

**NOTICE OF WORKSHOP 5:00 P.M./
REGULAR CITY COUNCIL AGENDA 6:00 P.M.
CITY OF TOMBALL, TEXAS**



**Monday, February 16, 2026
5:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, February 16, 2026 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: 873 4555 3183 Passcode: 578134. 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. General Discussion
 - 1. Review of and discussion on First Reading - Ordinance No. 2026-07, Repealing and Replacing Article I In General, Article II City Council Division 1, and Article III Division 5 Code of Ethics of Chapter 2, Administration, of the Code of Ordinances, Designated; Providing for Severability, Making Findings of Fact; Providing for a Penalty Clause; and Providing for Other Related Matters.
 - 2. Workshop Discussion Only – Discussion on amendments to Administrative Policy No. 18, Development Policy for Special Financing Districts.

- D. Recess/Reconvene at 6:00 p.m.
- E. Invocation by Pastor James Clark, First Baptist Church
- F. Pledges to U.S. and Texas Flags
- 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.]*
- H. Presentations
 - 1. Certificate of Recognition
- I. Reports and Announcements
 - 1. Announcements

L. Upcoming events:

- February 24, 2026 – Sam Houston Trail Riders from noon – 2:00 p.m. at Tomball Depot Plaza
- March 12, 2026 – Kaffeeklatsch from 8:30 – 10:00 a.m. at Tomball Community Center
- March 14, 2026 – 2nd Saturday at the Depot from 5:00 – 9:00 p.m. at Tomball Depot Plaza
- March 21, 2026 – Choo Choo Chow Down 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:

J. 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. Approve, on Second Reading, Resolution No. 2026-10-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and the City of Tomball to make direct incentives to, or expenditures for, property acquisition for the future development of a public safety complex, to be located at or near 810 W Main Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$2,300,000.00.
2. Approve, on Second Reading, Resolution No. 2026-11-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Old Town Façade Improvement Grant by and between the Corporation and Tomball Group, LLC to make direct incentives to, or expenditures for, building improvements for new or expanded business enterprise to be located at 209 Market Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$50,000.00.
3. Approve, on Second Reading, Resolution No. 2026-12-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Old Town Façade Improvement Grant by and between the Corporation and Tomball Social Haus to make direct incentives to, or expenditures for, building improvements for new or expanded business enterprise to be located at 209 Fannin Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$26,507.50.

K. New 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. Approve Minutes of February 2, 2026 Workshop/Regular City Council meeting.
2. Approve a contract with The Winstead House LLC (DBA iDig Katy) for the construction of drainage improvements for North Star Estates Erosion Repairs near Bearing Star Lane (Project No. 2025-10018), for a not-to-exceed amount of \$200,420 (Bid No. 2026-02), authorize the expenditure of funds therefor, and authorize the City Manager to execute any and all documents. The expenditure was

included in the Fiscal Year 2025-2026 Budget as part of the 2026-2030 Capital Improvement Plan.

3. Approve a services agreement renewal with Water Utility Services, Inc. for water sampling and laboratory services for a total not-to-exceed amount of \$195,000, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the Fiscal Year 2025-2026 Budget.

L. Old Business

1. Consider approval of Resolution 2026-13, a Resolution of the City of Tomball, Texas, supporting the application of RBM Living, LLC, and Meridiem Development Group (or their affiliates) to the Texas Department of Housing and Community Affairs (TDHCA) for 2026 competitive 9% housing tax credits; expressly acknowledging that the City has more than twice the state average of units per capita supported by housing tax credits and authorizing the development pursuant to Texas Government Code §2306.6703(a)(4); specifically allowing construction within one linear mile of a previously funded development pursuant to 10 Texas Administrative Code (TAC) §11.3(d); and committing to provide a reduced fee or contribution of at least \$500.00.

M. New Business

1. Conduct a Public Hearing and Approve Resolution 2026-14, a Resolution of the City Council of the City of Tomball, Texas, Establishing Guidelines and Criteria for Tax Abatements in the City of Tomball; and Providing an Effective Date.
2. Conduct a public hearing and consideration to approve Zoning Case Z26-01: Request by Kyle Burts to consider a zone change from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34; two tracts containing approximately 1.498 acres of land located at the southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road). The applicant is requesting to allow for the property to be developed for any use permitted within the Commercial Zoning District.

Adopt, on First Reading, Ordinance No. 2026-01, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34; two tracts containing approximately 1.498 acres of land located at the southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith

Road), within the City of Tomball, Harris County, Texas; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

3. Conduct a public hearing and consideration to approve Zoning Case Z26-02: Request by Tompark Developers LLC to consider a zone change from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots; two lots containing approximately 10.05 acres of land located south of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street). The applicant is requesting to allow for the property to be developed for any use permitted within the Industrial Zoning District.

Adopt, on First Reading, Ordinance No. 2026-02, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots; two lots containing approximately 10.05 acres of land located south of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street), within the City of Tomball, Harris County, Texas; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

4. Approve the Tomball Police Department Annual Data Capture Report – 2025 and authorize the posting of the information as required by Senate Bill 1074.

5. 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. 551.072 – Deliberations regarding Real Property; A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person

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 10th day of February 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: January 05, 2026

Topic:

Review of and discussion on First Reading - Ordinance No. 2026-07, Repealing and Replacing Article I In General, Article II City Council Division 1, and Article III Division 5 Code of Ethics of Chapter 2, Administration, of the Code of Ordinances, Designated; Providing for Severability, Making Findings of Fact; Providing for a Penalty Clause; and Providing for Other Related Matters.

Background:

Staff was directed to update the Code of Ethics, originally adopted in 1993, to keep it current, clear, and aligned with best practices in governance, accountability, and transparency. A draft policy was presented for review at the April 21, 2025 Council meeting, and feedback was requested from Council members.

On June 2, 2025, an ordinance was introduced on first reading, outlining proposed revisions to the City of Tomball's ethics rules and procedures. After further review, staff determined the legislative intent was to repeal and replace specific articles and sections in Chapter 2 of the Code of Ordinances, not the entire chapter. On January 5, 2026 staff and City Council restarted the process to revise the Code of Ethics.

Origination: Thomas Harris III

Recommendation:

Approve Ordinance No. 2026-07 on first reading.

Party(ies) responsible for placing this item on agenda: David Esquivel, PE, Thomas Harris III, Shannon Bennett, and Loren Smith

FUNDING (IF APPLICABLE)

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

If yes, specify Account Number: #

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

Signed: _____ **Approved by:** _____

Staff Member	Date	City Manager	Date
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City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 16, 2026

Topic:

Workshop Discussion Only – Discussion on amendments to Administrative Policy No. 18, Development Policy for Special Financing Districts.

Background:

The City of Tomball's Development Policy for Special Financing Districts establishes the framework and procedures governing the creation and administration of Public Improvement Districts (PIDs). The policy provides detailed criteria for evaluating PID applications, with an emphasis on projects that provide enhanced public benefits and are consistent with the City's adopted master plans.

Applicants must satisfy rigorous documentation and financial requirements, including demonstrating relevant development experience, financial capacity, and a clearly defined funding strategy for both PID-financed and privately funded improvements. The policy further provides a structured, multi-step review process that includes petitions, development agreements, and City Council approvals. Approval of a PID is not guaranteed and remains subject to City Council discretion upon fulfillment of all required conditions.

The policy further outlines limitations on assessment rates, bond terms, and eligible improvements to ensure fiscal responsibility and transparency. Developers are responsible for all administrative costs and must provide comprehensive homeowner disclosures regarding PID assessments. The City retains full authority of PID approval, financing, and bond issuance in accordance with the terms established within the Development Agreement.

This agenda item is presented for discussion and direction regarding the proposed amendments to the Development Policy for Special Financing Districts, including any potential revisions or clarifications deemed necessary.

Origination: Project Management

Recommendation:

N/A

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
Staff Member Date

Approved by _____
City Manager _____ Date _____

CITY OF TOMBALL ADMINISTRATIVE POLICIES, RULES AND PROCEDURES			
SUBJECT DEVELOPMENT POLICY FOR SPECIAL FINANCING DISTRICTS	NUMBER: 18	EFFECTIVE DATE: <u>September 19, 2022</u>	PAGE 1 OF 185
	REVISED: <u>September 19, 2022</u>	APPROVED BY CITY MANAGER: <u>September 19, 2022</u>	
	SUPERSEDES: <u>March 21, 2022</u>	APPROVED BY CITY COUNCIL: <u>September 19, 2022</u>	

I. Purpose

The purpose of the City of Tomball Public Improvements District (“PID”) Policy is to outline the policy parameters and considerations to be addressed before the Tomball City Council can support the establishment or continuation of a PID as allowed by Chapter 372 of the Texas Local Government Code. The Policy outlines such things as general procedures, City processes, petition requirements, information to property owners, and determination of annual plan of services, budget, and assessments. This Policy sets forth City procedures and requirements which are in addition to the requirements of state law. Any aspect not specifically addressed by this Policy will be considered on an individual project basis.

The City may, on a case-by-case project basis, waive a requirement of this Policy if it does not conflict with state or federal law. Any requirements waived may be noted in the resolution approving the PID petition, or other relevant document, and must include a finding that the waiver is in the best interest of the City.

II. Considerations

The City of Tomball will consider PID applications that demonstrate compliance with at least 50% of the below criteria. Applicant must provide substantial and thorough justification for the PID request and financial gap that justifies PID financing.

- a. Generate economic and superior development benefits to the City beyond what normal development would generate and must be self-sufficient and not adversely impact the ordinary service delivery of the City;
- b. Provide for improvements in the public right of way (e.g. entryways, landscaping, fountains, specialty lighting, art, decorative and landscaped streets and sidewalks, bike lanes, multi-use trails, signage, etc.);
- c. Meet community needs (e.g. enhanced drainage improvements, parks and off-street public parking facilities, pedestrian connectivity, water and wastewater on or off-site improvements) including without limitation development's pro-rata share of the regional facilities and services;
- d. Implement City of Tomball master plans, including water, wastewater, parks, and trails;
- e. Increase or enhance the City's transportation and roadway plans;
- f. Exceed development requirements in the City, including but not limited to enhanced architectural standards, enhanced landscaping, enhanced amenities, and provide for the superior design of lots or buildings;
- g. Preserve and protect natural amenities and environmental assets such as lakes, trees, creeks, ponds, floodplains, slopes, hills, and wildlife habitats;
- h. Are willing to annex into the City of Tomball, if applicable, in exchange for the creation of a PID;
- i. Provide for unique or special development amenities, including amenity centers, play areas, pools, picnic facilities; and
- j. Have the support of 100% of the owners of the property within the PID.

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CITY OF TOMBALL ADMINISTRATIVE POLICIES, RULES AND PROCEDURES			
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Any requested deviations, adjustments, or special considerations from the terms and conditions of the City's PID Policy shall be clearly requested and explained prior to or with the PID petition for that PID.			
III. Process			
Generally, the City's will follow the process below for consideration of PIDs.			
<ol style="list-style-type: none"> 1. Applicant submits a completed PID petition, application, and supporting documentation. 2. Applicant pays a non-refundable PID Application Review Fee in the set amount adopted in the City's Master Fee Schedule. 3. The City will review the petition and application for compliance with statutory PID Petition requirements and requirements set forth in this Policy. 4. Upon the City approval of compliance with this Policy, City Council accepts the PID Petition. 5. City and applicant execute a Professional Services Reimbursement Agreement. 6. City and applicant execute a Development Agreement. 7. City and applicant work together to complete of required steps as set forth in Chapter 372 of the Texas Local Government Code and all steps and procedures set forth in City policy to create the PID. 8. City Council creates PID. 9. City Council levies assessments. 			
The City Council will not take any action to commence the creation of a PID prior to the approval of a final development agreement governing the development in question.			
Completion of any individual step in the PID creation process is not a guarantee of PID approval. Creation of a PID is a discretionary action of City Council.			
IV. Petition Requirements			
Petitions for creating a PID must satisfy all requirements under Chapter 372 of the Texas Local Government Code.			

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The City may require:

- a. Evidence that signature of property owners were gathered no more than six months preceding the submittal of the petition; or
- b. Evidence that the petitioner's signatures meet the state law requirements, or the petition will be accompanied by a reasonable fee to cover the City's cost of signature verification.

VII. Application

In agreeing to consider a petition for creation of a PID, the City will require the following from the applicant at the time the petition is submitted. These requirements reflect the minimum requirements and the City, at its discretion, may require additional items:

- a. A completed PID petition;
- b. Payment to the City of a non-refundable PID Application Review Fee in the amount of adopted in the City's Master Fee Schedule;
 - i. The application review fee is designed to cover all administrative or operational costs incurred by the City during the review period and beginning stages of the PID process until the escrow account is established; and
- c. A PID application packet, which should include:
 - i. A completed City of Tomball PID Application Form (Exhibit A);
 - ii. Letter from developer requesting consideration of a PID and summary of the special benefits to be received by the development;
 - iii. Evidence that the developer has the expertise, experience, necessary capital, and financial backing to complete the new development to be supported by the District financing. The developer must provide the City with adequate evidence of its committed and anticipated sources of funding to fund the balance of the improvements in the District not eligible to be funded by District issued financing;
 - iv. A site plan or general plan of development that outlines, at a minimum, land use and thoroughfare connections and is consistent with the City's Comprehensive Plan, Strategic Plan, and all other City plans formally approved by City Council, as amended;
 - v. Identification of how the project will contribute to funding the expansion of arterial and connector streets, major collector roadways or highways, and trunk line utility infrastructure, as applicable when necessary to address the projected demand for services and the impacts of the development;
 - vi. Identify all project expenses and costs, including acquisition, construction, and any applicable long-term management cost;
 - vii. Sources and uses budget and project pro forma detailing projected cash flows over the life of the proposed District including other public sources, private financing, and developer equity contribution to the project;

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- viii. Demonstration of financial capability, solvency, and generally the necessary capital to meet project costs through project completion;
 - i. This could include, but is not limited to, at least three years of financial statements, complete sources and uses budget, and letters of credit or letters of support from bank or lending institutions.
- ix. Demonstration of previous experience developing similar scale and types of projects;
- x. Demonstration the proposed development is consistent with the zoning of the property;
 - i. Zoning for the proposed development must be in place prior to PID creation or concurrent with PID creation, at the discretion of the City; and
- xi. Indication of the estimated costs of proposed improvements, maximum assessment, maximum bond issuance, and maximum tax equivalent rate (in dollars, \$).

The City shall, upon reasonable prior written notice to the developer and during normal business hours, have the right to audit and inspect the developer's records, books, and all other relevant records needed to make its assessment of the PID petition or application. The City, the developer, PID consultant, and any other necessary parties involved in the approval of the PID petition and financing, will agree to maintain the appropriate confidentiality of such records, unless disclosure of such records and information shall be required by a court order, a lawfully issued subpoena, local or state laws or ordinances, or at the direction of the Attorney General.

VIII. Application Review – Amenity Priority Framework

a. Purpose

The purpose of the Amenity Priority Framework is to provide a consistent, transparent method for evaluating proposed Public Improvement Districts (PIDs) based on the level of public benefit provided beyond minimum development requirements. The priority level assigned to a proposed PID will be used to inform staff's recommendation to City Council regarding approval or denial of PID creation. All proposed amenities, regardless of priority level, must be consistent with adopted City master plans, comprehensive plans, mobility plans, parks plans, and other applicable policy documents.

b. Priority Levels

Proposed PID amenities shall be evaluated and assigned to one of the following priority levels:

- i. High Priority
- ii. Medium Priority
- iii. Low Priority

IX.

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<p>a. Priority Level Definitions</p> <p>A High Priority PID is one that provides enhanced development standards and/or significant public benefit that exceed minimum City requirements and advance adopted Master Plans.</p> <p>High Priority amenities may include, but are not limited to:</p> <ul style="list-style-type: none"> iv. Enhanced development standards (e.g. larger lot sizes, increased building or architectural standards) v. Community amenities such as parks, trails, open space, and recreational facilities vi. City-serving amenities such as: <ul style="list-style-type: none"> 1. Boulevard-style roadway improvements 2. Infrastructure upsizing beyond minimum requirements 3. Additional right-of-way dedication 4. Connectivity improvements (pedestrians, bicycle, or vehicular) vii. Amenities that demonstrate long-term public benefit beyond the boundaries of the PID <p>A Medium Priority PID is one that provides a moderate level of community or City amenities that exceed minimum requirements with select enhanced development standards and/or significant public benefit. This level requires inclusions of adopted Master Plans.</p> <p>Medium Priority amenities may include, but are not limited to:</p> <ul style="list-style-type: none"> viii. Select enhanced development standards that modestly exceed City minimum requirements <ul style="list-style-type: none"> 1. Enhancements are additive but not transformative ix. Limited community amenities such as: <ul style="list-style-type: none"> 1. Neighborhood-scale open space 2. Small park or trails <ul style="list-style-type: none"> a. Amenities primarily benefit PID residents x. Infrastructure improvements that: <ul style="list-style-type: none"> 1. Meet standards with minor enhancements 2. Provide limited upsizing or aesthetic upgrades xi. Connectivity improvements primarily internal to the development xii. Public benefits are largely localized to the development rather than an overall benefit to the City <p>A Low Priority PID is one that development is primarily focused on private improvements with limited to no community or City amenities beyond standard requirements. Development primarily funds baseline infrastructure and amenities required for the development, with minimal enhancements beyond City requirements. This level requires inclusions of adopted Master Plans.</p>			

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Low Priority amenities may include, but are not limited to:

- i. Infrastructure that largely meets minimum City standards
- ii. Maintenance-focused improvements
- iii. Limited or no community amenities
- iv. Amenities that primarily benefit private development with little or no public benefit
 - 1. Amenities are primarily operational or maintenance-based for the future
- v. Minimal connectivity improvements beyond required access
- vi. Public benefit is limited in scope and duration
- vii. No meaningful infrastructure upsizing or City-wide benefit

c. Priority Scoring Criteria

Priority designation shall be determined using a point-based scoring system.

Scoring Threshold:

- i. High Priority: 75 points or greater
- ii. Medium Priority: 50-74 points
- iii. Low Priority: Below 50 points

(final thresholds subject to Council adoption)

d. Scoring Matrix

Category	Criteria	Points
Consistency with Adopted Plans	Demonstrates clear alignment with adopted master plans and City policy objectives	Required/ Pass - Fail
Enhanced Development Standards	Larger lot sizes, increased building standards, or architectural requirements exceeding City minimums	0-20
Community Amenities	Parks, trails, open space, recreational facilities accessible to residents and the public	0-25
Citywide Infrastructure Benefit	Infrastructure upsizing, boulevards, or improvements exceeding minimum standards	0-20
Connectivity Improvements	Enhanced pedestrian, bicycle, or vehicular connectivity beyond project limits	0-10
Long-Term Public Benefit	Demonstrated benefit beyond PID boundaries or long-term City value (tax)	0-20

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CITY OF TOMBALL ADMINISTRATIVE POLICIES, RULES AND PROCEDURES			
SUBJECT DEVELOPMENT POLICY FOR SPECIAL FINANCING DISTRICTS	NUMBER: 18	EFFECTIVE DATE: <u>September 19, 2022</u>	PAGE 7 OF 18
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e. Evaluation and Recommendation Process

- i. Staff shall evaluate proposed PID amenities using the adopted scoring matrix.
- ii. Only proposals consistent with adopted master plans shall be scored.
- iii. The resulting priority level and score shall be presented to City Council as part of the PID creation request.
- iv. The priority level assigned shall serve as the basis for the staff's recommendation for approval or denial of the proposed PID.

XII-IX. Professional Services Reimbursement Agreement & Deposit

If, during the initial review of the application, the City determines that it will proceed to pursue creation of a PID or the City determines it is best interest to establish a PID, a professional services reimbursement agreement will be entered into with the applicant. The professional services reimbursement agreement will require the applicant to deposit funds with the City to pay for City staff time, third-party consultants, including but not limited to, legal study analysts, City Attorney, bond counsel, financial advisors, PID consultants/administrators, trustees, underwriters, appraisers, and market study analysts. The payment of such fees is not a guarantee that the City will approve the PID. The costs a Petitioner will pay include but are not limited to:

- a. Reviewing the PID petition and application;
- b. Publishing required legal notices;
- c. Preparation and review of creation proceedings and levy of assessments;
- d. Cost of the appraisal and reviewing the appraisal, the feasibility study, and engineering report including the cost of services provided by City consultants, attorneys, bond counsel, financial advisors and PID consultant or administrator;
- e. Preparation of the initial Service and Assessment Plan (SAP) by a third party PID Administration Firm or PID Consultant engaged by the City;
- f. Bond Issuance;
- g. Review and approval of plans for and inspection of construction of PID improvements; not including fees paid for review and inspection required by the City's Code of Ordinances, as amended; and
- h. Procurement of contracts for PID administration and operation, collection of assessments, foreclosures or other similar matters.

The initial deposit made by the applicant shall be \$50,000. The applicant is required to make an additional \$25,000 deposit will be required anytime the deposit balance reaches \$10,000. Certain unused balances will be returned to the applicant. The applicant may be eligible to be reimbursed these costs through bond proceeds or PID assessments as applicable. The PID deposit are in addition to administrative costs associated with the PID, the cost of bond issuance, and the PID application fee.

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IX. Development Agreement

The City Council will not take any action to commence the creation of a PID prior to the approval of a final development agreement governing the proposed development.

The following shall be provided to the City prior to the preparation of a development agreement (if not already provided as part of application packet):

- a. The basic terms and conditions of the creation of the PID, including the provision of special conferred benefit;
- b. Indication of the estimated costs of proposed improvements, maximum assessment, maximum bond issuance, and maximum tax equivalent rate;
- c. A section that clearly identifies the benefit of the PID to the affected property owners and to the City as a whole;
- d. The petitioner's qualifications and previous experience with real estate development, financing of the development, prior PIDs, etc.;
- e. A legal description of the boundaries of the proposed PID, a map of the proposed PID boundaries that is suitable for publication in legal notices, and a "commonly known" description of the area to be included in the PID;
- f. Description of all City-owned land within the PID as well as its proposed share of project costs;
- g. A current tax roll of owners in the PID;
- h. Any plan for phasing of both real estate development supported by the PID and construction of public improvements in the PID including a breakdown between major improvements serving large areas of the entire PID vs. phase-specific improvements; and
- i. A sunset clause and a pre-executed petition to dissolve the PID by the landowner in the case the project has not obtained a grading permit within three years.

