S PERSIMMON ST

## Legend

 Rezoning Boundary



# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: April 7, 2025

**Topic:**

Workshop Discussion Only – Approve the purchase of two 650kW natural gas generators from Evolve Power Generation for the South Wastewater Treatment Plant Expansion through a Choice Partners cooperative purchasing contract (Contract No. 17/020CG-04), for a total contract amount not-to-exceed \$893,452.62, 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 Fiscal Year 2024-2025 Capital Improvement Budget.

**Background:**

Reliable power is a critical component of wastewater treatment operations. Interruptions in power can compromise the plant’s ability to manage the treatment process effectively and potentially lead to environmental and operational challenges. As part of the South Wastewater Treatment Plant Expansion project, it was determined that additional generator power would be required to ensure uninterrupted operations during significant weather events. Our design consultant, Freese & Nichols, worked with Evolve Power Generation to determine the total kilowatts needed to combine with existing generators to ensure continued operations.

Based on the expansion design it was determined that an additional 1,200kW were needed to provide increased reliability and provide sufficient capacity for proper operations. A few scenarios were reviewed and ultimately the recommendation was to purchase two (2) 650kW generators to provide the required additional capacity and at the best price.

This item authorizes the purchase of two (2) 650 kW natural gas generators from Evolve Power Generation for an amount not-to-exceed \$893,452.62. Funds for this purchase were allocated in the Fiscal Year 2024-2025 budget, as part of the Capital Improvement Program.

<b>South Wastewater Treatment Plant Budget Breakdown</b>		
<b>Project Element</b>	<b>Total Contract</b>	<b>Remaining Contract</b>
Preliminary Engineering – FNI	\$506,085.00	\$0.00
Design Engineering – FNI	\$4,933,000.00	\$1,438,627.95
CMAR (Design Phase) – Webber	\$595,699.00	\$135,750.00
GMP 1 (Early Works) – Webber	\$9,304,330.21	\$9,304,330.21
Construction Management & Plant Commissioning - FNI	\$4,764,500.00	\$4,764,500.00
Generator – Evolve – PENDING APPROVAL	\$893,452.62	\$893,452.62
<b>Project Budget \$70,434,404*</b>	<b>Total Contracts \$20,997,066.83</b>	<b>Remaining Funding \$16,536,660.78</b>

\*Future Bond Issuance Required

This item authorizes a contract with Evolve Power Generation for a total contract amount not-to-exceed \$893,452.62 through a Choice Partners cooperative purchasing contract (Contract No. 17/020CG-04).

**Origination:** Project Management

**Recommendation:**

Staff recommends approving a contract with Evolve Power Generation for a total contract amount not-to-exceed \$893,452.62 through a Choice Partners cooperative purchasing contract (Contract No. 17/020CG-04).

**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



# EVOLVE POWER GENERATION

10555 COSSEY ROAD HOUSTON TX 77070  
GENERAL INFORMATION (832)375-0099 BO WILLIAMS CELL (281) 615 - 8204  
EMERGENCY SERVICE (800) 723 - 4859 FAX (832) 375 - 0097

**Co-Op: Choice Partners**  
**Contract Number: 17/020CG-04**  
**Contract Number: 21/031KN-22**

**Company: City of Tomball**

**Date: March 14, 2025**

**Attention: Meagan Mageo**

**Re: Evolve Proposal (S. WWTP)**

**Subj: (2) 650 Kw**

Thank you for allowing Evolve Power Generation the opportunity to offer the following generator proposal for your consideration.

## ***Item 1***

Quantity of two (2) Gillette SP-6500 650Kw Emergency Generator set, (See attached Spec Sheets) equipped as follows:

### **Engine Features**

- PSI
- 650kW, 1250 kVA, 1800 RPM.
- Skid base.
- Unit mounted radiator.
- Electric safety shut downs.
- Critical grade silencer (shipped loose).
- Flexible exhaust connection (shipped loose).
- Rain cap (shipped loose).
- Batteries.
- Battery rack and cables.
- Battery charger.
- Electronic governor.
- Block heater.
- Dry type air cleaner assembly.
- Oil drain extensions.

### **Generator Features**

- 277/480 Volt, 60 Hertz, 3 Phase Generator.
- Class H insulation.
- Generator strip heater.
- Main circuit breaker, 1250 amp, UL-Listed, electronic.