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X. Additional Requirements

The following additional requirements must be met by applicants:

- a. Plans for the proposed development shall be prepared and reviewed by the City in compliance with the City's development ordinances regarding land use, development, infrastructure design, permitting, and inspections. Applicants shall seek City development approvals prior to the commencement of any construction;
- b. Property in the PID owned by the City shall not be subject to PID assessments. Property in the PID owned by another governmental entity may be assessed only pursuant to an inter-local agreement between the entity and the City;
- c. The PID may not finance improvements or services that would not be accessible to the general public;
- d. The City's ongoing administrative and operational costs related to an approved PID, such as collection of PID assessments, review and approval of Service and Assessment Plan updates, and other costs shall be reimbursed from PID assessments. The City's costs will be determined on an annual basis;
- e. Administration and management of ongoing PID responsibilities, such as preparations and updating of the Service and Assessment Plan, issuance of notices for annual City Council action on the Service and Assessment Plan, operation and maintenance of PID improvements, and other related matters shall be paid by PID assessments and performed by a third-party firm under contract with the City;
- f. The City will use PID bond proceeds only to pay or reimburse the cost of PID improvements that have been designed and constructed to the applicable standards, and accepted for maintenance, or otherwise approved by the governmental entity responsible for them; and
- g. In the event of default under the terms of a PID financing agreement, the City shall, after providing notice and an opportunity to cure, have the right to capture reimbursements to complete development of public infrastructure.

g. The Developer shall install and maintain signage at the entrance(s) of the development identifying the area as a Public Improvement District.

If minimum any of the minimum requirements of this Policy cannot be met, an explanation of why the requirements cannot be met and alternatives provided to meet or exceed the requirements must be submitted.

XI. City Consultants

The City will independently select a Bond Counsel, Financial Advisor, PID Administrator, Trustee and Market Study Analyst. With input by the Developer, the City will select an Underwriter and Appraiser. The City's PID Administrator, in conjunction with the developer's PID Consultant, will draft the Service and Assessment Plan and prepare all annual updates

XII. Collection of Assessments

Prior to the levy of assessments, the City will enter into an agreement with Harris County to include the annual PID installments on the Harris County Tax Bill.

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XIII. Maximum Assessments

~~The annual PID installment shall not exceed an amount that increases the expected total equivalent tax rate upon buildup above \$0.96 per \$100 of assessed value for a 15 year PID and \$0.48 per \$100 of assessed value for a 30 year PID, with preference given to developments with a lower assessment.~~ Applicants are encouraged to keep the equivalent tax rate as low as feasible for the development. A true-up calculation will be performed at each bond issuance and upon filing of a final plat to ensure that the maximum assessment is not exceeded, which may result in a mandatory prepayment from the developer.

XIV. Assessment Term/Bond Term

The maximum term of a PID assessment is not to exceed 30 years, with a \$0.48 per \$100 assessment cap, or 15 years with a \$0.96 assessment cap, and the assessment term must equal the bond term (if applicable).

XV. Finance Limitations for Special Assessment Revenue Bond Issuance (PID Bonds)

The City may issue PID Bonds solely for the purposes of acquiring, reimbursing or constructing authorized Improvements. The Developer may request issuance of PID Bonds by filing with the City a list of the authorized improvements to be funded with the PID Bonds and the estimated costs of such authorized improvements. The Developer acknowledges that the mandatory PID Professional Service Reimbursement Agreement obligates the Developer to fund the costs of the City's professionals relating to the preparation for and issuance of PID Bonds, which amount shall be considered a cost payable from such PID Bonds. The issuance of PID Bonds is subject to all of the following conditions.

The following performance standards shall apply to PID bonds:

- a. ~~To receive consideration by and approval from the City for PID financing through a bond to facilitate a residential development, the proposed boundaries of the development shall be no less than 50 acres;~~
- b. ~~Minimum appraised value to lien ratio of 3:1;~~
- c. Maximum of two years capitalized interest for each bond issuance;
- d. No annual assessment increases once assessments are levied. Assessments for future phases will remain competitive with original phases and lot types as defined in the SAP;
- e. All improvements to be funded with PID bonds must be fully engineered and bid. ~~A competitive bidding process with at least three bids will be required; and~~
- f. Developer is required to demonstrate committed capital in the form of cash deposit to the City with an amount confirmed by an engineer's opinion of probable cost, which represents the difference between budgeted cost to complete the public improvements assumed to be complete in the appraisal and the net proceeds of the PID bonds.

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The following additional considerations and limitations will apply when a developer requests PID bonds:

- a. A developer or landowner may request the issuance of PID bonds in advance of construction of an individual phase of a development subject to compliance with these standards. All such PID bond issues will be subject to approval of the City Council;
- b. No General Obligation Bonds or Certificates of Obligation bonds will be utilized by the City to directly or indirectly pay, or guarantee payment of, PID bonds;
- c. If in any calendar year the City issues bonds that would constitute a bank qualified debt issuance but for the issuance of the PID bonds, then the developer shall pay to the City a fee to compensate the City for the interest savings the City would have achieved had the debt issued by the City been bank qualified provided that all other developers or owners benefitting from the City issuing debt are similarly burdened with an obligation to compensate the City;
- d. All PID bond issues, if any, will be subject to approval by the City Council;
- e. If the City Council authorizes the issuance of PID bonds, the City shall issue all such PID bonds in accordance with the protocols and procedures adhered to by the City's Director of Finance for issuing long-term debt instruments including tax notes and bonds;
- f. Special assessments on any given portion of the property may be adjusted in connection with subsequent bond issues as long as an agreed-upon maximum annual assessment rate is not exceeded, and the special assessments are determined in accordance with the SAP and the PID Act. Special assessments on any portion of the property will bear a direct proportionate relationship to the special benefit of the public improvements to that improvement area. In no case will the maximum assessment be increased for any parcel unless the property owner of the parcel consents to the increased assessment;
- g. The City shall not be obligated to provide any funds for any improvement except from the proceeds of the PID bonds and PID assessments;
- h. The City's cost of reviewing a developer payment request from PID bond proceeds, including City staff time and third-party consultant costs, shall be netted out of the amount paid to the developer or paid from the administrative expense of the collection costs portion of the assessment;
- i. Each PID bond indenture will clearly state that all debt service payments for the PID bonds shall be payable solely from and secured by the pledged assessments levied against properties within the PID or funds held under a bond indenture for such purposes, and that the City will have no obligation to make debt service payments for the PID bonds from any other sources;
- j. A PID will be responsible for payment of all the City's reasonable and customary costs and expenses including the cost of any appraisal;
- k. Any new money PID bonds issued will include a Reserve Fund in an amount to be determined;
- l. Pursuant to the PID Act, the interest rate for assessments may exceed the interest rate of the bonds by no more than one half of one percent (0.50%);
- m. All developers and significant landowners will provide any required continuing disclosure obligations associated with the issuance of PID bonds as required under the respective bond indenture or any other Page 6 regulatory agreement or regulatory agency. Failure to abide by continuing disclosure requirements may limit access to proceeds and/or future bond issues;

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- n. Developer is required deposit cash with the City or a bond trustee on or prior to the sale date of the PID bonds in an amount confirmed by an engineer's estimate of probable cost, which represents the difference between the budgeted cost to complete the public improvements assumed to be complete in the appraisal and the net proceeds of the PID bonds;
- o. During a material event of default by the developer under the terms of any agreement between the developer and the City relating to the PID or the property within the PID, the City shall, after providing notice and opportunity to cure, have the right to recapture reimbursements and/or terminate its obligations to the developer;
- p. All construction of improvements is subject to City review and approval and if applicable, provisions shall be made for dedication to City or to another appropriate governmental entity, as authorized by law;
- q. Improvements to be funded by the PID are limited to those defined as Authorized Improvements under Texas Local Government Code Section 372.003(b); and
- r. Any trails, parks, streets or other public amenities that are located within a gated community or otherwise inaccessible location to the general public may not be funded or reimbursed by the PID.

XVI. Disclosure to Homeowners

To satisfy disclosure to homeowners, the City will require the petitioner to comply with the following:

- a. Landowner Consent or Agreement to be recorded in the Official Public Records of Harris County;
- b. Signage at major entryways and exits;
- c. Signage and information flyers in any sales centers within the PID that include:
 - a. Frequently Asked Questions;
 - b. Total Assessment;
 - c. Average Annual Installment; and
 - d. Equivalent Tax Rate.
- d. Homebuyer disclosure documents in accordance with Section 5.014 of the Texas Property Code to be signed both at contract signing and at closing with such agreements maintained on file by each homebuilder and available for inspection by the City; and
- e. Developer contracts with homebuilders must require the homebuilder to disclose the PID on any MLS listing.

XVII. PID Administration and Management

The City will contract with an outside consultant to administer the PID and to bill, collect, and track PID assessments. This cost will be considered a reimbursable project cost and shall be included in the PID Service and Assessment Plan.

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XVIII. Miscellaneous

- a. This PID policy does not bind the City Council to approve, authorize or create a PID or take any related action. PID creation, PID bond issuance and all related matters are legislative acts solely with the discretion of the City Council.
- b. Any requests for adjustments, exceptions, or waivers to this policy must be reviewed and approved by the City Council of the City of Tomball.
- c. No public official or employee shall be personally responsible for any liability arising under or growing out of any approved PID. Any obligation or liability of the developer whatsoever that may arise at any time under the approved PID or any obligation or liability which may be incurred by the developer pursuant to any other instrument, transaction or undertaking as a result of the PID shall be satisfied out of the assets of the developer only and the City shall have no liability.

XIX. Council Discretion

Nothing in this policy shall limit City Council's discretion to approve or deny a PID. This PID policy does not bind the City Council to approve, authorize or create a PID or take any related action. PID creation, PID bond issuance and all related matters are legislative acts solely with the discretion of the City Council.

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**CITY OF TOMBALL
PUBLIC IMPROVEMENT DISTRICT POLICY
AS ADOPTED BY CITY COUNCIL ON SEPTEMBER 19, 2022**

I have read and understand this policy.

Signature

Date

Printed Name

(Please sign and date this page and return to the Project Manager)

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City of Tomball Public Improvement District (PID) Application

APPLICANT INFORMATION

Name: _____ Title: _____

Mailing Address: _____

Phone: _____ Email: _____

Please attach additional applicant information as necessary.

OWNER INFORMATION

Name: _____ Title: _____

Mailing Address: _____

Phone: _____ Email: _____

PROJECT INFORMATION

Description of Proposed Project: _____

Physical Location of Property: _____

HCAD Identification No.: _____ Acreage: _____

Current Use of Property: _____

Proposed Use of Property: _____

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PID CONSIDERATIONS

Please mark which consideration from the “Development Policy for Special Financing Districts” the PID request adheres to below Please attach documentation and/or a detailed justification as to how the PID meets the criteria selected. .

1. Generates economic and superior development benefits to the City beyond what normal development would generate.

2. Provide for improvements in the public right of way (e.g. entryways, landscaping, fountains, specialty lighting, art, decorative and landscaped streets and sidewalks, bike lanes, multi-use trails, signage, etc.)

3. Meet community needs (e.g. enhanced drainage improvements, parks and off-street public parking facilities, pedestrian connectivity, water and wastewater on or off-site improvements) including without limitation development's pro-rate share of the regional facilities and services.

4. Implement City of Tomball master plans, including water, wastewater, parks, and trails.

5. Increase or enhance the City's transportation and roadway plans.

6. Exceed development requirements in the City, including but not limited to enhanced architectural standards, enhanced landscaping, enhanced amenities, and provide for the superior design of lots or buildings.

7. Preserve and protect natural amenities and environmental assets such as lakes, trees, creeks, ponds, floodplains, slopes, hills, and wildlife habitats.

8. Willing to annex into the City of Tomball, if applicable, in exchange for the creation of a PID.

9. Provide a unique or special development to the Tomball community (e.g. amenity centers, play areas, pools, picnic facilities, multi-purpose trails.)

10. Have the support of 100% of the owners of the property within the PID.

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DEVELOPMENT POLICY FOR SPECIAL FINANCING DISTRICTS	NUMBER:	18	EFFECTIVE DATE: <u>September 19, 2022</u>	PAGE <u>14-17</u> OF <u>1518</u>
	REVISED:	<u>September 19, 2022</u>	APPROVED BY CITY MANAGER:	<u>September 19, 2022</u>
	SUPERSEDES:	<u>March 21, 2022</u>	APPROVED BY CITY COUNCIL:	<u>September 19, 2022</u>

REQUIRED ATTACHMENTS

- _____ Completed PID petition
- _____ Non-refundable payment of PID Application Review Fee
- _____ Letter from Developer/Applicant requesting consideration of PID
- _____ General summary and description of proposed development
- _____ Site plan or general plan that shows land use and thoroughfare connections
- _____ Demonstration of how the development is in compliance with the City's Comprehensive Plan and Future Land Use Plan
- _____ Demonstration of how the proposed development is in compliance with the zoning of the property
- _____ Description of any amenities for the proposed development
- _____ Description of any elevated design and landscaping standards for the proposed development
- _____ Summary of special benefits to be received by the development
- _____ Evidence the developer has the expertise, experience, necessary capital, and financial backing to complete the new development to be supported by the District financing
- _____ Identify all project expenses and costs, including acquisition, construction, and any applicable long-term management cost
- _____ Description and preliminary estimate of public infrastructure included with development (include both developer-funded and proposed PID-funded elements)
- _____ Propose total assessment and tax rate equivalent
- _____ Description of any property that will be subject to or exempt from assessments
- _____ Any additional information which you believe would be necessary for the City to evaluate the proposed project.

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SUBJECT DEVELOPMENT POLICY FOR SPECIAL FINANCING DISTRICTS	NUMBER:	18	EFFECTIVE DATE: <u>September 19, 2022</u>	PAGE <u>15-18</u> OF <u>1518</u>
	REVISED:		APPROVED BY CITY MANAGER: <u>September 19, 2022</u>	
	SUPERSEDES:		APPROVED BY CITY COUNCIL: <u>March 21, 2022</u>	

ACKNOWLEDGEMENT

I, _____, certify that the information on this form and included in the attached City of Tomball PID Application is true and correct to the best of my knowledge and the undersigned is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in possible delays and/or denial.

Signature of Applicant: _____ Date: _____

Signature of Owner: _____ Date: _____

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City Council Meeting Agenda Item Data Sheet

Meeting Date: February 16, 2026

Topic:

- Certificate of Recognition

Background:

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

Approved by
City Manager

Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 16, 2026

Topic:

Upcoming events:

- February 24, 2026 – Sam Houston Trail Riders from noon – 2:00 p.m. at Tomball Depot Plaza
- March 12, 2026 – Kaffeeklatsch from 8:30 – 10:00 a.m. at Tomball Community Center
- March 14, 2026 – 2nd Saturday at the Depot from 5:00 – 9:00 p.m. at Tomball Depot Plaza
- March 21, 2026 – Choo Choo Chow Down 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
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Regular City Council Agenda Item Data Sheet

Meeting Date: February 16, 2026

Topic:

Approve, on Second Reading, Resolution No. 2026-10-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and the City of Tomball to make direct incentives to, or expenditures for, property acquisition for the future development of a public safety complex, to be located at or near 810 W Main Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$2,300,000.00.

Background:

All expenditures of the Tomball Economic Development Corporation (TEDC) sales tax revenue must first be approved as a "Project". At its meeting on January 13, 2026 the TEDC Board of Directors did take formal action to approve, as a Project of the TEDC, an agreement with the City of Tomball, for property acquisition for the future development of a public safety complex, to be located at or near 810 W Main Street, Tomball, Texas 77375 as authorized under Sections 505.152 and 505.154 of the Texas Local Government Code. The Tomball City Council has final approval authority over all projects and agreements of the TEDC.

Origination: David Esquivel, City Manager, City of Tomball

Recommendation:

Approval of the proposed Economic Development Agreement with the City of Tomball

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

Kelly Violette

FUNDING (IF APPLICABLE)

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

Yes: Yes No:

If yes, specify Account Number: # Project Grants

If no, funds will be transferred from account #

To account #

Signed Kelly Violette

Executive Dire

Approved by

City Manager



TO: Honorable Mayor and City Council

FROM: Kelly Violette
Executive Director

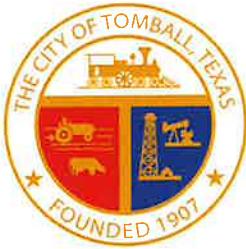
MEETING DATE: February 2, 2026

SUBJECT: City of Tomball – Property Acquisition

ITEM TYPE: Action

The TEDC received the attached request letter from David Esquivel, City Manager, requesting one-time funding assistance for the property acquisition efforts for the future development of a public safety complex and City Hall facility to be located at or near 810 W Main Street, Tomball, Texas 77375. This expenditure was discussed during the TEDC FY 2025-2026 Budget process and has been included in the adopted budget.

Public safety facilities that are found by the board to promote or develop new or expanded business enterprise that create or retain primary jobs are considered an eligible project under Local Government Code Section 505.155. If approved as a Project of the TEDC, it will go to the city council for final approval by resolution.



City of Tomball

Lori Klein Quinn
Mayor

David Esquivel, PE
City Manager

December 29, 2025

Kelly Violette, Executive Director
Tomball Economic Development Corporation
29201 Quinn Road, Suite B
Tomball, Texas 77375

RE: Land Acquisition

Kelly,

As discussed during the fiscal year budget meetings, the City of Tomball is formally requesting financial assistance from the Tomball Economic Development Corporation (TEDC) for property acquisition.

During the Fiscal Year 2026 budget process, both the City Council and the TEDC Board approved funding within the TEDC budget to support property acquisition efforts for the future development of a public safety complex and City Hall. Accordingly, the City is requesting financial assistance to support the purchase of needed properties for this future project. The requested contribution totals \$2,300,000, which was allocated and approved during the budget process.

Please let me know if you require any additional information regarding these projects or the City's funding request. We appreciate TEDC's continued partnership and support.

Sincerely,

David Esquivel
City Manager

PUBLIC SAFETY FACILITY GRANT AGREEMENT

THE STATE OF TEXAS §
COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

This Agreement (the “Agreement”) is made and entered into by and between the Tomball Economic Development Corporation, an industrial development corporation created pursuant to Tex. Rev. Civ. Stat. Ann. Art. 5190.6, Section 4B, located in Harris County, Texas (the “TEDC”), and **the City of Tomball** (the “City”), a Texas home-rule municipality.

WITNESSETH:

WHEREAS, it is the expressed purpose of the TEDC to incentivize new construction of both public and private projects to attract industry, create and retain primary jobs, expand the growth of the City of Tomball (the “City”), and thereby enhance the economic stability and growth of the City; and

WHEREAS, the City intends to construct a new city facility that will include public safety headquarters for City departments; and

WHEREAS, the construction of new public safety facilities will improve response times, operational efficiency, and long-term service capacity, thereby supporting a stable and business-friendly environment within the City; and

WHEREAS, the retention and expansion of primary businesses within the City are dependent upon the City’s ability to maintain infrastructure and services that protect workforce safety, business assets, and overall quality of life; and

WHEREAS, investment in public safety infrastructure contributes to the long-term competitiveness of the City in attracting primary job-creating businesses to the region; and

WHEREAS, the TEDC finds that supporting the construction of this public safety facility will directly and indirectly promote the creation and retention of primary jobs by strengthening the City’s economic development capacity and readiness for business growth; and

WHEREAS, the TEDC finds that construction of this new public safety facility to serve the City of Tomball will make the City more attractive to businesses that create primary jobs and will thus promote new or expanded businesses that create primary jobs in Tomball; and

WHEREAS, the TEDC finds that providing assistance to the City for construction of a new public safety facility constitutes a project, as defined by the Development Corporations Act.

NOW, THEREFORE, in consideration of the premises and the mutual benefits and obligations set forth herein, including the recitals set forth above, the TEDC and the Company agree as follows:

1. Grant Funds. The TEDC will make a grant of Two Million, Three Hundred Thousand Dollars (\$2,300,000) (the “Grant”) within sixty (60) days of the Effective Date.

2. Construction of Facility. The City hereby agrees to acquire land and construct a new public facility, which shall include new headquarters for the City’s police and fire departments (the “Facility”). The City shall commence design of the Facility within 4 years of the Effective Date of this Agreement and shall commence construction of the Facility within six (6) years of the Effective Date.

3. Use of Grant Funds. The City shall use the Grant to fund acquisition of land for the Facility and for design and construction of the Facility. All Grant funds shall be used within six (6) years of the Effective Date, and any Grant funds that are not used in such manner are to be returned to the TEDC upon completion of the Facility or on the date six (6) years from the Effective Date, whichever date occurs first.

4. Reporting. The City shall retain records showing the expenditure of Grant funds for acquisition of land for and design and construction of the Facility. As requested, the City shall provide a written report to the TEDC showing the progress of the land acquisition and design of the Facility and shall provide all records of expenditures of Grant funds.

5. Abandonment. Should the TEDC have reason to believe that the City will not begin or complete the Facility within the timelines specified in Section 4 above or has abandoned plans to construct the Facility, the TEDC may make written demand to the City to provide a timeline for completion of Facility. The City shall have sixty (60) days from receipt of the demand to provide a written response. Should the City fail to respond within sixty days, the TEDC may consider the Facility project to be abandoned and the City to be in breach of this Agreement.

6. Extension The City and TEDC may agree to extend any deadline in this Agreement by making such agreement in writing.

7. Breach. Failure of the TEDC to timely pay the Grant funds or perform any other material obligation of this agreement shall constitute a breach of this Agreement. Failure of the City to begin design of the Facility within four (4) years of the Effective Date, to complete construction of the Facility within six (6) years of the Effective Date, to provide written reports as requested, or to fulfill any other material obligation under this Agreement shall constitute a breach of this Agreement.

8. Remedies. Upon a breach event, the non-breaching party shall provide written notice of the breach to the breaching party. The breaching party shall have thirty (30) days to cure the breach. Should said breach remain uncured as of the last day of the applicable cure period, and the non-

breaching Party is not otherwise in default, the non-breaching Party shall have the right to immediately terminate this Agreement or enforce specific performance as appropriate. Upon an uncured breach of this Agreement by the TEDC, the City may demand payment of any outstanding Grant funds due and not paid. Upon an uncured breach by the City, all Grant funds become immediately due and payable back to the TEDC. These remedies are considered to be cumulative of all other remedies available to the parties at law and are not intended to be exclusive.

9. Notice. Any notice provided or permitted to be given under this Agreement must be in writing and may be served by (i) depositing the same in the United States mail, addressed to the party to be notified, postage prepaid, registered or certified mail, return receipt requested; or (ii) by delivering the same in person to such party; or (iii) by overnight or messenger delivery service that retains regular records of delivery and receipt; or (iv) by facsimile; provided a copy of such notice is sent within one (1) day thereafter by another method provided above. The initial addresses of the parties for the purpose of notice under this Agreement shall be as follows:

If to City: City of Tomball
 401 W. Market Street
 Tomball, Texas 77375
 Attn: City Manager

If to TEDC: Tomball Economic Development Corporation
 401 W. Market Street
 Tomball, Texas 77375
 Attn: President, Board of Directors

CC: Julie Fort
 Messer Fort PLLC
 6371 Preston Road, Suite 200
 Frisco, TX 75034

10. Amendment. Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment or modification only in writing, and by the signatures and mutual consent of the parties hereto.

11. Non-waiver. The failure of any party to insist in any one or more instances on the performance of any of the terms, covenants or conditions of this Agreement, or to exercise any of its rights, shall not be construed as a waiver or relinquishment of such term, covenant, or condition, or right with respect to further performance.

12. Assignment. This Agreement shall bind and benefit the respective Parties and their legal successors and shall not be assignable, in whole or in part, by any party without first obtaining written consent of the other party.

13. Severability. In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement, or the application thereof to any person, firm, corporation, or circumstance, shall be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity or unconstitutionality of such words, phrases, clauses, sentences, paragraphs, sections, or other parts of this Agreement shall be deemed to be independent of and severable from the remainder of this Agreement, and the validity of the remaining parts of this Agreement shall not be affected thereby.

(signature page to follow)

IN TESTIMONY OF WHICH, THIS AGREEMENT has been executed by the parties on this
____ day of _____ 2026 (the “Effective Date”).

CITY OF TOMBALL, TEXAS

By: _____
Name: David Esquivel
Title: City Manager

ATTEST:

By: _____
Name: Thomas Harris
Title: City Secretary

**TOMBALL ECONOMIC
DEVELOPMENT CORPORATION**

By: _____
Name: Lisa Covington
Title: President, Board of Directors

ATTEST:

By: _____
Name: William E. Sumner Jr.
Title: Secretary, Board of Directors

RESOLUTION NO. 2026-10-TEDC

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS APPROVING AN AGREEMENT REGARDING THE CONSTRUCTION OF IMPROVEMENTS BETWEEN THE CITY OF TOMBALL, TEXAS AND THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION

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

WHEREAS, the Tomball Economic Development Corporation (“TEDC”) is a nonprofit development corporation created under the Development Corporations Act of 1979; and

WHEREAS, the City of Tomball (the “City”) plans to acquire land to construct a new municipal facility that will include new headquarters for the City’s police and fire departments that will replace multiple outdated facilities (the “Project”); and

WHEREAS, the construction of new public safety facilities will improve response times, operational efficiency, and long-term service capacity, thereby supporting a stable and business-friendly environment within the City; and

WHEREAS, the retention and expansion of primary businesses within the City are dependent upon the City’s ability to maintain infrastructure and services that protect workforce safety, business assets, and overall quality of life; and

WHEREAS, investment in public safety infrastructure contributes to the long-term competitiveness of the City in attracting primary job-creating businesses to the region; and

WHEREAS, the City Council finds that supporting the construction of this public safety facility will directly and indirectly promote the creation and retention of primary jobs by strengthening the City’s economic development capacity and readiness for business growth; and

WHEREAS, the City Council finds that construction of this new public safety facility to serve the City of Tomball will make the City more attractive to businesses that create primary jobs and will thus promote new or expanded businesses that create primary jobs in Tomball; and

WHEREAS, the City Council approves of the TEDC's resolution finding that providing assistance to the City for construction of a new public safety facility constitutes a project, as defined by the Development Corporations Act and approving of the execution of the Public Facility Grant Agreement.

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

Section 1. All the above findings are true and correct and hereby incorporated into this resolution.

Section 2. The City Council of the City of Tomball hereby approves of the Project and authorizes the execution of the Public Facility Grant Agreement, which is attached hereto as **Exhibit A** and hereby incorporated into this Resolution.

PRESENTED AND PASSED on this the th day of , 2026, by a vote of ayes and nays at a regular meeting of the City Council of Tomball Texas.

LORI KLEIN QUINN, Mayor

ATTEST:

City Secretary

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 16, 2026

Topic:

Approve, on Second Reading, Resolution No. 2026-11-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Old Town Façade Improvement Grant by and between the Corporation and Tomball Group, LLC to make direct incentives to, or expenditures for, building improvements for new or expanded business enterprise to be located at 209 Market Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$50,000.00.

Background:

On January 13, 2026, the Tomball Economic Development Corporation (TEDC) Board of Directors unanimously approved, as a Project of the Corporation, an Old Town Façade Improvement Grant with Tomball Group, LLC for building improvements for new or expanded business enterprise. The Tomball City Council has final approval authority over all programs and expenditures of the Corporation.

Origination: Tomball Economic Development Corporation Board of Directors

Recommendation: Approval of Resolution No. 2026-11-TEDC

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

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: #Old Town Façade
Improvement Grants

If no, funds will be transferred from account #

To account #

Signed

Staff Member-TEDC

Date

Approved by

Executive Director-TEDC

Date



TO: Honorable Mayor and City Council

FROM: Kelly Violette
Executive Director

MEETING DATE: February 2, 2026

SUBJECT: Tomball Group, LLC

ITEM TYPE: Action

The Tomball Economic Development Corporation has received a request from Teresa Latsis, Owner, Tomball Group, LLC for funding assistance through the TEDC's Old Town Façade Improvement Grant (FIG) Program for improvements to an approximately 1,921 square foot building located at 209 Market Street.

The proposed project includes the addition of an approximately 765 square-foot commercial kitchen space to the back of the existing building. The proposed eligible improvements include exterior painting, site work, grading, slab, framing, walls, roofing, siding, trim, exterior doors, HVAC, ventilation hood, and a grease trap.

The goal of the TEDC's Old Town Façade Improvement Grant is to promote and assist with renovation, rehabilitation, restoration, and enhancements to commercial buildings within the Old Town Mixed Use zoning district. In accordance with the Old Town Façade Improvement Grant Program Guidelines & Criteria, the proposed performance agreement is for 50% of the eligible improvement costs, not to exceed \$50,000.00.

The project and application were reviewed and conditionally approved by the Business Retention & Expansion (BRE) Committee on November 18, 2025. While this conditional approval enables the applicant to move forward with their project and avoid significant approval delays, it does not guarantee funding. Final approval is still required from both the TEDC Board and Tomball City Council. Applicants proceed at their own risk until those approvals are secured.

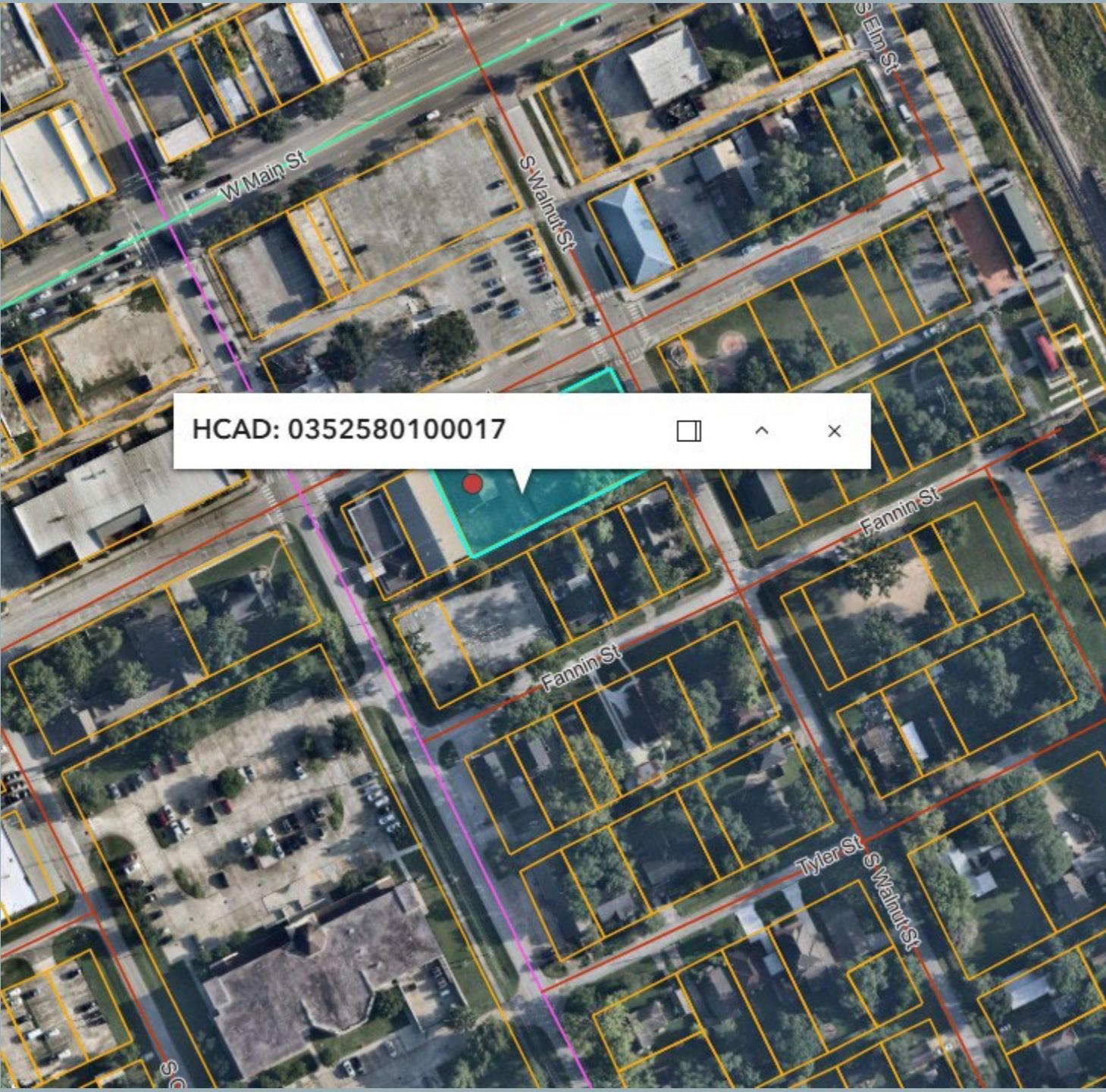
Once approved, the applicant will have nine months to complete the improvements. All grants are reimbursement grants and will only be funded after completion of the project, and after the applicant submits final paid itemized invoices/receipts for all applicable labor and materials, proof of payment, and digital photographs of the completed work.

Although this project does not create primary jobs, it does promote the development and expansion of business enterprise, which is considered a permissible project as outlined in

Texas Economic Development Legislation. If this project is approved, it will go to the Tomball City Council for final approval by resolution at two separate readings.

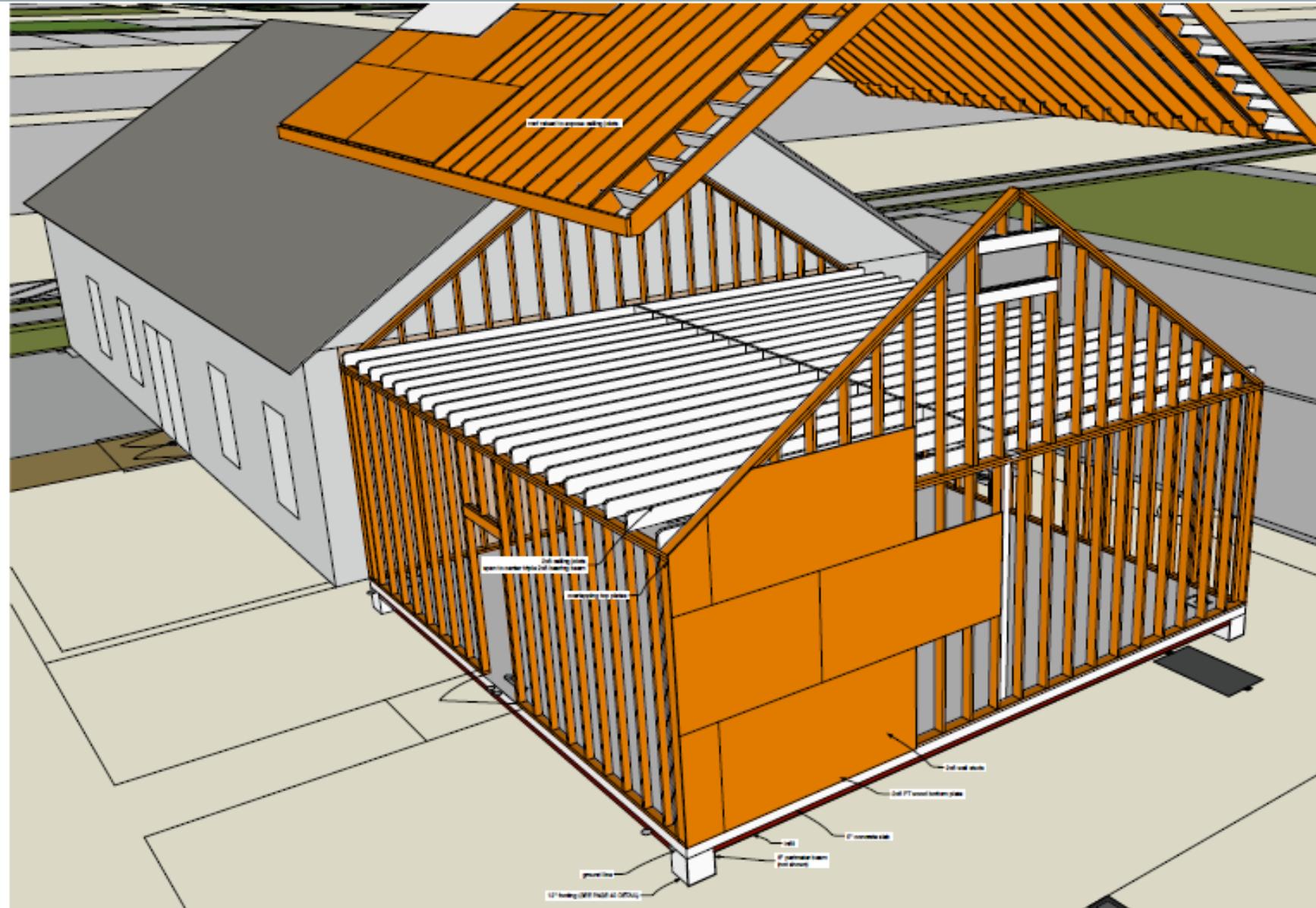
Business Name:
Tomball Group, LLC

Address:
**209 Market Street
Tomball, Texas 77375**



BEFORE PICTURE(S)



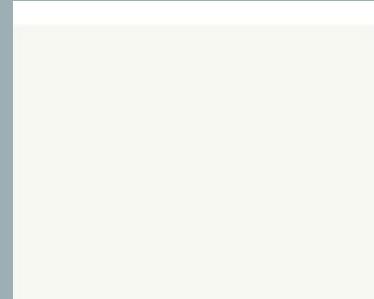


New 765 square-foot addition to the rear of the building for a new commercial kitchen space.



Other Improvements: Exterior painting, enhancing existing front columns, new exterior building lighting, framing, walls, roof, siding, trim, exterior doors, HVAC, plumbing, electrical, and new interior restroom.

EXTERIOR BUILDING COLOR



HGTV HOME by Sherwin-Williams
- Everlast Satin Ultra White...

Item #4663648
Model #EV0024001-20

EXTERIOR TRIM COLOR



HGTV HOME by Sherwin-Williams
- Everlast Satin Base 4 Enamel...

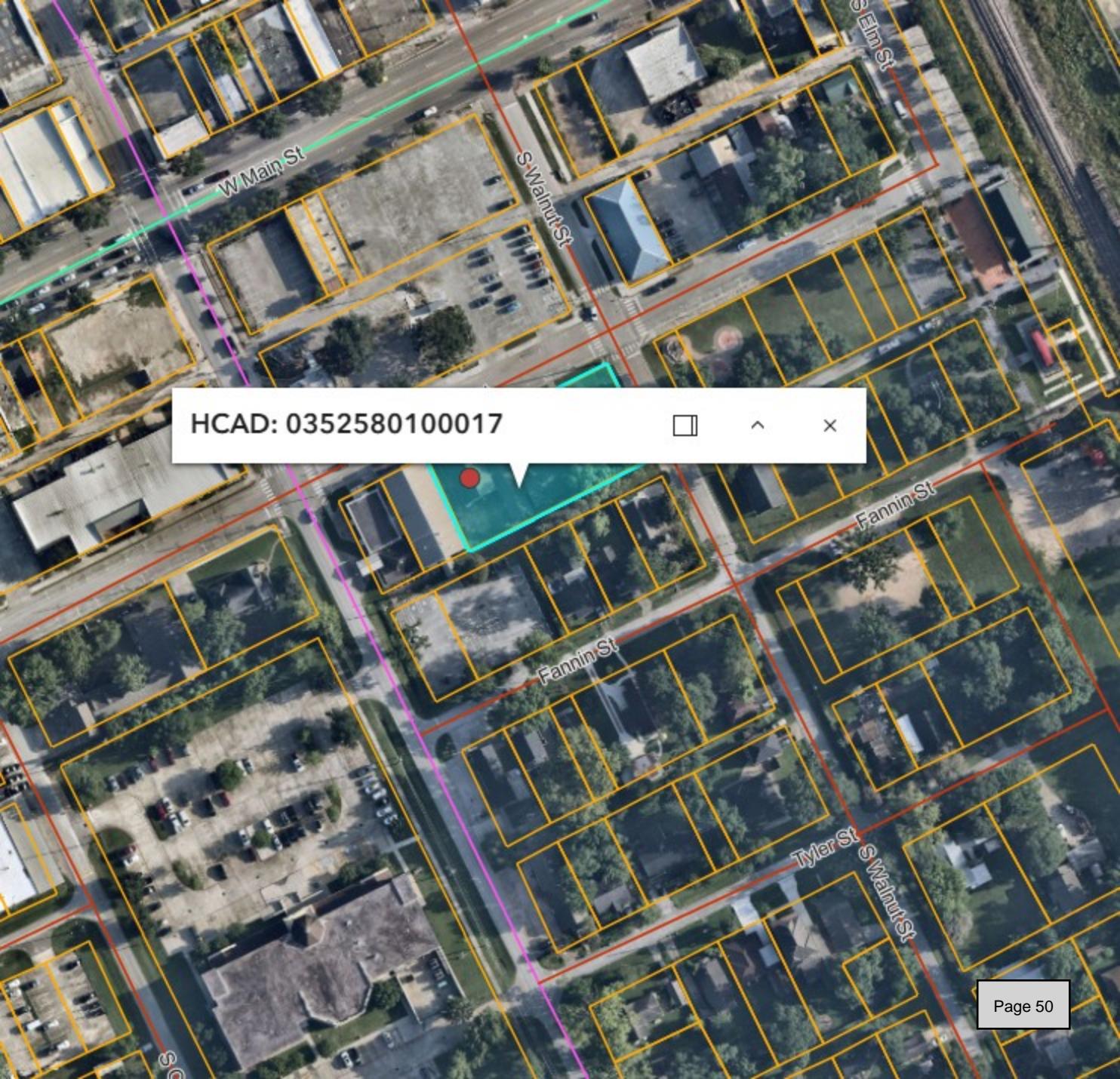
Item #4663649
Model #EV0024004-20

Total Eligible Interior Cost:
\$129,047.75

Total Project Investment:
\$227,398.06

Total Eligible Exterior Cost:
\$98,350.31

- BR&E Committee Review Date: November 18, 2025
- Total Score: 52
- Projects with a score between 46-60 will be eligible for funding up to \$50,000.00.
- Conditional approval letter issued on November 18, 2025.
- Final approval by Tomball City Council by two separate resolution readings.



HCAD: 0352580100017



Tomball Group LLC

9320 Rosie Lane
Magnolia, Texas 77354

503.348.0718
hutsongroup.com

November 9, 2025

Kelly Violette
Executive Director
Tomball Economic Development Corporation
29201 Quinn Road, Suite A
Tomball, Texas 77375

RE: Grant Request Letter - 209 Market St, Kitchen Addition Project

Dear Ms Violette,

This request is submitted to the Tomball Economic Development Corporation (TEDC) for grant funding assistance to support real estate redevelopment efforts in Old Town Tomball. This grant would help in building a kitchen addition to an existing structure located at 209 Market Street, Tomball TX 77375, enabling the updated space to be leased for food service (full service restaurant).

The Tomball Group an LLC owned by Teresa & Mike Latsis and is associated with the Hutson Group, a small, family-owned real estate development business focused on commercial properties in Old Town Tomball. We acquire, develop, and manage our own properties in an intentional and meaningful manner to support Old Town and the greater Tomball area. Our family established roots in Tomball in the early 1970's and has continued to develop a deeper commitment to this town and its community for over 50 years. My husband and I are excited to start this development project on our own with support and counsel from the Hutson Group (my extended family).

Impact on Old Town Tomball

As the primary location of our town's many festivals, Market Street is a reflection of the city of Tomball. It is a quaint, yet bustling street that serves as a window displaying Old Town Tomball's charm and character. We believe that people are first drawn to food service, then linger to support retail. With the development of this space into food service, we hope to support the economic development of Old Town retail shops while also benefiting from the many festival visitors.

Project Scope

The project scope focuses on a kitchen addition that will be built behind and attached to the existing structure, allowing easier access to install plumbing and other amenities required for a commercial kitchen. We will also create a slab patio to the west of the existing structure, allowing for outdoor seating. This project is expected to start in November 2025 and is estimated to be complete in six to nine months.

Estimated Cost

The total cost for purposes of this grant funding request is estimated at \$140,211 which includes the following estimates:

Site work, labor & materials (foundation prep & pour)	\$ 14,645
Labor, kitchen addition	\$ 29,000
Materials, kitchen addition	\$ 49,761 (w/o tax)
HVAC, labor & materials	\$ 14,066 (w/o tax, s/h)
Vent hood, labor & materials	\$ 31,800
Grease Trap, materials only	\$ 939 (w/o tax)
Total Estimated Cost	\$140,211*

* Note - Estimate excludes plumbing, electrical, and drywall trades (labor and materials)

We appreciate your consideration for this grant and the extensive efforts of TEDC in supporting and developing Tomball.

As always, if you have any questions or comments, please feel free to contact me directly.
Thanks so much,



Teresa Latsis
The Tomball Group
503.348.0718 (m)
t.latsis@hutsongroup.com



Old Town Façade Improvement Grant Program Guidelines & Criteria



Overview/Goals

The Old Town Façade Improvement Grant (FIG) Program promotes economic development and stimulates business in the City through public-private partnerships by offering economic incentives for renovation, rehabilitation, restoration, and enhancement of facades in Old Town Tomball.

Goals: Tomball's Old Town has been identified as a key focus area for economic development. This program is intended to serve as a tool to build upon the strengths of the area and maintain its unique character. Goals include:

- (A) To preserve Old Town as a unique and historic resource for the community;
- (B) To stimulate compatible reinvestment to the area;
- (C) To attract new customers, tourists, and businesses to Old Town Tomball.