**Control Features**

- Auto start digital engine control panel, NFPA-110 Level 1.
- Basler 2020 DC Engine Controller
- Engines run contacts.
- Digital AC volt/amp/frequency meter.
- Over-current, over-frequency, over-voltage relays.
- Controller connection kit
- Bassler paralleling controls

**Unit Features**

- Integral vibration isolation.
- Custom Enclosure Complete.

**Miscellaneous**

- Anti-freeze, lube oil, and electrolyte.
- Owner's manuals.
- Two (2) year warranty.
- Rated power factor test, 0.8 PF.
- Standard factory test.
- Start-up inspection (only one trip included to perform start up).

**Panel DP Board**

- It consists of two 800-amp breakers. Two 1000-amp breakers.
- One 4000amp main board breaker.
- The enclosure is rated NEMA 4X Stainless Steel

**Project Equipment Price .....\$893,452.62**

**Delivery**

- Submittals - 20 weeks.
- Delivery for generator is In Stock Houston Texas Weeks ARO upon approval of submittals.
- F.O.B. Job-site – Tomball, Texas.

**Notes**

- Off-loading and installation to be performed by others.
- All Crane Rigging, Permits and Police Personnel provided by others
- Detailed specifications not provided at time of proposal.

- No taxes are included in pricing.
- See specification sheets.

**Clarifications**

- Based on customer supplied information only as specifications not present while quoting.

**Validity**

- Pricing firm for forty-five (45) days.

Thank you and should you have any questions, please contact me by phone at (832)375-0099 or by fax at (832)375-0097.

Sincerely,  
***Evolve Power Generation***

Accepted Date \_\_\_\_\_

Bo Williamson  
Power Generation Division

Customer \_\_\_\_\_



# City Council Meeting Agenda Item Data Sheet

Meeting Date: April 7, 2025

**Topic:**

Workshop Discussion Only, Adopt, **on First and Only Reading**, Ordinance No. 2025-15, an Ordinance Approving and Authorizing the Issuance and Sale of the City of Tomball Special Assessment Revenue Bonds, (Winfrey Estates Public Improvement District); Approving and Authorizing an Indenture of Trust and First other Agreements and Documents in Connection Therewith; Making Findings with to the Issuance of Such Bonds; and Providing an Effective Date.

**Background:**

Pursuant to Chapter 372 of the Local Government Code, Ordinance No. 2025-15 will be adopted on **First and Only Reading**, for the issuance and sale of Special Assessment Revenue Bonds for Winfrey Estates, Public Improvement District 12. The Ordinance will also approve and authorize an Indenture of Trust and agreement connected to the sale of bonds.

**Origination:** Project Management

**Recommendation:**

Adopt Ordinance No. 2025-15 on **First and Only Reading**, approving and authorizing the issuance and sale of the City of Tomball Special Assessment Revenue Bonds for Winfrey Estates, Public Improvement District 12.

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

**ORDINANCE NO. 2025-15**

**AN ORDINANCE APPROVING AND AUTHORIZING THE ISSUANCE AND SALE OF THE CITY OF TOMBALL SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2025 (WINFREY ESTATES PUBLIC IMPROVEMENT DISTRICT); APPROVING AND AUTHORIZING AN INDENTURE OF TRUST; APPROVING A BOND PURCHASE AGREEMENT AND OTHER AGREEMENTS AND DOCUMENTS IN CONNECTION THEREWITH; MAKING FINDINGS WITH RESPECT TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City of Tomball, Texas (the “City”), pursuant to and in accordance with the terms, provisions and requirements of the Public Improvement District Assessment Act, Chapter 372, Texas Local Government Code (the “PID Act”), has previously established the Winfrey Estates Public Improvement District (the “District”), pursuant to Resolution adopted by the City Council of the City (the “City Council”) on April 18, 2022; and

**WHEREAS**, pursuant to the PID Act, the City Council published notice and held a public hearing on July 17, 2023, regarding the levy of special assessments on property within the District, and after the conduct of such public hearing adopted an Ordinance (the “Assessment Ordinance”); and

**WHEREAS**, in the Assessment Ordinance, the City Council approved and accepted the Service and Assessment Plan (as defined and described in the Assessment Ordinance, the “Service and Assessment Plan”) relating to the District and levied the assessments (the “Assessments”) against property within the District (the “Assessed Property”), as set forth in the Assessment Roll. Capitalized terms used in this preamble and not otherwise defined shall have the meaning assigned thereto in the Service and Assessment Plan; and