Program Description

The grant program is a 50% match of all approved project costs in an amount up to \$50,000 for eligible commercial property and business owners in the Old Town Tomball District (See Figure 1). **A minimum investment of \$10,000.00 in façade improvements is required to be eligible for funding through this program.** These grants are intended to encourage high quality, lasting building improvements which respect the unique Old Town character of the building and surrounding area.

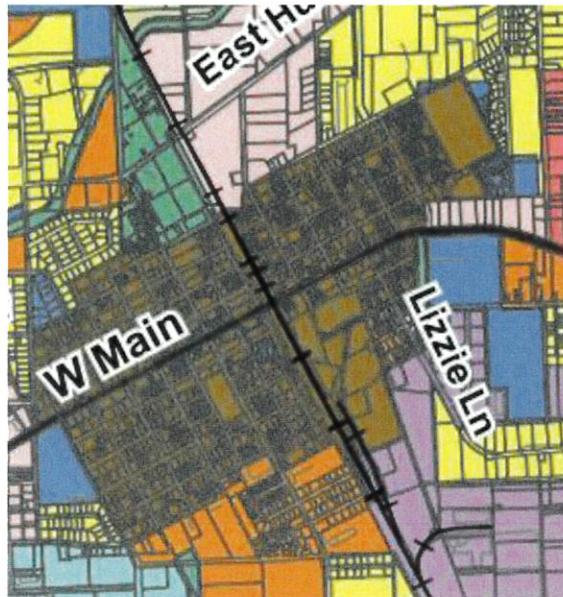
Priority will be given to projects that are making substantial façade improvements as well as improvements to the structural integrity of the building to sustain the building stock in Old Town Tomball. **Grants are not available for general or deferred maintenance.**

Applications will be evaluated and funded in accordance with the attached Evaluation Scoring System.

NOTE: Properties located outside of the Old Town Tomball District or not zones Old Town Mixed Use **WILL NOT** be considered for funding through this Program (see Business Improvement Grant Guidelines and Criteria for more funding opportunities).

Figure 1:

 Old Town District



Criteria

Eligible Reimbursements: Exterior Façade Improvements eligible for funding include, but are not limited to, the following items:

- Complete façade rehabilitation
- Exterior painting that incorporates a major visual change (maintenance painting does not apply)
- Significant masonry cleaning and/or restoration
- Exterior treatments such as brick, tile, stucco, stone, wood, or siding
- Removal/replacement of inappropriate or incompatible exterior finishes or materials
- New or enhanced exterior building lighting that creates a noticeably enhanced appearance (replacement of current lighting that is simply repair does not enhance the appearance of the building, such as replacement of inoperable fixtures and is not eligible)
- Door/window/storefront system/trim replacement or repair (if part of overall rehabilitation project; general building maintenance repairs do not qualify)
- New or restored façade elements, such as cornices, soffits, canopies, and other detail elements
- Awnings as part of a rehabilitation project
- Signs (new, repairs, replacement, removal) as part of a rehabilitation project

- Roofing (when in conjunction with other improvements)

Eligible Interior Reimbursements: Interior Improvements may be eligible for funding **only** when being made in conjunction with significant exterior façade improvements. Interior improvements may include, but are not limited to, the following items:

- ADA compliance improvements
- Architectural/structural repairs or upgrades
- Asbestos removal
- HVAC, electrical or plumbing improvements

Ineligible Reimbursements:

- Construction that has commenced or been completed prior to approval of the project application
- **Interior improvements alone are not eligible for funding**
- Buildings that are not located within the Old Town District (Figure 1)
- New building construction
- Routine maintenance
- Security Bars
- Personal property, furniture, racks, shelves or counter space
- Interior furnishings or enhancements that are not permanently affixed to the building
- Permit or capital recovery fees
- Financing costs
- In-kind, donations, or "sweat equity" contributions





Program Eligibility

1. Commercial and mixed-use buildings and structures located within the Old Town District (See Figure 1) shall be eligible for this program.
2. Any new business planning to locate within the Old Town District, or any business currently located within the Old Town District, shall be eligible for this program.
3. A business is defined as an occupation, profession, or trade in the purchase or sale of goods or services in an attempt to make profit.
4. The proposed project must comply with applicable zoning regulations, city-approved planning studies, comprehensive plan designations, City Ordinances, Building Codes, and Americans with Disabilities Act (ADA) Guidelines.
5. If the property is not in compliance with any of the abovementioned items in (4) these violations must be mitigated by the project. The grant recipient will be deemed ineligible for funding if any of these are not met at the time in which the applicant submits documentation for grant reimbursement.
6. Grants may not be used for refinancing existing loans, working capital, inventory, permits, inspections, security fencing or gates, home occupations, roof repair or replacement (by-itself), interior remodeling or improvements that are not permanent fixtures of the building, new construction, and routine maintenance.



Guidelines

1. Proof of the applicant's ownership of the subject facility or facilities, or proof that the owner of such facility has approved the application for such grant funds, shall be required.
2. The owner of a business to be operated within a leased facility, and the owner of such lease facility, must apply jointly for the program. Copies of a lease agreement and proof of ownership of the leased facility shall be required.
3. A business or property owner will be ineligible for the program if the proposed property has received funds from the Old Town Façade Improvement Grant Program within the last five fiscal (5) years.
4. A business or property owner may apply for one (1) Old Town Façade Improvement Grant per physical location (address) set forth herein within five (5) fiscal years (October 1 to September 30) from the approval date of the grant. A business that receives grant funding during a fiscal year through the Old Town Façade Improvement Grant Program shall be ineligible to make subsequent applications for the Business Improvement Grant Program until the next fiscal year.
5. The maximum amount of funding available to any one applicant, business establishment, or property owner at one physical location (address) shall be \$50,000.00 per five (5) fiscal years unless applying and receiving funds under the Business Improvement Grant Program.
6. All grants are reimbursement grants and will only be funded after completion of the project in accordance with drawings and specifications approved by the

TEDC, and after the applicant submits to the TEDC final paid itemized invoices/receipts for all applicable labor and materials, proof of payment (cleared check, credit card statement/transaction, etc.) that match the amounts reflected on the itemized receipts/invoices for all applicable labor and materials along with quality digital photographs of the completed work shall also be required to be submitted by email to: tgleason@tomballtxedc.org

7. Reimbursement grants are a cash payment of up to the approved percentage of funds expended by the applicant on the improvements and are not to exceed the limits set forth in paragraph (5) hereof. In-kind contributions to the project costs are not eligible reimbursements.
8. The TEDC may award grant funds to an applicant, with certain provisions, conditions, or other requirements that the TEDC deems necessary or appropriate. The applicant shall be obligated to make the improvements in accordance with the application submitted to and approved by the TEDC. Thereafter, any modifications must first receive written approval by the TEDC Executive Director. Failure to obtain such written approval prior to making any such modifications shall render the applicant ineligible to receive grant funding.
9. The applicant shall be responsible for obtaining all applicable permits related to the improvement project, and failure to do so will render the applicant ineligible to receive grant funding.
10. The improvements, as presented in the application, must be completed in their entirety. Failure to complete all stated improvements shall render the applicant ineligible to receive grant funding.
11. Upon approval of a grant application, and during the construction of the improvements, a representative or representatives of the TEDC shall have the right, at all reasonable times, to have access to and inspect the work in progress.
12. The applicant shall not begin any improvements prior to receiving written approval of grant funding from the TEDC.
13. The applicant must complete the improvement project within nine (9) months of receiving written approval therefore from the TEDC. Failure to complete the improvements within the required time period shall result in the loss of the grant funds allocated for the project. Time extensions may be granted at the discretion of the TEDC.
14. Approval of all applications shall be with the understanding and agreement that, in the event the business (applicant) fails to remain open, or the business or property is sold or transferred and subsequently closes, within twelve (12) months after the funding of the grant, the applicant shall be considered in default of its obligations under the grant, and shall be required to reimburse the TEDC the grant money received.
15. The applicant must agree that, in the event of default of its obligations, the applicant shall repay to the TEDC the amount of grant funds it has received, with interest, at the rate of 10% per annum, within thirty (30) days after the TEDC notifies the applicant of the default. The form of such payment shall be a cashier's check or money order, made payable to the Tomball Economic Development Corporation.

16. The applicant must certify that the applicant does not employ nor will it employ any undocumented workers (an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or authorized under law to be employed in that manner in the United States). The applicant must agree that if, after receiving grant funds, it is convicted of a violation under 8 U.S.C. Section 1324a(f), the applicant shall repay the amount of the grant funds received by the applicant, with interest, at the rate of 10% per annum, within thirty (30) days after the TEDC notifies the applicant of the violation.
17. The TEDC shall have the authority to bring a civil action to recover any amounts that the applicant must repay to the TEDC under paragraphs 14, 15, and 16, and in such action may recover court costs and reasonable attorney's fees.



Funding

The TEDC has budgeted \$200,000.00 per fiscal year (October 1 to September 30) to fund this grant program. Grant applications received after the available funding has been exhausted may be accepted and held until the following fiscal year. The TEDC retains sole discretion to accept or reject applications received after available funding has been exhausted.

1. Upon notification to the TEDC by the applicant that a project has been completed, an inspection by a TEDC representative or representatives shall be made to confirm that such project has been completed in accordance with the application or any approved modifications thereto. Such notification shall include, but not be limited to, documentation of paid receipts for materials, labor, permits, inspection reports, an affidavit stating that all contractors and subcontractors providing work and/or materials in the construction of the project improvements have been paid and any and all liens and claims regarding such work have been released, or any other item that the TEDC may reasonably deem necessary for determining the project's completion.
2. The TEDC agrees to distribute such funds to the applicant within thirty (30) days following the inspection required in paragraph (1) hereof, and confirmation of completion of the project in accordance with the application or any approved modifications thereto. The Executive Director of the TEDC shall issue a letter to the TEDC Board of Directors notifying them of the funding action to be taken. A copy of such letter shall also be provided to the applicant.
3. Within ten (10) business days following an inspection and the presentation of the receipts as provided in paragraph (1) above, and after a determination is made by the TEDC's representative that the project has not been completed in accordance with the application, or any approved modifications thereof, the Executive Director shall issue a letter to the applicant indicating any and all areas of non-compliance. The applicant shall then have sixty (60) days, from the date of such letter, to make the modifications necessary to bring the project into compliance. Failure to complete such modifications within said sixty-day period

shall be deemed a default of applicant's obligations under the grant, and the applicant shall be ineligible to receive grant funding.



Miscellaneous

The Tomball Economic Development Corporation shall deliver a copy of these guidelines to any applicant for his/her review and the delivery hereof does not constitute an offer of an Old Town Façade Improvement Grant to the applicant.

The laws of the state of Texas shall govern the interpretation, validity, performance and enforcement of this Old Town Façade Improvement Grant Program. If any provision of this Old Town Façade Improvement Grant Program is held to be invalid or unenforceable, the validity and enforceability of the remaining provisions shall not be affected hereby.

ACKNOWLEDGMENT OF RECEIPT OF AND AGREE TO COMPLY WITH THE GUIDELINES AND CRITERIA FOR THE OLD TOWN FAÇADE IMPROVEMENT GRANT PROGRAM BY THE TOMBALL ECONOMIC DEVELOPEMNT CORPORATION

APPLICANT: Teresa Latsis

ADDRESS: 9320 Rosie Ln, Magnolia TX 77354

PHONE: 503-348-0718

EMAIL: t.latsis@hutsongroup.com

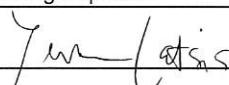
Signature: 

PROPERTY OWNER/LANDLORD: Mike & Teresa Latsis

ADDRESS: 9320 Rosie Ln, Magnolia TX 77354

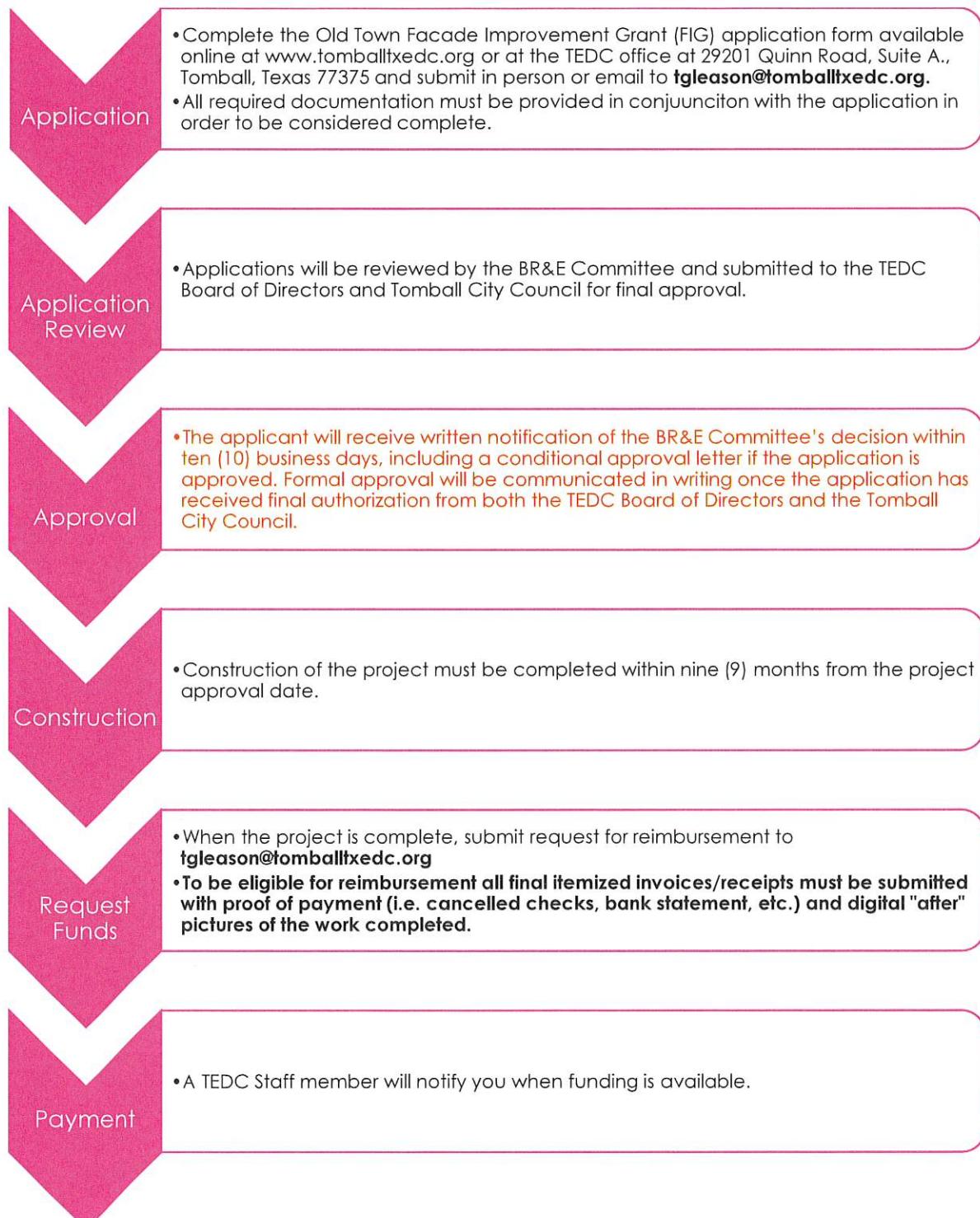
PHONE: 503-348-0718

EMAIL: t.latsis@hutsongroup.com

Signature: 

This acknowledgement page must be signed and returned to the Executive Director of Economic Development. Please retain the Guidelines and Criteria for your records.

Application Process



**APPLICATION
for
OLD TOWN FAÇADE IMPROVEMENT GRANT PROGRAM**

I (We), hereinafter referred to as "APPLICANT", on behalf of the identified entity, submit to the Tomball Economic Development Corporation, hereinafter referred to as "TEDC", this application for consideration of an Old Town Façade Improvement Grant under the provisions of the TEDC's Old Town Façade Improvement Grant Program.

As part of this application, APPLICANT represents to TEDC the following:

1. APPLICANT has received a copy of the TEDC's Guidelines and Criteria for the Old Town Façade Improvement Grant Program. APPLICANT acknowledges to TEDC that in making this application, APPLICANT understands the terms and provisions thereof, and all questions relating to any needed interpretation thereof have been answered by authorized representatives of TEDC prior to the submission of this application.
2. APPLICANT has secured such legal, accounting, and/or other advice that may be necessary for APPLICANT to determine the desirability of making this application and/or accurately and correctly answering any questions as hereinafter set out. APPLICANT acknowledges that it has completely relied on the advice and counsel of experts and/or appropriate persons retained, employed, or compensated by APPLICANT, and that it has not relied upon, nor is APPLICANT now attempting to rely upon the advice and counsel of TEDC, its servants, agents, employees and/or elected or appointed officers.
3. By signing this document, "Application for Old Town Façade Improvement Grant" either in an individual capacity, jointly, or in a representative capacity. APPLICANT acknowledges and verifies that all of the facts, information, and allegations as herein set out are true, correct and accurate, and that TEDC may rely thereon as if the same had been signed by APPLICANT or APPLICANT'S agent before a Notary Public or other authorized officer permitted by law to administer oaths and to take acknowledgements. APPLICANT further acknowledges and understands that any materially false or misleading statements of fact may be considered a violation of the criminal laws of the State of Texas.
4. The APPLICANT, whether a corporate entity, partnership, or other legal type business entity, or an individual, acknowledges and verifies that it is current on all current tax obligations, assessments, or other governmental levies and assessments, and that the same have been paid when due and payable, and that no delinquencies exist at this time. The APPLICANT swears and affirms that the APPLICANT is fully authorized to transact business in the State of Texas and in the state of incorporation if different from the State of Texas.
5. The APPLICANT hereby certifies that the APPLICANT does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized under the law to be employed in that manner in the United States. APPLICANT understands and agrees that if, after receiving an Old Town Façade Improvement Grant, APPLICANT is convicted of a violation under 8 U.S.C. Section 1324a(f), the APPLICANT shall be required to reimburse to the TEDC the grant amount received. Payments must be paid in full within thirty (30) days after the date of written notification by the TEDC. The form of such payment shall be a cashier's check or money order, made payable to the Tomball Economic Development Corporation. The TEDC has the right to recover court costs and reasonable attorney's fees as a result of any civil action required to recover such repayment.

Promotional Rights.

By accepting grant funds, the APPLICANT authorizes the TEDC to promote the project and property including, but not limited to, displaying a sign at the site indicating participation in the Program and using photographs and descriptions of the project and property in TEDC promotional materials, press releases, social media and websites.

Applicant Information.

Applicant is: Owner Tenant Applicant

Business Entity Name: Tomball Group LLC

Mailing Address: 9320 Rosie Ln, Magnolia TX 77354

Phone Number: 503-348-0718

Email: t.latsis@hutsongroup.com

Street Address: 9320 Rosie Ln, Magnolia TX 77354

Home Address: 9320 Rosie Ln, Magnolia TX 77354

Street Address: _____

City/State/Zip: _____

Other companies and locations owned and/or operated by the APPLICANT

Company Name: _____

Street Address: _____

City/State/Zip: _____

Building Owner Information. (NOTE: if applicant is a tenant, building owner must apply as a co-applicant)

Business Owner Name: N/A

Building Owner Address: _____

Phone Number: _____

Email: _____

6. Please attach a separate document providing a legal description of the property upon which the contemplated improvements will be located as *Exhibit A*.
7. Please attach a vicinity map locating the property within the City of Tomball as *Exhibit B*.

8. Please furnish detailed drawings, plans, specifications, color schemes, or any other available supporting documents for the proposed improvements and cost estimates as *Exhibit C*.
9. Please attach a letter describing the overall project and addressing the need for the TEDC grant funds.
10. Description of proposed improvements:

Description	Estimated Repair	Estimated Start Date	Completion Date
Total, detail provided in the attached Grant Request Letter	\$ 140,211	November 2025	July 2026

11. New or existing business: New Existing
_____ has been in operation for _____ years.
- Existing # of jobs: 0 (If applicable) Full-time _____ Part-time _____
- New jobs (full-time): _____ New jobs (part-time): _____

13. Prior to APPLICANT'S execution of this application, APPLICANT has had this reviewed by an Attorney of the APPLICANT, or has had the opportunity to do so, and the parties hereto agree that based on the foregoing, this application for the Old Town Façade Improvement Grant Program shall not be construed in favor of one party over the other based on the drafting of this application.
14. APPLICANT and owner/landlord indemnify, defend, and hold TEDC harmless from any liability, injury, claim, expenses, and attorney's fees arising out of a contractor, builder, or contract for performance of improvements, or repair to buildings and facilities.
15. TEDC has delivered a copy of the guidelines and criteria for an Old Town Façade Improvement Grant Program to applicant for review, and the delivery hereof does not constitute an offer of an improvement grant.
16. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of the application for the Old Town Façade Improvement Grant Program. If any provision of this application for the Old Town Façade Improvement Grant Program should be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this application shall not be affected thereby.

17. Before submitting an application to the TEDC, the APPLICANT must meet with the Development Review Committee (DRC) of the City of Tomball for a review of the proposed project improvements in order to fulfill paragraph (16) project eligibility requirement in the TEDC "Guidelines and Criteria." The APPLICANT can make an appointment by calling 281-290-1405.

VERIFICATION

I (We), the undersigned APPLICANT(S), certify that all the information furnished TEDC has been furnished freely by the APPLICANT(S), herein, and further acknowledge that no rights or privileges may be relied on as a part of any application. In addition, it is acknowledged that the Tomball Economic Development Corporation may or may not grant an Old Town Façade Improvement Grant based upon application or request hereunder purely as a matter of discretion, and that there is no legal right to rely on any previous actions taken in same or similar applications, or previous actions taken on other applications concerning the same or similar property.

Signed and submitted to Tomball Economic Development Corporation on this, the
10th day of November, 2025

Applicant: Teresa Latsis

Signature: Teresa Latsis

Phone: 503-348-0718 Email: t.latsis@hutsongroup.com

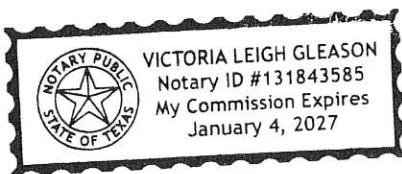
Property Owner/Landlord: Teresa Latsis

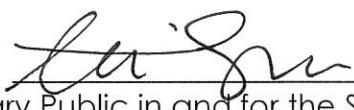
Signature: Teresa Latsis

Phone: 503-348-0718 Email: t.latsis@hutsongroup.com

The State of Texas
County of Harris

Before me, the undersigned authority, on this 10th day of November,
2025, personally appeared Teresa Cantis,
known to me to be the persons whose names are subscribed to the foregoing
instrument, and acknowledged to me and that they executed the same for the
purposes therein expressed.