**WHEREAS**, the City is authorized by the PID Act to issue its revenue bonds, the City of Tomball, Texas Special Assessment Revenue Bonds, Series 2025 (Winfrey Estates Public Improvement District) payable from the Assessments on Assessed Property in the District (the “Bonds”) and other assets of the Trust Estate, for the purposes of (i) paying a portion of the Authorized Improvements Project Costs identified in the Service and Assessment Plan, (ii) funding a reserve fund for payment of principal and interest on the Bonds, (iii) funding a portion of the Delinquency and Prepayment Reserve Account, (iv) paying a portion of the costs incidental to the organization of the District, and (v) paying the costs of issuing the Bonds; and

**WHEREAS**, the City Council has found and determined to (i) approve the issuance of the Bonds to finance the Authorized Improvements Project Costs identified in the Service and

Assessment Plan on the terms described herein, (ii) approve the form, terms and provisions of an Indenture (as defined herein); and

**WHEREAS**, the meeting at which this Ordinance is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

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

**Section 1.** Findings. The findings and determinations set forth in the preamble hereof are hereby incorporated by reference for all purposes as if set forth in full herein.

**Section 2.** Defined Terms. Capitalized terms not otherwise defined herein shall have the meaning ascribed to in the Indenture (defined herein).

**Section 3.** Approval of Issuance of Bonds and Indenture of Trust. The issuance of for the purpose of providing funds for (i) paying a portion of the Authorized Improvements Project Costs identified in the Service and Assessment Plan, (ii) funding a reserve fund for payment of principal and interest on the Bonds, (iii) funding a portion of the Delinquency and Prepayment Reserve Account, (iv) paying a portion of the costs incidental to the organization of the District, and (v) paying the costs of issuing the Bonds, are hereby authorized and approved.

- (a) The Bonds shall be issued and secured under that certain Indenture of Trust dated April 15, 2025, by and between the City and Wilmington Trust, National Association, as trustee (the “Indenture”). Such Indenture is hereby approved in the substantially final form presented at this meeting, with such changes as may be necessary or desirable to carry out the intent of this Ordinance and as approved by the Mayor of the City, such approval to be evidenced by the execution and delivery of the Indenture. The Mayor of the City is hereby authorized and directed to execute the Indenture, and the City Secretary is hereby authorized and directed to attest such signature of the Mayor.
- (b) The Bonds issued pursuant to the Indenture shall be dated, shall mature on the date or dates and in the principal amounts, shall bear interest, shall be subject to redemption and shall have such other terms and provisions as set forth in the Indenture. The Bonds shall be in substantially the form set forth in the Indenture with such insertions, omissions and modifications as may be required to conform the form of bond to the actual terms of the Bonds. The Bonds shall be payable from and secured solely by the Assessments levied on the Assessed Property for the Authorized Improvement Project Costs, as set forth in the Service and Assessment Plan and other assets of the “Trust Estate” (as defined in the Indenture) pledged to such Bonds and shall never be payable from ad valorem taxes.

**Section 4.** Sale of Bonds. The Bonds shall be sold to FMSbonds, Inc. (the “Underwriter”) at the price and on the terms and provisions set forth in that certain Bond Purchase Agreement (the “Bond Purchase Agreement”), dated the date hereof, between the City and the Underwriter. The form, terms and provisions of the Bond Purchase Agreement are hereby authorized and approved and the Mayor of the City is hereby authorized and directed to execute and deliver the Bond Purchase Agreement. It is hereby officially found, determined and declared that the terms of this sale are the most advantageous reasonably obtainable.

**Section 5.** Limited Offering Memorandum. The form and substance of the Preliminary Limited Offering Memorandum for the Bonds and any addenda, supplement or amendment thereto presented to and considered by the City Council are hereby in all respects approved and adopted. The City hereby authorizes the preparation of a final Limited Offering Memorandum reflecting the terms of the Bond Purchase Agreement and other relevant information. The Limited Offering Memorandum as thus approved and delivered, with such appropriate variations as shall be approved by the City Manager and the Underwriter, may be used by the Underwriter in the offering and sale of the Bonds, and the Preliminary Limited Offering Memorandum is hereby deemed final as of its date (except for the omission of pricing and related information) within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended. The City Secretary is hereby authorized and directed to include and maintain a copy of the Preliminary Limited Offering Memorandum and Limited Offering Memorandum and any addenda, supplement or amendment thereto thus approved among the permanent records of this meeting. The use and distribution of the Preliminary Limited Offering Memorandum in the offering of the Bonds is hereby ratified, approved and continued. Notwithstanding the execution, approval and delivery of such Preliminary Limited Offering Memorandum and Limited Offering Memorandum by the Mayor, the Mayor and this City Council are not responsible for and proclaim no specific knowledge of the information contained in the Preliminary Limited Offering Memorandum and Limited Offering Memorandum pertaining to development, the construction of the Authorized Improvements, the Developer (as defined in the Indenture) or its financial ability, the homebuilders, or the landowners.