Notary Public in and for the State of Texas
My Commission Expires: 01/04/2027

The State of Texas
County of Harris

Before me, the undersigned authority, on this _____ day of _____,
_____, personally appeared _____,
known to me to be the persons whose names are subscribed to the foregoing
instrument, and acknowledged to me and that they executed the same for the
purposes therein expressed.

Notary Public in and for the State of Texas
My Commission Expires: _____

**DOCUMENTATION CHECKLIST
for
OLD TOWN FAÇADE IMPROVEMENT GRANT PROGRAM**

As part of this application, the following documentation is being provided by the applicant:

- Request Letter describing proposed project and the need for grant funds;
- All grant applications must include a drawing to scale showing design intent, materials, and colors to be used of all the proposed grant work to be done;
- Establishment of Business Entity Name (Copy of Articles of Incorporation, dba, etc.);
- Copy of Lease Agreement (if facility is leased);
- Legal description of subject property (Exhibit A);
- Vicinity map of subject property (Exhibit B);
- Estimates of proposed improvements from the company to be doing the work (as much detail as possible) (Exhibit C);
 - Itemized estimates/quotes which include information and details such as color samples of paint, fabric, sign material
- Digital pictures of the site and area (interior and exterior) to be improved emailed to tgleason@tomballtxedc.org (Exhibit D);
- If submitting your application online, Signature and Notary Seal required **once approved**.



OLD TOWN FAÇADE IMPROVEMENT GRANT PROGRAM

Evaluation Scoring System

The Old Town Façade Improvement Grant Program (FIG) evaluation scoring system is based on the standards and criteria of the Program. Applications will be evaluated by each Committee member using this scoring system and funding of eligible improvements will be based upon a project's score and the following requirements.

- Projects must meet the applicable FIG standards and criteria, receive a score of 30 points or more, and meet all other program requirements to be considered for funding.
- Projects with a score between 46-60 will be eligible for funding up to \$50,000.00.
- Projects with a score between 30-45 will be eligible for funding up to \$40,000.00.

Project:	Total Eligible Interior Cost:	Total Project Investment:
Tomball Group, LLC 209 Market St. Tomball, Texas 77375	\$129,047.75	\$227,398.06
	Total Eligible Exterior Cost: \$98,350.31	

Evaluation Categories

Visibility	Points Available
Building located off of 2920 or highly visible from 2920	5
Building located on predominantly commercial streets	4
Building located on residential or minor street	3

Existing Condition	Points Available
Poor: The existing appearance and condition of the property is structurally unstable or dilapidated	5
Fair: The existing appearance and condition of the property is structurally stable but needs substantial renovations	3
Good: The existing appearance and condition of the property is in need of little to no structural or substantial renovations	1

Impact of Improvement	Points Available (can be combined)
The project includes major/complete façade work and site redevelopment	5
The building façade is predominately brick/stone (excluding windows/doors)	5
The project includes moderate façade work and site redevelopment	4
The building includes a creative design that is an appropriate fit for the proposed location and is consistent with the downtown character	4
The building façade improvements along the alley are of the same quality as the street facing facades	4
The building preserves or restores historical features or characteristics	3
The project significantly improves the streetscape or alleyscape adjacent to the building	2

Importance to the Area	Points Available (points can be combined for mixed use project up to 15 points)
Restaurant	7
Entertainment	6
Retail – desired retail uses (determined by Committee)	6
Office	5
Primary Employment	4
Retail – general retail uses	3
Other uses	Point value determined by the Committee

Owner vs TEDC Contribution Ratio	Points Available
Greater than 7:1	5
Greater than 4:1 but less than 7:1	3
1:1 up to 4:1	1

Readiness	Points Available
Applicant has architect's renderings, quotes, proof of ownership/lease and 100% of grant checklist requirements	5
Applicant has quotes and proof of ownership/lease and 50% of grant checklist requirements	3
Applicant has quotes and only 25% of grant checklist requirements	1

Local Owner/Occupant	Points Available
Building is owned by a local landlord/owner and the business is locally owned and operated	5
Building is owned by an absent landlord, but the business is locally owned and operated	3
Building is owned by an absent landlord, and the business is not locally owned	1

Utilization of Local Businesses	Points Available
Applicant is using mostly local businesses to make improvements	5
Applicant is using half local businesses to make improvements	3
Applicant is using no local businesses to make improvements	1

Total Points	52
---------------------	-----------



November 18, 2025

Mike & Teresa Latsis
Tomball Group, LLC
209 Market Street
Tomball, Texas 77375

RE: CONDITIONAL APPROVAL - Old Town Façade Improvement Grant Program

Dear Mr. & Mrs. Latsis:

Thank you for your recent application to the Old Town Façade Improvement Grant Program. We are pleased to inform you that your application for the proposed improvements at **209 Market Street, Tomball, Texas 77375**, has received **conditional approval** from the Business Retention & Expansion (BR&E) Review Committee.

This conditional approval is based on the preliminary review of your application materials, including your project description, cost estimates, and proposed design concept. The BR&E Committee met on November 18, 2025, to review your submittal and found that based on the Evaluation Scoring System your project received a score of **52** which is eligible for funding up to **\$50,000.00**.

Conditional Approval

This letter serves as formal notice of conditional approval of the application, as submitted, based on the preliminary review conducted by the Tomball Economic Development Corporation's (BR&E) Review Committee. While we are encouraged by your project's potential and the progress made to date, please carefully review the following critical conditions:

1. Final Approval Pending

This conditional approval does not constitute a commitment of funds or a final decision. The project remains subject to final approval by Tomball City Council, which includes a full review of all required documentation, terms, and conditions.

2. No Guarantee of Funding

Funding for this project is not guaranteed until formal approval is granted by the Tomball Economic Development Corporation's Board of Directors and Tomball City Council through a resolution or other official action.

3. Proceeding at Your Own Risk

If you choose to begin project activities prior to receiving final approval, please understand you do so at your own risk. Neither the TEDC, City of Tomball, nor its affiliates shall be held liable for any costs, obligations, or commitments incurred in anticipation of funding.



Process for Final Approval

Your application will be presented at the next available Tomball Economic Development Corporation Board of Directors Meeting for approval. It will then proceed to the next two available Tomball City Council Meetings for final approval via two separate readings of a resolution.

Once all approvals are obtained and legal notice requirements fulfilled, TEDC staff will reach out to initiate execution of the grant agreement.

Project Work and Reimbursement Guidelines

While you may begin project work upon receipt of this letter, please note that the reimbursement of eligible expenses will only occur after full approval is secured and the grant agreement has been executed. Additionally, you must comply with all applicable City of Tomball permitting requirements, zoning regulations, building codes, and other local ordinances. Failure to do so may affect your eligibility for reimbursement.

Upon project completion, you must submit:

- Final paid invoice(s)
- Proof of payment(s)
- Digital “after” photographs of the completed improvements

Once all documentation is received and verified, TEDC will process the reimbursement and notify you when your check is ready.

Financial Summary

Description	Your Investment	TEDC Grant
Eligible Improvements	\$227,398.06	\$50,000.00
Total Amount Available from TEDC:		\$50,000.00

We sincerely appreciate your dedication to preserving and enhancing the character of Old Town Tomball. If you have any questions or need further assistance, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Tori Gleason".

Tori Gleason, PCED

Economic Development Coordinator
Tomball Economic Development Corporation

RESOLUTION NO. 2026-11-TEDC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING AND APPROVING THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION'S PROJECT TO EXPEND FUNDS IN ACCORDANCE WITH AN ECONOMIC DEVELOPMENT AGREEMENT BY AND BETWEEN THE CORPORATION AND TOMBALL GROUP, LLC TO PROMOTE AND DEVELOP A NEW OR EXPANDED BUSINESS ENTERPRISE; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the Tomball Economic Development Corporation (the "TEDC"), created pursuant to the Development Corporation Act, now Chapter 501 of the Texas Local Government Code, as amended (the "Act"), desires to adopt projects and provide incentives for economic development within the City; and

WHEREAS, the Board of Directors of the TEDC had adopted as a specific project the expenditure of the estimated amount of Fifty Thousand Dollars (\$50,000.00), found by the Board to be required or suitable to promote a new business development by Tomball Group, LLC; and

WHEREAS, pursuant to the Act, the TEDC may not undertake such project without the approval of Tomball City Council; and

WHEREAS, City Council finds and determines that such project promotes new or expanded business development and is in the best interests of the citizenry; now, therefore,

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

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

Section 2. The City Council hereby authorizes and approves the adoption, by the Board of Directors of the Tomball Economic Development Corporation, as a specific project for the economic development of the City, an expenditure of the estimated amount of Fifty Thousand Dollars (\$50,000.00), to Tomball Group, LLC, in accordance with an Old Town Façade Improvement Grant by and between the TEDC and Tomball Group, LLC to promote and develop a new or expanded business enterprise, to be located at 209 Market Street, Tomball, Texas 77375.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to

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

PASSED AND APPROVED on first reading this _____ day of _____, 202__.

PASSED, APPROVED, AND RESOLVED on second and final reading this _____ day of _____, 202__.

Lori Klein Quinn, Mayor

ATTEST:

City Secretary

Regular City Council

Agenda Item

Data Sheet

Meeting Date: February 16, 2026

Topic:

Approve, on Second Reading, Resolution No. 2026-12-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Old Town Façade Improvement Grant by and between the Corporation and Tomball Social Haus to make direct incentives to, or expenditures for, building improvements for new or expanded business enterprise to be located at 209 Fannin Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$26,507.50.

Background:

On January 13, 2026, the Tomball Economic Development Corporation (TEDC) Board of Directors unanimously approved, as a Project of the Corporation, an Old Town Façade Improvement Grant with Tomball Social Haus for building improvements for new or expanded business enterprise. The Tomball City Council has final approval authority over all programs and expenditures of the Corporation.

Origination: Tomball Economic Development Corporation Board of Directors

Recommendation: Approval of Resolution No. 2026-12-TEDC

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

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: #Old Town Façade
Improvement Grants

If no, funds will be transferred from account #

To account #

Signed

Staff Member-TEDC

Date

Approved by

Executive Director-TEDC

Date



TO: Honorable Mayor and City Council

FROM: Kelly Violette
Executive Director

MEETING DATE: February 2, 2026

SUBJECT: Tomball Social Haus

ITEM TYPE: Action

The Tomball Economic Development Corporation has received a request from Per Werner, Owner, Tomball Social Haus for funding assistance through the TEDC's Old Town Façade Improvement Grant (FIG) Program for improvements to an approximately 825 square foot building located at 209 Fannin Street.

The proposed project includes the remodel of an existing 200-square-foot existing building near the rear of the property into a private event/meeting space. The space is currently being used for storage. The improvements include interior flooring, new shiplap walls, metal ceiling, and cabinetry. The project also includes improvements to the main building including exterior painting, siding, trim, and deck and column stain. Additionally, a new covered patio area will be constructed between the main building and accessory building.

The goal of the TEDC's Old Town Façade Improvement Grant is to promote and assist with renovation, rehabilitation, restoration, and enhancements to commercial buildings within the Old Town Mixed Use zoning district. In accordance with the Old Town Façade Improvement Grant Program Guidelines & Criteria, the proposed performance agreement is for 50% of the eligible improvement costs, not to exceed \$26,507.50.

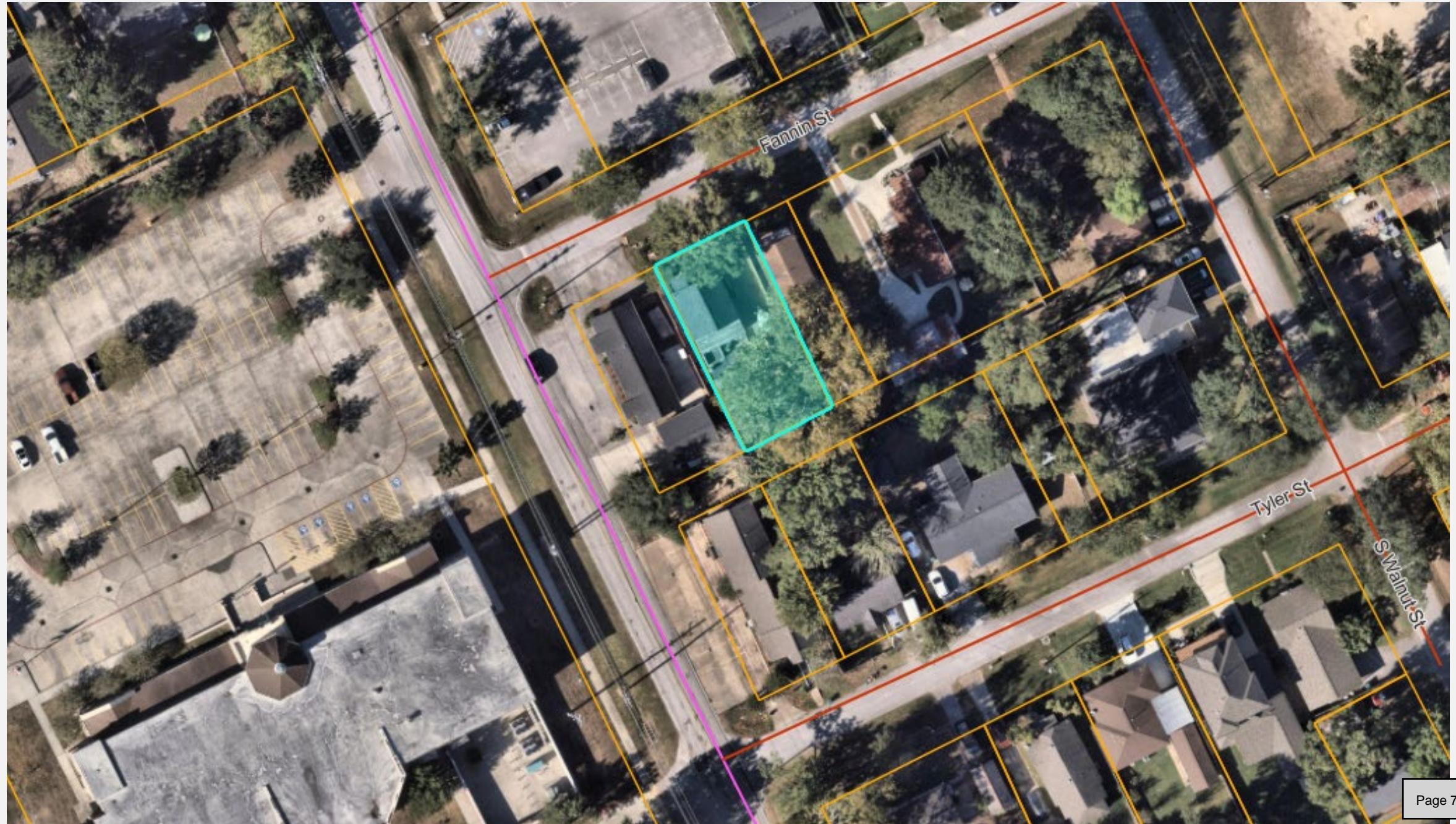
The project and application were reviewed and conditionally approved by the Business Retention & Expansion (BRE) Committee on January 6, 2026. While this conditional approval enables the applicant to move forward with their project and avoid significant approval delays, it does not guarantee funding. Final approval is still required from both the TEDC Board and Tomball City Council. Applicants proceed at their own risk until those approvals are secured.

Once approved, the applicant will have nine months to complete the improvements. All grants are reimbursement grants and will only be funded after completion of the project, and after the applicant submits final paid itemized invoices/receipts for all applicable labor and materials, proof of payment, and digital photographs of the completed work.

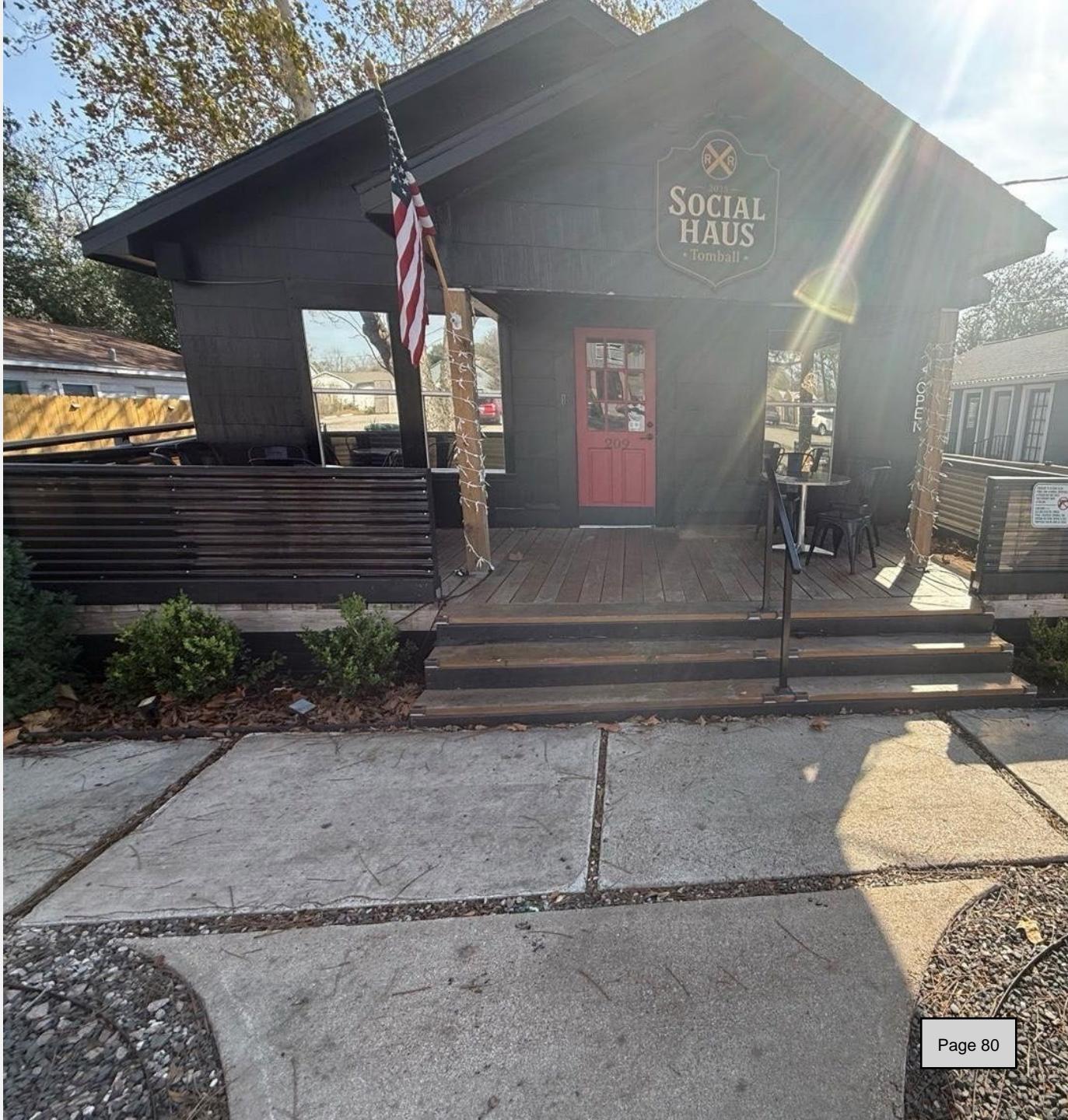
Although this project does not create primary jobs, it does promote the development and expansion of business enterprise, which is considered a permissible project as outlined in Texas Economic Development Legislation. If this project is approved, it will go to the Tomball City Council for final approval by resolution at two separate readings.

Business Name:
Tomball Social Haus

Address:
**209 Fannin Street
Tomball, Texas 77375**

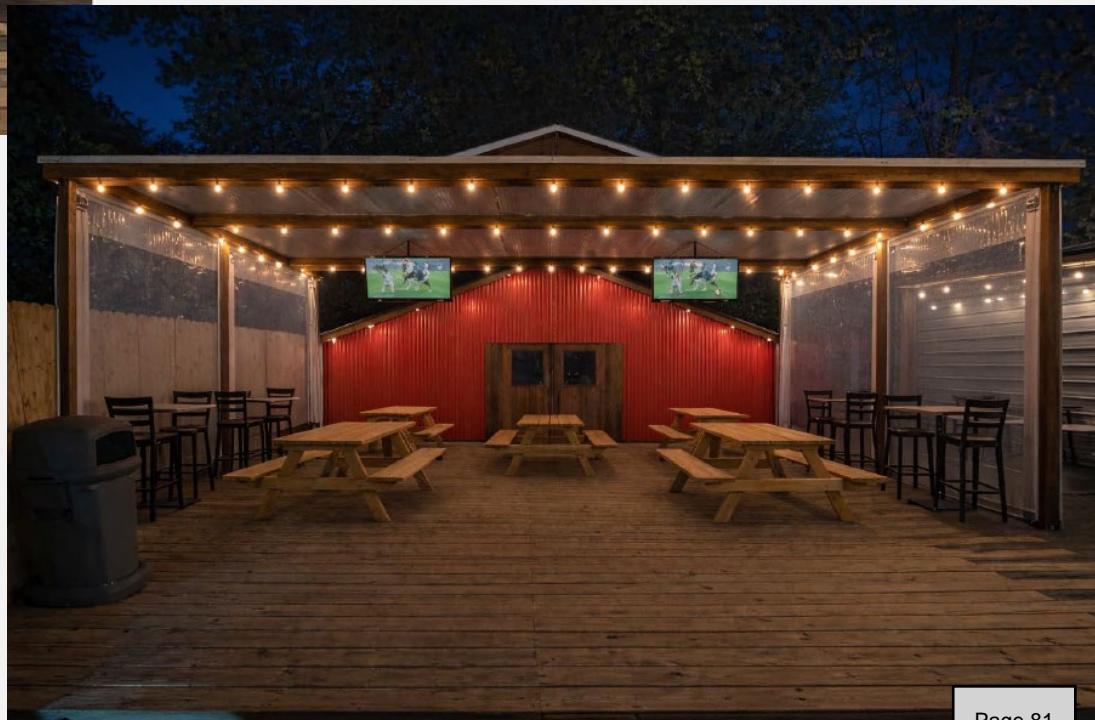


**Façade Improvements:
Exterior painting, siding,
trim, and deck and
column stain.**





Remodel of existing 200 square foot building near rear of property and construction of a new covered patio area.





Interior Improvements: Flooring, new shiplap walls, metal ceiling, and cabinetry.