**Section 6.** Continuing Disclosure Agreement. The form, terms and provisions of that certain Continuing Disclosure Agreement (the “Continuing Disclosure Agreement” dated as of May 1, 2025 among the City, HTS Continuing Disclosure Services, a division of Hilltop Securities, Inc. and P3Works, LLC is hereby authorized and approved in substantially final form presented at this meeting and the Mayor of the City is hereby authorized and directed to execute and deliver such Continuing Disclosure Agreement with such changes as may be required to carry out the purpose of this Ordinance and approved by the Mayor, such approval to be evidenced by the execution thereof, the Mayor’s signature on the Continuing Disclosure Agreement may be attested by the City Secretary.

**Section 7.** Approval of Service and Assessment Plan. The Winfrey Estates Public Improvement District Amended and Restated Service and Assessment Plan as presented at the meeting and as updated to reflect the issuance of the Bonds is hereby approved.

**Section 8.** Additional Actions. The Mayor, the City Manager and each other officer, employee and agent of the City are hereby authorized and directed to take any and all actions on behalf of the City necessary or desirable to carry out the intent and purposes of this Ordinance and to issue the Bonds in accordance with the terms of this Ordinance, including the making of modifications to this Ordinance and the Indenture as necessary to obtain approval of the Bonds by the Attorney General of the State, the Mayor, the City Manager and each other officer, employee and agent of the City are hereby authorized and directed to execute and deliver any and all certificates, agreements, notices, instruction letters, requisitions, and other documents which may be necessary or advisable in connection with the sale, issuance and delivery of the Bonds and the carrying out of the purposes and intent of this Ordinance, including any required consents relating to land transfers. Further, in connection with the submission of the record of proceedings for the Bonds to the Attorney General of the State of Texas for examination and approval of such Bonds, the appropriate officer of the City is hereby authorized and directed to issue a check of the City payable to the Attorney General of the State of Texas as a nonrefundable examination fee in the amount required by Chapter 1202, Texas Government Code (such amount not to exceed \$9,500).

**Section 9.** Effective Date. This Ordinance shall take effect immediately upon its adoption by the City Council of the City.

[Signature Page Follows]

FIRST AND ONLY READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF  
THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 21<sup>ST</sup> DAY OF APRIL  
2025.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN OPARR	_____

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Lori Klein Quinn, Mayor

ATTEST:

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Shannon Bennett, Assistant City Secretary

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: April 7, 2025

**Topic:**

Workshop Discussion Only – Approve a Facility Use Agreement extension with Youth Soccer Club of Montgomery County, Inc. for the maintenance and operation of the soccer fields and related improvements located at Broussard Community Park.

**Background:**

The City entered into an agreement with Youth Soccer Club of Montgomery County, Inc. in May 2020 for a five (5) year term for the maintenance and operation of the soccer fields and related improvements located at Broussard Community Park.

Youth Soccer Club is an organized sports program that provides youth soccer programs for Harris and Montgomery County. Staff worked with the organization originally to develop a five (5) year agreement for the maintenance and operation of the soccer fields and related improvements located at Broussard Community Park.

The current agreement with Youth Soccer Club expires on May 5, 2025, and staff is requesting to extend the agreement for an additional one (1) year. The agreed amendment term is based on current negotiations for a Joint Participation Interlocal Agreement (ILA) between Harris County and the City. The ILA will require the County to design and construct a community center at the current Matthews Park and provide dedicated funds in the amount not-to-exceed \$8,000,000 to complete the project, in exchange the City will donate and convey to the County the property where Broussard Community Park is located. Upon completion of the ILA, the County will execute an agreement with the Youth Soccer Club for the ongoing maintenance and operation of the soccer fields.