Total Eligible Interior Cost:

\$27,700.00

Total Project Investment:

\$53,015.00

Total Eligible Exterior Cost:

\$25,315.00

- BR&E Committee Review Date: January 6, 2026
- Total Score: 45
- Projects with a score between 30-45 will be eligible for funding up to \$40,000.00.
- Conditional approval letter issued on January 6, 2026.
- Final approval by Tomball City Council by two separate resolution readings.





Tomball Social Haus
209 Fannin Street
Tomball, Texas 77375
Phone: 832-303-3204
Email: Info@cadevents.com

Date: 12/23/25

Tomball Economic Development Corporation
Attn: Business Retention & Expansion Committee
29201 Quinn Road, Suite A
Tomball, Texas 77375

RE: Request for Old Town Façade Improvement Grant – Tomball Social Haus (209 Fannin Street)

Tomball Social Haus respectfully submits this request for consideration under the Old Town Façade Improvement Grant Program for exterior and site improvements to the property located at 209 Fannin Street within the Old Town Tomball District.

Tomball Social Haus is a new, locally owned business that will contribute to the activation and continued economic vitality of Old Town. The proposed project focuses on enhancing exterior architectural elements and adaptively reusing existing structures in a manner consistent with the character, scale, and intent of the district.

The scope of work includes the installation of architecturally appropriate awnings and exterior coverings, along with the construction of a covered rear patio area. These improvements will allow the space to remain functional during rain and colder weather, improving year-round

usability while maintaining compatibility with surrounding historic development.

Additionally, the project includes the repurposing of an existing rear garage/barn structure into an upscale private rental and meeting space. This adaptive reuse preserves the existing structure, activates underutilized space, and provides a unique venue for private events, meetings, and community gatherings that support increased foot traffic and extended use of the property.

The total investment for the proposed improvements is \$57,515.00. Assistance through the Old Town Façade Improvement Grant Program is essential to completing these improvements at a level of quality that aligns with Old Town design standards and the City's economic development objectives. All contractors utilized for this project are local to Tomball and are members of the Tomball Chamber of Commerce, ensuring that project investment directly benefits the local economy.

Upon opening, Tomball Social Haus will create one (1) full-time position and nine (9) part-time positions. All proposed improvements are scheduled to be completed within one (1) month of receiving written grant approval, demonstrating project readiness and the ability to promptly execute the improvements in accordance with program requirements.

Tomball Social Haus appreciates the opportunity to partner with the Tomball Economic Development Corporation in furthering the preservation, activation, and economic growth of Old Town Tomball. We respectfully request consideration for grant assistance through the Old Town Façade Improvement Grant Program.

Sincerely,

Per Werner

Per Werner

Owner

Tomball Social Haus

**APPLICATION
for
OLD TOWN FAÇADE IMPROVEMENT GRANT PROGRAM**

I (We), hereinafter referred to as "APPLICANT", on behalf of the identified entity, submit to the Tomball Economic Development Corporation, hereinafter referred to as "TEDC", this application for consideration of an Old Town Façade Improvement Grant under the provisions of the TEDC's Old Town Façade Improvement Grant Program.

As part of this application, APPLICANT represents to TEDC the following:

1. APPLICANT has received a copy of the TEDC's Guidelines and Criteria for the Old Town Façade Improvement Grant Program. APPLICANT acknowledges to TEDC that in making this application, APPLICANT understands the terms and provisions thereof, and all questions relating to any needed interpretation thereof have been answered by authorized representatives of TEDC prior to the submission of this application.
2. APPLICANT has secured such legal, accounting, and/or other advice that may be necessary for APPLICANT to determine the desirability of making this application and/or accurately and correctly answering any questions as hereinafter set out. APPLICANT acknowledges that it has completely relied on the advice and counsel of experts and/or appropriate persons retained, employed, or compensated by APPLICANT, and that it has not relied upon, nor is APPLICANT now attempting to rely upon the advice and counsel of TEDC, its servants, agents, employees and/or elected or appointed officers.
3. By signing this document, "Application for Old Town Façade Improvement Grant" either in an individual capacity, jointly, or in a representative capacity. APPLICANT acknowledges and verifies that all of the facts, information, and allegations as herein set out are true, correct and accurate, and that TEDC may rely thereon as if the same had been signed by APPLICANT or APPLICANT'S agent before a Notary Public or other authorized officer permitted by law to administer oaths and to take acknowledgements. APPLICANT further acknowledges and understands that any materially false or misleading statements of fact may be considered a violation of the criminal laws of the State of Texas.
4. The APPLICANT, whether a corporate entity, partnership, or other legal type business entity, or an individual, acknowledges and verifies that it is current on all current tax obligations, assessments, or other governmental levies and assessments, and that the same have been paid when due and payable, and that no delinquencies exist at this time. The APPLICANT swears and affirms that the APPLICANT is fully authorized to transact business in the State of Texas and in the state of incorporation if different from the State of Texas.
5. The APPLICANT hereby certifies that the APPLICANT does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States; or (b) authorized under the law to be employed in that manner in the United States. APPLICANT understands and agrees that if, after receiving an Old Town Façade Improvement Grant, APPLICANT is convicted of a violation under 8 U.S.C. Section 1324a(f), the APPLICANT shall be required to reimburse to the TEDC the grant amount received. Payments must be paid in full within thirty (30) days after the date of written notification by the TEDC. The form of such payment shall be a cashier's check or money order, made payable to the Tomball Economic Development Corporation. The TEDC has the right to recover court costs and reasonable attorney's fees as a result of any civil action required to recover such repayment.

Promotional Rights.

By accepting grant funds, the APPLICANT authorizes the TEDC to promote the project and property including, but not limited to, displaying a sign at the site indicating participation in the Program and using photographs and descriptions of the project and property in TEDC promotional materials, press releases, social media and websites.

Applicant Information.

Applicant is: Owner Tenant Applicant

Business Entity Name: Tomball Social Haus

Mailing Address: 209 Fannin st Tomball Tx 77375

Phone Number: 832-303-3204

Email: info@cadevents.com

Street Address: 209 Fannin St, Tomball TX 77375

Home Address: 27 Quillwood pl

Street Address: _____

City/State/Zip: Magnolia Tx, 77354

Other companies and locations owned and/or operated by the APPLICANT

Company Name: _____

Street Address: _____

City/State/Zip: _____

Building Owner Information. (NOTE: if applicant is a tenant, building owner must apply as a co-applicant)

Business Owner Name: Per Werner

Building Owner Address: _____

Phone Number: _____

Email: _____

6. Please attach a separate document providing a legal description of the property upon which the contemplated improvements will be located as *Exhibit A*.

7. Please attach a vicinity map locating the property within the City of Tomball as *Exhibit B*.

8. Please furnish detailed drawings, plans, specifications, color schemes, or any other available supporting documents for the proposed improvements and cost estimates as Exhibit C.
9. Please attach a letter describing the overall project and addressing the need for the TEDC grant funds.
10. Description of proposed improvements:

Description	Estimated Repair	Estimated Start Date	Completion Date
Barn/Garage Build Out	\$27,700.00	Within 7 Days of Approval	Within 30 Days of Approval
Patio Covering	\$10,815.00	Within 7 Days of Approval	Within 30 Days of Approval

11. New or existing business: New Existing

Tomball Social Haus has been in operation for >1 years.

Existing # of jobs: _____ (If applicable) Full-time _____ Part-time _____

New jobs (full-time): 1 New jobs (part-time): 9

13. Prior to APPLICANT'S execution of this application, APPLICANT has had this reviewed by an Attorney of the APPLICANT, or has had the opportunity to do so, and the parties hereto agree that based on the foregoing, this application for the Old Town Façade Improvement Grant Program shall not be construed in favor of one party over the other based on the drafting of this application.
14. APPLICANT and owner/landlord indemnify, defend, and hold TEDC harmless from any liability, injury, claim, expenses, and attorney's fees arising out of a contractor, builder, or contract for performance of improvements, or repair to buildings and facilities.
15. TEDC has delivered a copy of the guidelines and criteria for an Old Town Façade Improvement Grant Program to applicant for review, and the delivery hereof does not constitute an offer of an improvement grant.
16. The laws of the State of Texas shall govern the interpretation, validity, performance, and enforcement of the application for the Old Town Façade Improvement Grant Program. If any provision of this application for the Old Town Façade Improvement Grant Program should be held to be invalid or unenforceable, the validity and enforceability of the remaining provisions of this application shall not be affected thereby.

17. Before submitting an application to the TEDC, the APPLICANT must meet with the Development Review Committee (DRC) of the City of Tomball for a review of the proposed project improvements in order to fulfill paragraph (16) project eligibility requirement in the TEDC "Guidelines and Criteria." The APPLICANT can make an appointment by calling 281-290-1405.

VERIFICATION

I (We), the undersigned APPLICANT(S), certify that all the information furnished TEDC has been furnished freely by the APPLICANT(S), herein, and further acknowledge that no rights or privileges may be relied on as a part of any application. In addition, it is acknowledged that the Tomball Economic Development Corporation may or may not grant an Old Town Façade Improvement Grant based upon application or request hereunder purely as a matter of discretion, and that there is no legal right to rely on any previous actions taken in same or similar applications, or previous actions taken on other applications concerning the same or similar property.

Signed and submitted to Tomball Economic Development Corporation on this, the 23rd day of December, 2025.

Applicant: Per Werner

Signature: Per Werner

Phone: 414-698-5071

Email: info@cadevents.com

Property Owner/Landlord: _____

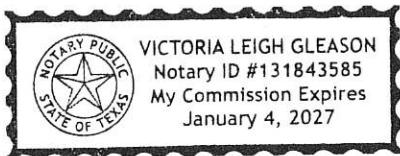
Signature: _____

Phone: _____

Email: _____

The State of Texas
County of Harris

Before me, the undersigned authority, on this 23rd day of December,
2025, personally appeared Furner,
known to me to be the persons whose names are subscribed to the foregoing
instrument, and acknowledged to me and that they executed the same for the
purposes therein expressed.




Notary Public in and for the State of Texas
My Commission Expires: 01/04/2027

The State of Texas
County of Harris

Before me, the undersigned authority, on this _____ day of _____,
_____, personally appeared _____,
known to me to be the persons whose names are subscribed to the foregoing
instrument, and acknowledged to me and that they executed the same for the
purposes therein expressed.

Notary Public in and for the State of Texas
My Commission Expires: _____

**ACKNOWLEDGMENT OF RECEIPT OF AND AGREE TO COMPLY WITH
THE GUIDELINES AND CRITERIA FOR BUSINESS IMPROVEMENT GRANT
PROGRAM BY THE TOMBALL ECONOMIC DEVELOPMENT
CORPORATION**

Applicant: Per Werner
Address: 209 Fannin st Tomball Tx 77375
Phone No.: 414-698-5071

Signature: Per Werner

Property Owner/Landlord: _____

Address: _____

Phone No.: _____

Signature: _____

This acknowledgement page must be signed and returned to the Executive Director of Economic Development. Please retain the Guidelines and Criteria for your records.

Applicants are strongly encouraged to shop locally for products and services.

**DOCUMENTATION CHECKLIST
for
OLD TOWN FAÇADE IMPROVEMENT GRANT PROGRAM**

As part of this application, the following documentation is being provided by the applicant:

- Request Letter describing proposed project and the need for grant funds;
- All grant applications must include a drawing to scale showing design intent, materials, and colors to be used of all the proposed grant work to be done;
- Establishment of Business Entity Name (Copy of Articles of Incorporation, dba, etc.);
- Copy of Lease Agreement (if facility is leased);
- Legal description of subject property (Exhibit A);
- Vicinity map of subject property (Exhibit B);
- Estimates of proposed improvements from the company to be doing the work (as much detail as possible) (Exhibit C);
 - Itemized estimates/quotes which include information and details such as color samples of paint, fabric, sign material
- Digital pictures of the site and area (interior and exterior) to be improved emailed to tgleason@tomballtxedc.org (Exhibit D);
- If submitting your application online, Signature and Notary Seal required **once approved**.



OLD TOWN FAÇADE IMPROVEMENT GRANT PROGRAM

Evaluation Scoring System

The Old Town Façade Improvement Grant Program (FIG) evaluation scoring system is based on the standards and criteria of the Program. Applications will be evaluated by each Committee member using this scoring system and funding of eligible improvements will be based upon a project's score and the following requirements.

- Projects must meet the applicable FIG standards and criteria, receive a score of 30 points or more, and meet all other program requirements to be considered for funding.
- Projects with a score between 46-60 will be eligible for funding up to \$50,000.00.
- Projects with a score between 30-45 will be eligible for funding up to \$40,000.00.

Project:	Total Eligible Interior Cost:	Total Project Investment:
Tomball Social Haus 209 Fannin Street Tomball, Texas 77375	\$27,700.00	\$53,015.00
	Total Eligible Exterior Cost: \$25,315.00	

Evaluation Categories

Visibility	Points Available
Building located off of 2920 or highly visible from 2920	5
Building located on predominantly commercial streets	4
Building located on residential or minor street	3

Existing Condition	Points Available
Poor: The existing appearance and condition of the property is structurally unstable or dilapidated	5
Fair: The existing appearance and condition of the property is structurally stable but needs substantial renovations	3
Good: The existing appearance and condition of the property is in need of little to no structural or substantial renovations	1

Impact of Improvement	Points Available (can be combined)
The project includes major/complete façade work and site redevelopment	5
The building façade is predominately brick/stone (excluding windows/doors)	5
The project includes moderate façade work and site redevelopment	4
The building includes a creative design that is an appropriate fit for the proposed location and is consistent with the downtown character	4
The building façade improvements along the alley are of the same quality as the street facing facades	4
The building preserves or restores historical features or characteristics	3
The project significantly improves the streetscape or alleyscape adjacent to the building	2

Importance to the Area	Points Available (points can be combined for mixed use project up to 15 points)
Restaurant	7
Entertainment	6
Retail – desired retail uses (determined by Committee)	6
Office	5
Primary Employment	4
Retail – general retail uses	3
Other uses	Point value determined by the Committee

Owner vs TEDC Contribution Ratio	Points Available
Greater than 7:1	5
Greater than 4:1 but less than 7:1	3
1:1 up to 4:1	1

Readiness	Points Available
Applicant has architect's renderings, quotes, proof of ownership/lease and 100% of grant checklist requirements	5
Applicant has quotes and proof of ownership/lease and 50% of grant checklist requirements	3
Applicant has quotes and only 25% of grant checklist requirements	1

Local Owner/Occupant	Points Available
Building is owned by a local landlord/owner and the business is locally owned and operated	5
Building is owned by an absent landlord, but the business is locally owned and operated	3
Building is owned by an absent landlord, and the business is not locally owned	1

Utilization of Local Businesses	Points Available
Applicant is using mostly local businesses to make improvements	5
Applicant is using half local businesses to make improvements	3
Applicant is using no local businesses to make improvements	1

Total Points	45
---------------------	-----------



January 6, 2026

Per Werner
Tomball Social Haus
209 Fannin Street
Tomball, Texas 77375

RE: CONDITIONAL APPROVAL - Old Town Façade Improvement Grant Program

Dear Mr. Werner:

Thank you for your recent application to the Old Town Façade Improvement Grant Program. We are pleased to inform you that your application for the proposed improvements at **209 Fannin Street, Tomball, Texas 77375**, has received **conditional approval** from the Business Retention & Expansion (BR&E) Review Committee.

This conditional approval is based on the preliminary review of your application materials, including your project description, cost estimates, and proposed design concept. The BR&E Committee met on January 6, 2026, to review your submittal and found that based on the Evaluation Scoring System your project received a score of **45** which is eligible for funding up to **\$40,000.00**.

Conditional Approval

This letter serves as formal notice of conditional approval of the application, as submitted, based on the preliminary review conducted by the Tomball Economic Development Corporation's (BR&E) Review Committee. While we are encouraged by your project's potential and the progress made to date, please carefully review the following critical conditions:

1. Final Approval Pending

This conditional approval does not constitute a commitment of funds or a final decision. The project remains subject to final approval by Tomball City Council, which includes a full review of all required documentation, terms, and conditions.

2. No Guarantee of Funding

Funding for this project is not guaranteed until formal approval is granted by the Tomball Economic Development Corporation's Board of Directors and Tomball City Council through a resolution or other official action.

3. Proceeding at Your Own Risk

If you choose to begin project activities prior to receiving final approval, please understand you do so at your own risk. Neither the TEDC, City of Tomball, nor its affiliates shall be held liable for any costs, obligations, or commitments incurred in anticipation of funding.

Process for Final Approval

Your application will be presented at the next available Tomball Economic Development Corporation Board of Directors Meeting for approval. It will then proceed to the next two available Tomball City Council Meetings for final approval via two separate readings of a resolution.

Once all approvals are obtained and legal notice requirements fulfilled, TEDC staff will reach out to initiate execution of the grant agreement.

Project Work and Reimbursement Guidelines

While you may begin project work upon receipt of this letter, please note that the reimbursement of eligible expenses will only occur after full approval is secured and the grant agreement has been executed. Additionally, you must comply with all applicable City of Tomball permitting requirements, zoning regulations, building codes, and other local ordinances. Failure to do so may affect your eligibility for reimbursement.

Upon project completion, you must submit:

- Final paid invoice(s)
- Proof of payment(s)
- Digital “after” photographs of the completed improvements

Once all documentation is received and verified, TEDC will process the reimbursement and notify you when your check is ready.

Financial Summary

Description	Your Investment	TEDC Grant
Eligible Improvements	\$53,015.00	\$26,507.50

Total Amount Available from TEDC: \$26,507.50

We sincerely appreciate your dedication to preserving and enhancing the character of Old Town Tomball. If you have any questions or need further assistance, please do not hesitate to contact our office.

Sincerely,



Tori Gleason, PCED

Economic Development Coordinator
Tomball Economic Development Corporation

RESOLUTION NO. 2026-12-TEDC

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING AND APPROVING THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION'S PROJECT TO EXPEND FUNDS IN ACCORDANCE WITH AN ECONOMIC DEVELOPMENT AGREEMENT BY AND BETWEEN THE CORPORATION AND TOMBALL SOCIAL HAUS TO PROMOTE AND DEVELOP A NEW OR EXPANDED BUSINESS ENTERPRISE; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the Tomball Economic Development Corporation (the "TEDC"), created pursuant to the Development Corporation Act, now Chapter 501 of the Texas Local Government Code, as amended (the "Act"), desires to adopt projects and provide incentives for economic development within the City; and

WHEREAS, the Board of Directors of the TEDC had adopted as a specific project the expenditure of the estimated amount of Twenty-Six Thousand Five Hundred and Seven Dollars and Fifty Cents (\$26,507.50), found by the Board to be required or suitable to promote a new business development by Tomball Social Haus; and

WHEREAS, pursuant to the Act, the TEDC may not undertake such project without the approval of Tomball City Council; and

WHEREAS, City Council finds and determines that such project promotes new or expanded business development and is in the best interests of the citizenry; now, therefore,

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

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

Section 2. The City Council hereby authorizes and approves the adoption, by the Board of Directors of the Tomball Economic Development Corporation, as a specific project for the economic development of the City, an expenditure of the estimated amount of Twenty-Six Thousand Five Hundred and Seven Dollars and Fifty Cents (\$26,507.50), to Tomball Social Haus, in accordance with an Old Town Façade Improvement Grant by and between the TEDC and Tomball Social Haus to promote and develop a new or expanded business enterprise, to be located at 209 Fannin Street, Tomball, Texas 77375.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Resolution or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or

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

PASSED AND APPROVED on first reading this _____ day of _____, 202__.

PASSED, APPROVED, AND RESOLVED on second and final reading this _____ day of _____, 202__.

Lori Klein Quinn, Mayor

ATTEST:

City Secretary

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 16, 2026

Topic:

Approve Minutes of February 2, 2026 Workshop/Regular City Council 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 _____ Approved by _____
Staff Member _____ Date _____
City Manager _____ Date _____

**MINUTES OF WORKSHOP/
REGULAR CITY COUNCIL AGENDA
CITY OF TOMBALL, TEXAS**



**Monday, February 02, 2026
5:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for February 02, 2026, 5:00 P.M., at 401 Market Street, Tomball, Texas 77375.

A. Mayor L. Klein Quinn called the meeting to order at 5:04 P.M.

PRESENT:

Mayor Lori Klein Quinn
Council 1 John Ford
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 Smith
City Secretary – Thomas Harris III
Assistant City Secretary – Shannon Bennett
Community Development Director – Craig Meyers
Assistant Fire Chief – Jeffery Cook
Police Chief – Jeffery Bert
Finance Director - Bragg Farmer
Public Works Director - Drew Huffman
Director of I.T. – Ben Lato
Project Manager - Meagan Mageo
Special Project Director - Luisa Taylor
Municipal Judge- Brett Peabody
Police Officer – Bryce Smith

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. Tomball Economic Development Corporation activity update.

Executive Director Kelly Violette provided an update of the TEDC's activities. (Exhibit A)

2. Capital Improvement Projects Quarterly update for the period ending December 31, 2025.

Project Manager Meagan Mageo provided a quarterly update. (Exhibit B)

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. Project Manager Meagan Mageo led the workshop discussion – Approve a services agreement renewal with Water Utility Services, Inc. for water sampling and laboratory services for a total not-to-exceed amount of \$195,000, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the Fiscal Year 2025-2026 Budget.

2. Project Manager Meagan Mageo led the workshop discussion – Approve a contract with The Winstead House LLC (DBA iDig Katy) for the construction of drainage improvements for North Star Estates Erosion Repairs near Bearing Star Lane (Project No. 2025-10018), for a not-to-exceed amount of \$200,420 (Bid No. 2026-02), authorize the expenditure of funds therefor, and authorize the City Manager to execute any and all documents. The expenditure was included in the Fiscal Year 2025-2026 Budget as part of the 2026-2030 Capital Improvement Plan.

E. Recess/Reconvene at 6:00 p.m.

Mayor Klein Quinn recessed the meeting at 5:45 p.m. and reconvened it at 6:07 p.m.

F. Invocation led by Father Tommy, St. Anne Catholic Church

G. Pledges to U.S. and Texas Flags led by Assistant City Manager Sakura Moten

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.]

- Earl Detwiler expressed his concerns of the Dog Leash Laws/Ordinance
- Scott Moore, Jr. expressed his concerns of parking issues in Old Town Tomball

I. Presentation

1. Presentation of Proclamation – Mayor Lori Klein Quinn presented Dr. Martha Salazar-Zamora, Superintendent of Tomball ISD a proclamation proclaiming February 2, 2026 as “Dr. Martha Salazar-Zamora Day”.

J. Reports and Announcements

1. Announcements

I. Upcoming events:

- February 12, 2026 – Kaffeeklatsch from 8:30 – 10:00 a.m. at Tomball Community Center
- February 24, 2026 – Sam Houston Trail Riders from noon – 2 p.m. at Tomball Depot Plaza
- March 14, 2026 – 2nd Saturday at the Depot from 5:00 – 9:00 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:

- Mayor Lori Klein Quinn announced that Congressman Wesley Hunt will present a check to our Fire Department at Fire Station 1 on February 17, 2026 at 4:00 p.m. for a new fire truck
- City Manager David Esquivel polled the Council for a Strategic Plan Workshop, Council agree to February 26, 2026 from 8:00 a.m. to 4:00 p.m.
- Mayor Lori Klein Quinn was chosen to be a part of the Technical Advisory Board

K. New 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. Approve Minutes of January 19, 2026 Workshop/Regular City Council meeting.
2. Approve a services agreement renewal with Sprint Waste of Texas, LP DBA GFL Environmental for sludge hauling and disposal for Fiscal Year 2026, for a not-to-exceed amount of \$175,000 (Bid No. 2024-06), 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 2025-2026 budget.
3. Approve the expenditure of greater than \$100,000 with Waypoint Solutions for hardware, software support renewals, and consulting services, not-to-exceed amount of \$220,000, 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.

Motion made by Council 5 Parr, Seconded by Council 4 Covington to approve New Business Consent Agenda items.

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

Motion carried unanimously.

L. New Business

1. Approve, on First Reading, Resolution No. 2026-10-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Agreement by and between the Corporation and the City of Tomball to make direct incentives to, or expenditures for, property acquisition for the future development of a public safety complex, to be located at or near 810 W Main Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$2,300,000.00.

Motion made by Council 3 Dunagin, Seconded by Council 4 Covington to approve Resolution 2026-10- TEDC.

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

Motion carried unanimously.

2. Approve, on First Reading, Resolution No. 2026-11-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Old Town Façade Improvement Grant by and between the Corporation and Tomball Group, LLC to make direct incentives to, or expenditures for, building improvements for new or expanded business enterprise to be located at 209 Market Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$50,000.00.

Motion made by Council 3 Dunagin, Seconded by Council 2 Garcia to approve Resolution 2026-11- TEDC.

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

Motion carried unanimously.

3. Approve, on First Reading, Resolution No. 2026-12-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Old Town Façade Improvement Grant by and between the Corporation and Tomball Social Haus to make direct incentives to, or expenditures for, building improvements for new or expanded business enterprise to be located at 209 Fannin Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$26,507.50.

Motion made by Council 3 Dunagin, Seconded by Council 2 Garcia to approve Resolution 2026-12- TEDC.

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

Motion carried unanimously.

4. Consider approval of Resolution 2026-13, a Resolution of the City of Tomball, Texas, supporting the application of RBM Living, LLC, and Meridiem Development Group (or their affiliates) to the Texas Department of Housing and Community Affairs (TDHCA) for 2026 competitive 9% housing tax credits; expressly acknowledging that the City has more than twice the state average of units per capita supported by housing tax credits and authorizing the development pursuant to Texas Government Code §2306.6703(a)(4); specifically allowing construction within one linear mile of a previously funded development pursuant to 10 Texas Administrative Code (TAC) §11.3(d); and committing to provide a reduced fee or contribution of at least \$500.00.

Mayor Klein Quinn read Tom Oliverson, M.D. statement into the record. (Exhibit C)

Matthew Longest, Applicant provided an presentation of the proposed development.

Motion was made by Council 2 Garcia, Seconded by Council 4 Covington to table this item to February 16, 2026.

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

Motion carried unanimously.

5. Consideration of and Action on two appointments to the Tomball Regional Health Foundation (TRHF) Board of Directors for three-year terms beginning January 1, 2026.

Motion made by Council 4 Covington, Seconded by Council 5 Parr to appoint Dr. Janna Hoglund and Sharon Parks to the Tomball Regional Health Foundation (TRHF) Board of Directors.

Dr. Janna Hoglund thanked the Council for the appointment.

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

Motion carried unanimously.

6. First and Final Reading – Consideration of and action on Ordinance No. 2026-06, an Ordinance of the City of Tomball, Texas calling a general election to be held on May 2, 2026, for the purpose of electing city officers to Council Member Position 1 and Council Member Position 5; designating the polling places and appointing election officials for such election; providing for ballots; designating the time and place for holding such elections; providing for notices; providing for publication; providing for severability; and, providing an effective date.

Motion was made by Council 4 Covington, Seconded by Council 3 Dunagin to adopt Ordinance No. 2026-06.

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

Motion carried unanimously.

7. Approve a Professional Services Agreement Addendum with AIG Technical Services, LLC for Project Number 2025-10015, M121W Channel Segment C, for a total addendum amount of \$75,900 (contract total not-to-exceed \$150,885), 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.

Motion made by Council 1 Ford, Seconded by Council 5 Parr to approve the Professional Services Agreement Addendum with AIG Technical Services, LLC.

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

Motion carried unanimously.

8. Approve a Professional Services Agreement with Engineered Utility Solutions, Inc. for Project Number 2026-10001, City Gas Gate 4, for a total contract amount not-to-exceed \$145,445, 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 2026-2031 Capital Improvement Plan.

Motion made by Council 4 Covington, Seconded by Council 1 Ford to approve the Professional Services Agreement with Engineered Utility Solutions, Inc.

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

Motion carried unanimously.

9. Executive Session: The City Council will meet in Executive Session as authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the following purpose(s):

- Sec. 551.072 – Deliberations regarding Real Property; A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
- Sec. 551-076 – Deliberation regarding Security Devices.

- Executive Session Started: 7:43 P.M.
- Executive Session Ended: 8:30 P.M.

M. Mayor Lori Klein Quinn adjourned the meeting at 8:30 P.M.

PASSED AND APPROVED this 16th day of February 2026

Thomas Harris III, TRMC
City Secretary

Lori Klein Quinn
Mayor

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 16, 2026

Topic:

Approve a contract with The Winstead House LLC (DBA iDig Katy) for the construction of drainage improvements for North Star Estates Erosion Repairs near Bearing Star Lane (Project No. 2025-10018), for a not-to-exceed amount of \$200,420 (Bid No. 2026-02), authorize the expenditure of funds therefor, and authorize the City Manager to execute any and all documents. The expenditure was included in the Fiscal Year 2025-2026 Budget as part of the 2026-2030 Capital Improvement Plan.

Background:

In 2020, the City completed a drainage improvement project in North Star Estates on Rigel Court that included the construction of a retaining wall and drainage channel stabilization to aid with erosion along the drainage channel. In November 2023, staff was made aware that erosion issues were occurring adjacent to the site where the retaining wall was constructed. Staff began working with Freese & Nichols, the original design consultant, to conduct a site investigation. The site investigation included observing and documenting existing conditions and future erosion repairs needed.

Freese & Nichols completed the design of the project, identified as North Star Estates Drainage Improvement Phase II, to include removing sub-optimal fill and replacing it with acceptable fill, keying/benching and compacting imported selected fill, and flattening the slope to a more gradual slope and armor with rock riprap. This project was completed in April 2025. Following completion design for the next segment of the drainage channel, near Bearing Star Lane, commenced in August 2025.

To obtain the most favorable pricing and in accordance with the City's Procurement Policy, sealed bids were solicited for the completion of the construction, with information available online through CivCast or in person at the Freese & Nichols, Inc. office. A total of 11 bids were received, and after a thorough review it was determined that iDig Katy was the lowest responsive bidder for a total of \$200,420. Below is a breakdown of the current funding allocated for the project.

North Star Estates Erosion Repairs – Bearing Star Lane Budget Breakdown		
Element	Budgeted Amount	Contract Amount
Engineering	\$48,337.00	\$48,337.00
Construction	\$145,000.00	\$200,420.00
Total Funding	\$193,337.00	
Additional Funding (Unobligated Capital Funds)	\$55,420.00	
Remaining Funding	\$0	

Origination: Project Management

Recommendation:

Staff recommends awarding a contract to The Winstead House LLC (DBA iDig Katy) for the construction of drainage improvements for North Star Estates – Bearing Star Lane for an amount not-to-exceed \$200,420.

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: X No: _____

If yes, specify Account Number: #400-154-6409

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

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

Document 00520

AGREEMENT

Project: _____ North Star Estates Erosion Repairs near Bearing Star Lane _____

Project Location: _____ Tomball, Texas (Key Map No. 248-X) _____

Project Bid No: _____ 2025-10018 _____

E&P Project No: _____ TMB25574 _____

The City: The City of Tomball, County of Harris, Texas (the "City")
and

Contractor: The Winstead House, LLC DBA iDig Katy
(Address for Written Notice) 1935 Airline Drive
Katy, Texas 77493

Fax Number: _____

City Engineer is: _____
(Address for Written Notice) _____

Fax Number: _____

THE CITY AND CONTRACTOR AGREE AS FOLLOWS:

ARTICLE 1

THE WORK OF THE CONTRACT

1.1 Contractor shall perform the Work in accordance with the Contract.

ARTICLE 2

CONTRACT TIME

2.1 Contractor shall achieve Date of Substantial Completion within 90 days after Date of Commencement of the Work, subject to adjustments of Contract Time as provided in the Contract.

2.2 The Parties recognize that time is of the essence for this Agreement and that the City will suffer financial loss if the Work is not completed within the Contract Time. Parties also recognize delays, expense, and difficulties involved in proving in a legal or arbitration proceeding actual loss suffered by the

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06-16-2011

City if the Work is not completed on time. Accordingly, instead of requiring any such proof, the Parties agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay the City the amount stipulated in 00 73 00 – Supplementary Conditions, for each day beyond Contract Time.

ARTICLE 3
CONTRACT PRICE

3.1 Subject to terms of the Contract, the City will pay Contractor in current funds for Contractor's performance of the Contract, Contract Price of \$200,420.00, which includes Alternates, if any, accepted below.

3.2 The City accepts Alternates as follows:

(Not Applicable)

ARTICLE 4
PAYMENTS

4.1 The City will make progress payments to Contractor as provided below and in the General Conditions.

4.2 The Period covered by each progress payment is one calendar month ending on the 10th, 20th, or X last day of the month.

4.3 The Schedule of Values established as provided in paragraph 2.07.A of the General Conditions will serve as the basis for progress payments and will be incorporated into a form of Application for Payment acceptable to Engineer. Progress payments on account of Unit Price Work will be based on the number of units completed. The City will make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment as provided below in paragraphs 4.3.1 and 4.3.2.

4.3.1 Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Engineer may determine or City may withhold, in accordance with paragraph 14.02 of the General Conditions:

- a. For contracts under \$400,000.00, 90% of Work completed (with the balance being retainage).
For contracts over \$400,000.00, 95% of Work completed (with the balance being retainage.)
- b. For contracts under \$400,000.00, 90% (with the balance being retainage) and for contracts over \$400,000.00, 95% (with the balance being retainage) of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to the City as provided in paragraph 14.02 of the General Conditions).

4.3.2 Upon Substantial Completion, the City shall pay an amount sufficient to increase total payments to Contractor to 95% of the Work completed, less such amounts as Engineer shall determine in accordance with paragraph 14.02.B.5 of the General Conditions and less 100% of Engineer's estimate of the value of

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06-16-2011

Work to be completed or corrected as shown on the tentative list of items to be completed or corrected attached to the Certificate of Substantial Completion.

4.4 Final payment, constituting entire unpaid balance of Contract Price, will be made by the City to Contractor as provided in the General Conditions.

ARTICLE 5
CONTRACTOR REPRESENTATIONS

5.1 Contractor represents:

5.1.1 Contractor has examined and carefully studied Contract documents and other related data identified in Bid Documents.

5.1.2 Contractor has visited the site and become familiar with and is satisfied as to general, local, and site conditions that may affect cost, progress, and performance of the Work.

5.1.3 Contractor is familiar with and is satisfied as to all federal, state, and local laws and regulations that may affect cost, progress, and performance of the Work.

5.1.4 Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the site (except Underground Facilities) which have been identified in Contract documents and (2) reports and drawings of a hazardous environmental condition, if any, at the site which has been identified in Contract documents.

5.1.5 Contractor has obtained and carefully studied (or assumes responsibility for having done so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including applying specific means, methods, techniques, sequences, and procedures of construction, if any, expressly required by the Contract to be employed by Contractor, and safety precautions and programs incident thereto

5.1.6 Contractor does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for performance of the Work at Contract Price, within Contract Time, and in accordance with the Contract.

5.1.7 Contractor is aware of general nature of work to be performed by the City and others at the site that relates to the Work as indicated in Contract documents.

5.1.8 Contractor has correlated information known to Contractor, information and observations obtained from visits to the site, reports and drawings identified in the Contract, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract.

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06-16-2011

5.1.9 Contractor has given City Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract, and written resolution thereof by City Engineer is acceptable to Contractor.

5.1.10 Contract documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 6

MISCELLANEOUS PROVISIONS

6.1 The Contract may be terminated by either Party as provided in Conditions of the Contract.

6.2 The Work may be suspended by the City as provided in Conditions of the Contract.

ARTICLE 7

ENUMERATION OF CONTRACT DOCUMENTS

7.1 The following documents are incorporated into this Agreement:

7.1.1 Document 00700 - General Conditions

7.1.2 Document 00800 - Supplementary Conditions

7.1.3 General Requirements.

7.1.4 Divisions 31 and 32 of Specifications attached hereto or incorporated by reference in Document 00010 - Table of Contents.

7.1.5 Drawings listed in Document 00015 - List of Drawings and bound separately.

7.1.6 Addenda which apply to the Contract, are as follows: N/A

7.1.7 Other documents:

<u>Document No.</u>	<u>Title</u>
[X] 00410B	Bid Form – Part B
[X] 00500	Form of Business
[X] 00501	Resolution of Corporation (if a corporation)
[X] 00610	Performance Bond
[X] 00611	Statutory Payment Bond
[X] 00612	One-year Maintenance Bond
[X] 00620	Affidavit of Insurance (with the Certificate of Insurance attached)
[X] 00800	Exhibit A, Wage Rates
[] 00821	Wage Rate for Building Construction
[] 00830	Trench Safety Geotechnical Information

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06-16-2011

ARTICLE 8
SIGNATURES

8.1 This Agreement is executed in two originals and is effective on _____, 2026.

CONTRACTOR:

By: 
Name: James Winstead
Title: President
Date: _____
Tax Identification Number: 83-1686406

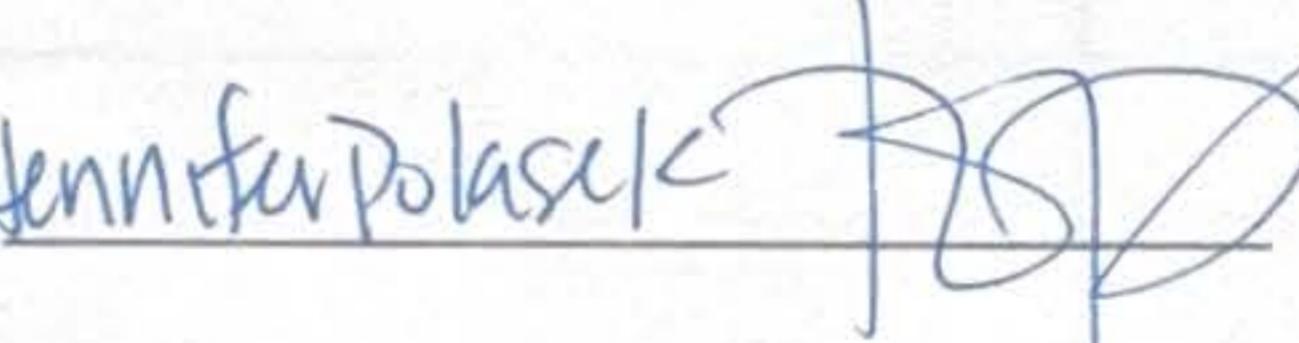
(If Joint Venture)

By: _____
Name: _____
Title: _____
Date: _____
Tax Identification Number: _____

ATTEST/SEAL:

[SEAL]

Attest:



Date:

2/4/26

CITY OF TOMBALL, TEXAS:

By: _____
City Manager

Date: _____

ATTEST/SEAL:

[SEAL]

Attest: _____
City Secretary

Date: _____

END OF DOCUMENT

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06-16-2011



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January 22, 2026

Meagan Mageo
Project Manager
City of Tomball, Texas
501 James Street
Tomball, TX 77375

Re: City of Tomball, Texas (City) – North Star Estates Erosion Repairs near Bearing Star Lane Project
Recommendation for Award of Contract

Meagan:

Freese and Nichols, Inc. (FNI) has completed its evaluation of the bids received on January 15, 2026, for the above-referenced Project. A total of eleven (11) bids were received electronically via CivCast.

Review of the bids received indicates that the offer of The Winstead House LLC DBA iDig Katy (iDig Katy, "Recommended Contractor") appears to provide the best value to the City of Tomball, Texas (City, "COT"). A review of the Recommended Contractor's Statement of Qualifications and a check of the references provided indicates that the Recommended Contractor meets the qualification requirements specified in the Contract Documents and that the Recommended Contractor's previous experience on similar projects has been acceptable. It is recommended that the Project be awarded to the Recommended Contractor in the amount of \$200,420.

Attachment 1 to this letter provides the Recommended Contractor's bid, and Attachment 2 provides the summary of all received bids.

Please contact me at 713-679-1737 or jeremy.goethals@freese.com if you have any questions or require additional information regarding this letter.

Sincerely,

A handwritten signature in blue ink that reads "Jeremy Goethals".

Jeremy Goethals, PE
Engineer-of-Record

cc: Drew Huffman (City); Salwan Alsultan (City); Matt Cartwright, PE (FNI); April Hurry, PE (FNI); Cody Cockroft, PE (FNI)

Attachments

- Attachment 1: Recommended Contractor's Bid
- Attachment 2: Bid Summary

APPARENT LOW BIDDERS

E&P CIP No. 2025-10018 - North Star Estates Erosion Repairs near Bearing Star Lane

ID: 2026-02 (FNI TMB25574)

Bid Summary	
Engineers Estimate	\$360,000.00 - \$380,000.00
Total Bids	11
AMLT \$	\$135,680.00
AMLT %	67.70%
Average Bid	\$467,723.70

	Bidder	BASE BID
1	iDig Katy <i>Submitted: 1/15/2026 1:34:20 PM</i>	\$200,420.00
2	Consta Build, LLC <i>Submitted: 1/15/2026 12:43:29 PM</i>	\$336,100.00
3	Solid Bridge Construction <i>Submitted: 1/15/2026 12:55:34 PM</i>	\$348,610.00
4	MB Western Construction Co. <i>Submitted: 1/15/2026 12:51:42 PM</i>	\$355,758.80
5	Castillo Aranda LLC <i>Submitted: 1/15/2026 10:47:20 AM</i>	\$357,525.00
6	Wilson Building Services, Inc. <i>Submitted: 1/15/2026 12:16:06 PM</i>	\$431,010.00
7	Rebel Contractors, Inc. <i>Submitted: 1/15/2026 11:36:24 AM</i>	\$497,795.88
8	Craig & Heidt <i>Submitted: 1/14/2026 1:13:02 PM</i>	\$537,150.00
9	Kean Construction, LLC <i>Submitted: 1/15/2026 11:39:49 AM</i>	\$549,270.00
10	Petra Construction <i>Submitted: 1/15/2026 7:21:09 AM</i>	\$574,591.00

11	Teamwork Construction Services, Inc. Submitted: 1/15/2026 12:59:39 PM	\$956,730.00
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Bids opened at: 1/15/2026 2:03:51 PM

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 16, 2026

Topic:

Approve a services agreement renewal with Water Utility Services, Inc. for water sampling and laboratory services for a total not-to-exceed amount of \$195,000, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the Fiscal Year 2025-2026 Budget.

Background:

Water Utility Services, Inc. is a Spring-based lab specializing in sampling and analysis of drinking water and provides proprietary blends of chemicals used in the water and wastewater treatment process. Water Utility Services performs sampling and analysis required by the Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) for the City of Tomball's drinking water and distribution system and groundwater treatment plants to remain within EPA and TCEQ compliance. Water Utility Services also provides proprietary blends of chemicals needed in the treatment process for the City of Tomball's groundwater treatment (polyphosphate) and wastewater treatment (magnesium hydroxide).

The original services agreement was executed in June 2023 with four additional one-year renewals, staff is requesting to exercise the option to utilize the third renewal term. Based on the City's adopted Procurement Policy, staff is requesting a services agreement renewal with Water Utility Services, Inc. to perform the required water sampling and lab analysis and provide the necessary water and wastewater treatment chemicals for a not-to-exceed amount of \$195,000. Water Utility Services is requesting to increase the rates for chemicals based on current purchase pricing.

Description	Current Cost (FY 2025 – FY 2026)	Proposed Cost (FY 2026 – FY 2027)	Estimated Annual Cost
Aquamag	\$12.00	\$12.75	\$115,000.00
Calcium Hypochlorite	\$295.00	\$310.00	\$65,000.00
Sampling	Based on quantity	Based on quantity	\$15,000.00
Total Estimated Contract: \$175,000			

This procurement is exempt from the competitive bidding requirements under Local Government Code 252.022(2) which does not require procurement for services or chemicals that preserve or protect the public health or safety of a municipality's residents.

Origination: Project Management

Recommendation:

Staff recommends approving a services agreement renewal with Water Utility Services, Inc. to perform the required water sampling and lab analysis and provide the necessary water and wastewater treatment chemicals for a not-to-exceed amount of \$195,000.

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?

#600-613-6361

Yes: _____ No: _____ If yes, specify Account Number: #600-613-6110

#600-614-6110

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 RENEWAL**

THE STATE OF TEXAS

§

COUNTY OF HARRIS

§

Description of Services: Chemical Products and Bacteriological Sampling & Analysis

This Renewal 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, **Water Utility Services, Inc.** (the "Company"), with an office at **21615 Rhodes Rd, Spring, Texas 77388**. City hereby engages the services of Company as an independent contract for meter reading services, upon the following terms and conditions.

1. SCOPE OF AGREEMENT RENEWAL

- 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 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 RENEWAL; TERMINATION

- 2.1. This Agreement Renewal shall be effective upon proper execution by the City. It shall be effective from **February 14, 2026 through February 13, 2027**, with **One (1) additional one-year renewal option 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 Thirty days (30) 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 RENEWAL

This Agreement Renewal 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 \$195,000.

6. IDEMNITY

6.1. 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.

6.2. 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.

7. INSURANCE

7.1. AMOUNTS OF INSURANCE

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

TYPE	AMOUNT
(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.

7.2 OTHER INSURANCE REQUIREMENTS

7.2. 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. Be 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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:

P.O. Box 2628
Spring, TX 77383

13. 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 ACCEPTED this 21 day of January, 2026.