Pursuant to the agreement, Youth Soccer Club will be responsible for providing all equipment necessary for operation and necessary maintenance of the fields to ensure they are kept in good operating condition.

**Origination:** Project Management

**Recommendation:**

Staff recommends approving an agreement extension for one (1) year with Youth Soccer Club of Montgomery County, Inc. for the maintenance and operation of the soccer fields and related improvements located at Broussard Community Park.

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



## AMENDING AGREEMENT

**THIS AMENDING AGREEMENT** dated May 5, 2025

**BETWEEN:**

Youth Soccer Club of Montgomery County, Inc.

-AND-

The City of Tomball

### **Background**

1. Youth Soccer Club of Montgomery County, Inc. (“Club”) and the City of Tomball (“City”) entered into a Facility Use Agreement (the “Agreement”) dated May 5, 2020, for the maintenance and operation of soccer fields and related improvements at Broussard Community Park.
2. The Parties desired to amend the Agreement on the terms and conditions set forth in this Amending Agreement (the “Agreement”).
3. This Agreement is the first amendment to the Agreement.
4. References in this Amending Agreement are reflected in the Amendment as attached in Exhibit A.

**IN CONSIDERATION OF** the Parties agreeing to amend their obligations in the existing Agreement, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to keep, perform, and fulfill the promises, conditions, and agreements below:

### **Amendments**

The Agreement is amended as follows:

1. The Amending Agreement will extend the term of the Agreement for one (1) year beginning May 5, 2025, and expiring May 4, 2026.

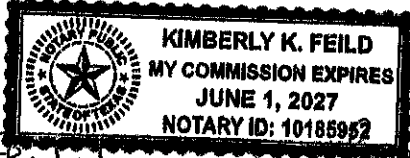
### **No Other Changes**

Except as otherwise expressly provided in this Agreement, all the terms and conditions of the Agreement remain unchanged and in full force and effect.

**Governing Law**

Subject to the terms of the Agreement, it is the intention of the Parties that this Agreement, and all suits and special proceedings under this Agreement, be constructed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Texas, without regard to the jurisdiction in which any action or special proceeding may be instituted.

**IN WITNESS WHEREOF** the Parties have duly affixed their signatures under hand and seal on the \_\_\_\_ April, 2025.



Kimberly K Feild

Randy Evans- HTX Director

Witness: Kimberly K Feild

Signed: Randy Evans

Date: 3/19/2025

Date: 3-19-2025

Attest: Shannon Bennett, City Secretary

Signed: David Esquivel, City Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: April 7, 2025

**Topic:**

Workshop Discussion Only: Approve Resolution No. 2025-16, A Resolution by the City Council of the City of Tomball, Texas, Authorizing Publication of Notice of Intention to Issue Certificates of Obligation; Approving the Preparation of a Preliminary Official Statement; And Approving Other Matters Incidental Thereto

**Background:**

As part of the ongoing Capital Improvement Program, the City identified the need to issue additional debt for key infrastructure projects in Fiscal Year 2024-2025. The planned issuance includes funding for water and sewer projects. The bond issuance will provide \$30,000,000 in proceeds to use for project expenditures.

In order to meet statutory timelines, the Notice of Intent resolution is scheduled for City Council consideration on April 21, with the issuance ordinance scheduled for June 16. Please note that the Notice of Intent is the first step in the debt issuance process. It establishes the maximum amount for the issuance but does not obligate the City to issue the debt.

**Origination:** Finance

**Recommendation:**

Approve Resolution No. 2025-16 – Notice of Intent to Issue Certificates of Obligation, Series 2025

**Party(ies) responsible for placing this item on agenda:** Jessica Rogers, Assistant City 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:** Jessica Rogers 3/31/2025 **Approved by:** \_\_\_\_\_  
Staff Member Date City Manager Date

RESOLUTION NO. 2025-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

THE STATE OF TEXAS §  
COUNTIES OF HARRIS AND MONTGOMERY §  
CITY OF TOMBALL §

WHEREAS, the City Council of the City of Tomball, Texas (the “City”) deems it advisable to issue certificates of obligation (the “Certificates”) of the City in accordance with the notice hereinafter set forth; and

WHEREAS, the City desires to approve the preparation of a preliminary official statement (the “Preliminary Official Statement”) in anticipation of its issuance of the Certificates; and

WHEREAS, it is hereby found and determined that the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS THAT:

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The Assistant City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City’s intention to issue the Certificates (the “Notice”).

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at not later than the day before the forty-fifth (45<sup>th</sup>) day before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City’s website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The City plans to continue to pay these public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. For purposes of section 1.150-2(d) of the Treasury Regulations, this Notice serves as the City's official declaration of intent to reimburse itself from proceeds of the Certificates in the maximum principal amount and for expenditures paid in connection with the projects, each as set forth in Exhibit A hereof. Any such reimbursement will only be made (i) for an original expenditure paid no earlier than 60 days prior to the date hereof and (ii) not later than 18 months after the later of (A) the date the original expenditure is paid or (B) the date of which the project to which such expenditure relates is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

Section 6. The Mayor, the City Manager, the Finance Director, Assistant City Secretary and other appropriate officials of the City, the City's financial advisor, Hilltop Securities Inc., and bond counsel, Bracewell LLP, are authorized and directed to proceed with the preparation of the Preliminary Official Statement and to make other necessary arrangements for the sale of the Certificates at a future meeting of the City Council of the City.

Section 7. The City hereby authorizes the preparation and distribution of a Preliminary Official Statement relating to the Certificates and authorizes the City Manager or Finance Director to deem "final" such Preliminary Official Statement within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934.

Section 8. The Mayor, City Manager, Finance Director, Assistant City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 9. The notice and agenda relating to this meeting and heretofore posted by the City Secretary, and the posting thereof, are hereby authorized, approved, and ratified.

Section 10. This resolution shall take effect immediately upon its passage by the City Council of the City.

*[Execution Page to Follow]*

PASSED AND APPROVED on this the 21st day of April, 2025.

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Assistant City Secretary  
City of Tomball, Texas

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Mayor  
City of Tomball, Texas

[SEAL]

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Tomball, Texas (the “City”), will meet at City Hall, 401 Market Street, Tomball, Texas 77375 at 6:00 p.m. on June 16, 2025, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City’s certificates of obligation (the “Certificates”), in the maximum aggregate principal amount not to exceed \$30,000,000 payable from ad valorem taxes and from a limited pledge of a subordinate lien on the net revenues of the City’s water and sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the Certificates, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the design, construction, and equipment of improvements to the City’s water and sewer system, including the south wastewater treatment plant and the east water plant; and (ii) the cost of professional services incurred in connection therewith. The estimated combined principal and interest required to pay the Certificates on time and in full is \$58,215,917. Such estimate is provided for illustrative purposes only and is based on an assumed interest rate of 4.34%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount of outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated as self-supporting in Resolution No. 2025-16, dated April 21, 2025, which resolution is available from the City upon request) is \$39,005,000. Based on the City’s expectations, as of the date of this notice, the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is \$54,002,081.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 21st day of April, 2025.

Shannon Bennett  
Assistant City Secretary  
City of Tomball, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

<b>Principal Amount Designated as Self Supporting</b>	<b>Series Designation</b>
\$3,715,000	General Obligation Refunding Bonds, Series 2020
\$21,090,000	Combination Tax and Revenue Certificates of Obligation, Series 2023
<b>\$24,805,000</b>	<b>Total Principal Amount Designated as Self-Supporting</b>



CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §  
COUNTIES OF HARRIS AND MONTGOMERY §

I, the undersigned officer of the City Council of the City of Tomball, Texas, hereby certify as follows:

1. The City Council of the City of Tomball, Texas, convened in a regular meeting on the 21st day of April, 2025, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Lori Klein Quinn	Mayor
John F. Ford	Mayor Pro Tem and Councilman, Position 1
Paul Garcia	Councilman, Position 2
Dane Dunagin	Councilman, Position 3
Lisa A. Covington	Councilman, Position 4
Randy Parr	Councilman, Position 5

and all of said persons were present, except the following absentee(s): \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION NO. 2025-16

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

\_\_\_\_\_ Members shown present voted "Aye."

\_\_\_\_\_ Members shown present voted "No."

\_\_\_\_\_ Member(s) of City Council shown present abstained from voting.

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said

meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 21st day of April, 2025.

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Assistant City Secretary  
City of Tomball, Texas

[SEAL]

# City Council Meeting Agenda Item Data Sheet

Meeting Date: April 7, 2025

**Topic:**

Discuss Council Ethics and Rules & Procedures

**Background:**

**Origination:**

**Recommendation:**

N/A

**Party(ies) responsible for placing this item on agenda:** David Esquivel, PE

**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