Water Utility Services, Inc.
Company

1

Signature

Steve Grychuk
Print Name

Print Name

President

Title

AGREED to and ACCEPTED this _____ day of _____, 2026.

City of Tomball

**David Esquivel, PE
City Manager**

Attest:

Thomas Harris III
City Secretary

Water Utility Services, Inc.

P.O. Box 2628
Spring, Texas 77383
281-290-0704

City of Tomball

Chemical	2025 Cost/gallon	2026 Cost/gallon (NTE)
Aquamag 9100	\$12.00	\$12.75
Thioguard	\$5.20	\$5.25
Chemical	Cost/unit	Cost/unit
Calcium Hypochlorite 100 lb	\$295.00	\$310.00

Exhibit A

Water Utility Services, Inc.

P.O. Box 2628
Spring, Texas 77383
281-290-0704

Bacteriological Sampling & Analysis 2026 Pricing

Routine:

Quantity	Price \$
1	75.00
2	100.00
3	125.00
4	150.00
5	175.00
6	250.00
7	275.00
8	300.00
9	325.00
10	350.00
11	425.00
12	450.00
13	475.00
14	500.00
15	525.00
20	770.00
25	1000.00

Specials:

Quantity	Price \$ Each
1*	76.00
Additional Fees	Price
Same Day Rush**	100.00
16hr Rush**	150.00
After-Hours Fee***	200.00
Holiday Fee***	300.00

Nitrification Sampling & Analysis

Price \$ Each
110.00

Routine Samples Note:

Sample quantities are based per trip, should a system require 6 samples on the same day each sample will be \$36.00 each.

Specials Sample Note:

* Pricing is for first initial sample each additional sample is \$70.00 per sample.

** Same-day rush service is an additional \$100.00. A 16-hour rush service is an additional \$150.00

***Any results requiring weekend or holiday notification will be charged at the appropriate rate on a daily basis.

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 16, 2026

Topic:

Consider approval of Resolution 2026-13, a Resolution of the City of Tomball, Texas, supporting the application of RBM Living, LLC, and Meridiem Development Group (or their affiliates) to the Texas Department of Housing and Community Affairs (TDHCA) for 2026 competitive 9% housing tax credits; expressly acknowledging that the City has more than twice the state average of units per capita supported by housing tax credits and authorizing the development pursuant to Texas Government Code §2306.6703(a)(4); specifically allowing construction within one linear mile of a previously funded development pursuant to 10 Texas Administrative Code (TAC) §11.3(d); and committing to provide a reduced fee or contribution of at least \$500.00.

Background: This resolution was presented at the February 2nd City Council meeting, extensively discussed, and tabled to the February 16th City Council meeting.

Origination: Matthew Malmquist (Meridiem Development Group LLC) and David Roth (RBM Living 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?

If yes, specify Account Number: #

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

Signed: _____ **Approved by:** _____

Staff Member	Date	City Manager	Date
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RESOLUTION NO. 2026-13

A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, SUPPORTING THE APPLICATION OF RBM LIVING, LLC, AND MERIDIEM DEVELOPMENT GROUP (OR THEIR AFFILIATES) TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) FOR 2026 COMPETITIVE 9% HOUSING TAX CREDITS; EXPRESSLY ACKNOWLEDGING THAT THE CITY HAS MORE THAN TWICE THE STATE AVERAGE OF UNITS PER CAPITA SUPPORTED BY HOUSING TAX CREDITS AND AUTHORIZING THE DEVELOPMENT PURSUANT TO TEXAS GOVERNMENT CODE §2306.6703(a)(4); SPECIFICALLY ALLOWING CONSTRUCTION WITHIN ONE LINEAR MILE OF A PREVIOUSLY FUNDED DEVELOPMENT PURSUANT TO 10 TEXAS ADMINISTRATIVE CODE (TAC) §11.3(d); AND COMMITTING TO PROVIDE A REDUCED FEE OR CONTRIBUTION OF AT LEAST \$500.00.

WHEREAS, RBM Living, LLC and Meridiem Development Group, LLC, and its successors, assigns, or affiliates (the "Applicant"), proposes to construct a mixed-income, senior multifamily rental housing development consisting of up to 120 residential units within the jurisdiction of the City of Tomball (the "Proposed Development"); and

WHEREAS, the Proposed Development is located at or near the Northwest corner of Medical Complex Drive and Texas SH 249 Southbound Access Road, Tomball, Texas 77377, and is anticipated to be named "The Enclave at Tomball Square"; and

WHEREAS, the Applicant has submitted a pre-application (TDHCA #26114) and proposes to submit a final full application to the Texas Department of Housing and Community Affairs ("TDHCA") for an allocation of 2026 Competitive 9% Low Income Housing Tax Credits to finance the Proposed Development.

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

SECTION 1. SUPPORT FOR APPLICATION. That the City of Tomball, acting through its City Council, hereby confirms that it supports the Proposed Development by RBM Living, LLC, and Meridiem Development Group, LLC, or its affiliate(s), to be located at or near the northwest corner of Medical Complex Drive and SH 249, Tomball, Texas 77377, the Applicant's application for 2026 Competitive 9% Low Income Housing Tax Credits, and any allocation by TDHCA of 9% Housing Tax Credits for the Proposed Development.

SECTION 2. ACKNOWLEDGEMENT AND AUTHORIZATION REGARDING TWICE THE STATE AVERAGE. That, as provided for in 10 TAC §11.3(c), it is expressly acknowledged and confirmed that the City of Tomball has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds, and the City Council hereby specifically supports and approves the construction of the Proposed Development and authorizes an allocation of Housing Tax Credits for the Proposed Development pursuant to Texas Government Code §2306.6703(a)(4).

SECTION 3. ACKNOWLEDGEMENT AND AUTHORIZATION REGARDING ONE-MILE THREE-YEAR RULE. That, as provided for in 10 TAC §11.3(d), it is hereby acknowledged that the Proposed Development is located one linear mile or less from Tomball Senior Village, a development that serves the same target population as the Proposed Development and has received an allocation of Housing Tax Credits, Private Activity Bonds, or a Supplemental Allocation of credits for New Construction within the three-year period preceding the date the 2026 Application Round begins. The City Council has by vote specifically allowed the construction of the Proposed Development and authorizes an allocation of Housing Tax Credits for the Proposed Development.

SECTION 4. COMMITMENT OF DEVELOPMENT FUNDING. That, in accordance with 10 TAC §11.9(d)(2), the City hereby commits to an in-kind contribution of development funding in the form of a reduced fee (or fee waiver) for the benefit of the Proposed Development in an amount of at least Five Hundred Dollars (\$500.00), contingent upon the Proposed Development receiving an award of 2026 9% Housing Tax Credits from TDHCA.

SECTION 5. CERTIFICATION. That this formal action has been taken to put on record the support expressed by the City of Tomball on February 2nd, 2026, and that for and on behalf of the Governing Body, the Mayor or City Manager, or their designee, is hereby authorized, empowered, and directed to certify this resolution to the Texas Department of Housing and Community Affairs.

SECTION 6. EFFECTIVE DATE. That this resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this _____ day of _____, 2026, at a Regular Meeting of the City Council of the City of Tomball, Texas.

CITY OF TOMBALL, TEXAS:

Mayor
City of Tomball

ATTEST:

City Secretary
City of Tomball



To the Honorable Mayor and Members of the City Council,

On behalf of RBM Living LLC and Meridiem Development Group LLC, we are pleased to submit this proposal for a vibrant, mixed-income senior community at Medical Complex Dr. & SH 249 (NE). This development is designed to directly address Tomball's critical shortage of affordable senior housing. Our impact-driven approach, deep experience in mixed-income development, and commitment to public-sector partnerships uniquely position us to deliver this project successfully. Having closely studied the 2040 Comprehensive Plan and the challenges facing local seniors, our findings align with the City's: Tomball urgently needs more housing options for older residents on fixed incomes. This project is our direct response to that need.

We are requesting a Resolution of Support and a waiver of the "One Mile Three Year" rule for **The Enclave at Tomball Square**, a 115-unit senior assisted living community designed to serve residents aged 55 and older.

The Tomball 2040 Comprehensive Plan identified a clear gap: the City lacks housing options for seniors on fixed incomes who don't qualify for (or need) nursing care but can't afford market-rate rents. This project fills that gap. It gives long-time Tomball residents a way to age in place rather than being forced to leave the community they helped build.

A waiver is required because Tomball Senior Village, located within one mile, received supplemental tax credits in 2023. The existing property has a waitlist of over 50 households. This isn't saturation - it's unmet demand.

Thank you for your consideration,

David Roth
Principal
RBM Living LLC
david.roth@rbmliving.com
216-536-4148

Matt Malmquist
Principal
Meridiem Development Group LLC
matthew.d.malmquist@gmail.com
979-574-7506

Development Summary

Project Overview

The Enclave at Tomball Square is a proposed 115-unit community for residents 55 and older: four stories, elevator-served, with a mix of one- and two-bedroom floor plans—roughly three-quarters two-bedroom, the rest one-bedroom—each featuring a full kitchen. Nearly 4,000 square feet of community space and landscaped courtyards anchor the building, including a community room, fitness center, and wellness suites. A range of support services will be available to residents, including social and recreational programming. Construction could begin by fall 2026.

The design matters more than people realize. This is a modern, four-story building with controlled-access entry and full elevator service—a significant departure from older garden-style properties where residents must navigate exterior stairs and breezeways. For seniors with walkers, wheelchairs, or other mobility challenges, that difference isn't cosmetic; it's functional. Every unit and amenity is accessible without climbing a single step.

Forty-two percent of senior households nationally consist of a single person; for those 80 and older, the figure rises to 57%. Seniors living alone in scattered single-family homes face real isolation—no neighbors down the hall, no one to notice if something goes wrong. A well-designed community provides built-in social infrastructure—neighbors, common areas, on-site management—that functions as both companionship and safety net.

The Need

Tomball is facing a housing affordability problem, and seniors are bearing the brunt of it:

- **61% of Tomball renters are cost-burdened**, meaning they pay more than 30% of their income on rent. For seniors on fixed incomes, that arithmetic is brutal: after rent, what remains has to cover food, medicine, and whatever emergencies arise.
- **Home prices have risen 155% since 2012**, while incomes haven't kept pace. This means seniors hoping to downsize—to trade a house they can no longer maintain for something smaller and more manageable—find themselves priced out of the very community they've lived in for decades.
- **21% of Tomball residents are 65 or older**, well above the national average of 16.8%. This isn't a future problem - it's happening now.
- **Tomball has less than 500 affordable senior units to serve nearly 3,000 seniors**. That means 83% of the need is unmet. Much of that existing stock is more than twenty years old; only 200 units have been built in the last decade.

The shortage also creates a ripple effect across the housing market. When seniors can't find affordable options, they stay in family-sized single-family homes they can no longer afford to maintain. That blocks those homes from turning over to young families who need them. Approving this project doesn't just help seniors - it unlocks inventory across the housing ladder.

Federal programs can't fill this gap. Nationally, only 36.5% of seniors eligible for housing assistance actually receive it; 3.7 million households are left without help. The Low-Income Housing Tax Credit program remains the primary tool for building new affordable housing in communities like Tomball—but it requires local support to move forward. During focus groups for the Tomball 2040 plan, residents made a simple request: "Remember homes for seniors." This project is a direct response.

Location

The proposed site sits in Tomball's West submarket, an area defined by stability. January 2026 data shows it safer than 59% of U.S. neighborhoods, with a violent crime rate of just 1 in 393 residents—a number that matters considerably to seniors living alone.

Property values in this corridor have climbed 20% over three years, and average market rent runs \$1,894 per month. For a senior earning \$35,000 a year, paying that rent leaves roughly \$34 a day for food, medicine, transportation, and everything else. The arithmetic simply doesn't work. Without projects like this one, seniors who want to stay near Tomball Regional Medical Center and their existing support networks have no realistic options.

Waiver Justification

We formally request a waiver regarding the proximity to Tomball Senior Village. While 10 TAC §11.3(d) limits development within one linear mile, "Good Cause" exists to grant this waiver because The Enclave at Tomball Square serves a distinct and unmet need that the existing property cannot fulfill.

As a threshold matter, Tomball Senior Village was originally awarded credits in 2021 and would be outside the three-year window today. The project only falls within the window because the developer applied for a small supplemental award in 2023 to cover post-pandemic construction cost increases. But even setting that aside, the substantive case for this waiver is strong.

1. We Offer a Fundamentally Different Housing Product

Tomball Senior Village is a three-story garden-style property with exterior breezeways—a design common in tax credit developments but one that presents real challenges for aging residents. Navigating outdoor stairs and exposed walkways becomes difficult as seniors age, particularly during Texas summers or inclement weather.

Our four-story elevator-served building takes a different approach: interior climate-controlled corridors, controlled-access entry, and centralized amenities. This isn't a cosmetic upgrade. It's a fundamentally safer, more accessible design for seniors with mobility limitations.

The distinction matters more with each passing year. The 80-and-over population is the fastest-growing senior demographic, and mobility challenges become most acute after that threshold. Much of the existing senior inventory in the Tomball area dates to the 1990s and lacks features now considered essential for aging in place—roll-in showers, wide corridors for walkers and wheelchairs, step-free access throughout, energy-efficient systems.

As Tomball's senior population ages in place, a growing share will need what our building provides. This isn't competition with the existing property. It's a necessary complement—serving seniors whose physical needs the current stock cannot fully accommodate.

2. Proven Unmet Demand

The 2021 market study prepared for Tomball Senior Village—a public document included with their TDHCA application—identified approximately 3,958 income-qualified senior households in the primary market area. Even then, the capture rate for a new development fell well below TDHCA's 10% threshold, and the study concluded there was strong unmet demand for affordable senior housing in Tomball.

Since that study was completed, the situation has only intensified:

- **Population Growth:** Tomball's population has grown approximately 23% since 2020, adding thousands of new residents - many of them seniors aging into retirement.
- **Minimal New Supply:** Only 59 affordable senior units have been added (Tomball Senior Village). That's a fraction of what the market demanded in 2021, let alone today.
- **Immediate Absorption:** Tomball Senior Village stabilized immediately and now maintains a waitlist of over 50 households. HomeTowne at Tomball remains at 99% occupancy. The market is absorbing units as fast as they're delivered.
- **No Cannibalization:** When Tomball Senior Village opened, it didn't pull tenants from neighboring properties. Occupancy across existing affordable communities remains near 100%. This is textbook evidence of undersupply.

Senior housing also serves a broader geographic market than family housing. Seniors move to Tomball from across the county to be near children or medical facilities. Two projects within a mile aren't competing for a small neighborhood tenant pool - they're serving regional demand that one property can't meet alone.

3. Overcoming High Barriers to Entry

This is a prime location with a 20% increase in property values over three years. Those economics have created a barrier that keeps affordable senior housing out of the market entirely. By granting this waiver, the City allows a developer to overcome that barrier and meet the demand from seniors who want to downsize in their own community rather than leave Tomball.

4. Alignment with Tomball 2040

This project directly advances goals from the Tomball 2040 Comprehensive Plan, adopted in June 2025:

- **Housing Diversity:** The plan calls for medium-density residential development to bridge the gap between single-family sprawl and large apartment complexes. This is exactly that.
- **Aging in Place:** Focus group participants specifically asked the City to "remember homes for seniors." This project ensures Tomball's seniors don't have to leave their community to find housing they can afford.

The Comprehensive Plan also explicitly recommends the Housing Tax Credit program as a tool for achieving these goals. On page 87, under "Recommended Programs," the plan identifies TDHCA's Housing Tax Credit program as "a key tool for channeling private investment into the creation and maintenance of affordable rental housing." By supporting this application, the Council is not breaking new ground - it is following through on a policy recommendation it has already adopted.

Fiscal and Community Impact

Age-restricted senior housing offers a favorable impact profile for the City:

- **Tax Base Without School Burden:** As a 55+ community, this project generates zero new students for Tomball ISD while contributing to the local tax base.
- **Minimal Traffic Impact:** Senior households generate significantly fewer peak-hour traffic trips than family or workforce housing.
- **Local Spending:** Seniors with stable, affordable housing have more disposable income to spend locally - at pharmacies, grocery stores, restaurants, and medical providers. Keeping seniors in Tomball keeps their spending in Tomball.

Developer Background

The development team is a joint venture between RBM Living, LLC and Meridiem Development Group, LLC - pairing experienced affordable housing developers with a Houston-based partner actively building LIHTC housing in the region today.

RBM Living was founded in 2024 by David Roth and Taylor Brown and is focused on the development, acquisition, renovation, and operation of affordable, workforce, and conventional multifamily communities. Collectively, RBM's principals bring 40+ years of experience, 50,000+ units developed, and \$10B+ of capitalized value across 200+ completed transactions in 17 states. Both principals previously held executive roles at The NRP Group, one of the nation's largest affordable housing developers.

Meridiem Development Group is a Houston-area developer specializing in LIHTC and market-rate residential development, with an active regional pipeline exceeding 1,400 units and \$200M+ of active project investment. Meridiem's principals are local to the Houston region, which strengthens responsiveness and accountability to local stakeholders. Current projects under construction or in pre-development include:

- **The Arboretum at Woodland Hills** (Atascocita, 366-unit LIHTC; construction began July 2024; partnership with Houston Housing Authority)

- **Enclave on Louetta** (Spring, 358-unit LIHTC; construction began June 2025; partnership with Houston Housing Authority)
- **The Alcove at Benders Landing** (Spring, 372-unit Class A; construction began February 2025)
- **Enclave at Katy** (Katy, 360-unit LIHTC; construction started December 2025; partnership with Harris County Housing Finance Corporation)

Construction will be performed by Interwest Construction, LLC, a multifamily general contractor specializing in affordable and workforce housing. Interwest was founded and is majority-owned by Taylor Brown, a principal of RBM Living. During Mr. Brown's tenure as President of NRP Construction, he oversaw more than \$2.5 billion in construction volume and the delivery of over 20,000 multifamily units nationwide, helping NRP achieve an NMHC #3 ranking among U.S. multifamily builders in 2020. This structure - with the same team responsible for both development and construction - provides direct accountability, reduces delivery risk, and improves cost and schedule control.

Conclusion

Tomball has a structural shortage of affordable senior housing. The numbers are clear: 83% of the need is unmet, the existing tax credit product have significant waitlists, and conventional market rents are out of reach for seniors on fixed incomes.

The Enclave at Tomball Square isn't duplicating what already exists. We're building a more modern and accessible product and targeting seniors the current stock can't accommodate. Granting this waiver doesn't create concentration - it creates capacity.

We respectfully request the City Council's support for this Resolution and Waiver.

THE ENCLAVE AT TOMBALL SQUARE SENIOR RESIDENCES

A 115-Unit Senior Housing
Mixed-Income Development

Resolution of Support Request

Attn: David Esquivel, P.E. City Manager
City Hall 401 Market Street
Tomball, TX 77375

RBM Living LLC
Meridiem Development Group LLC

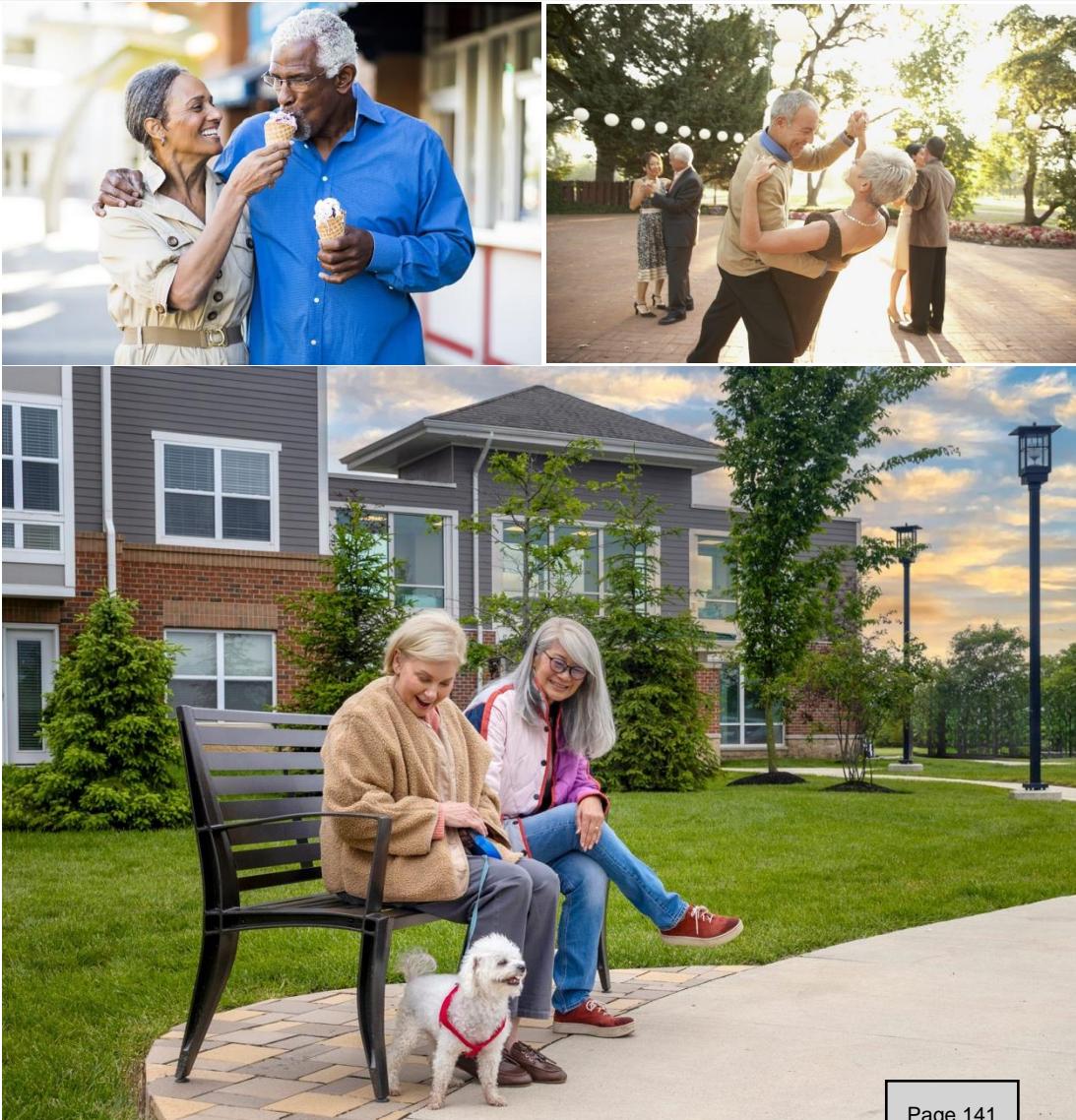


The Enclave at Tomball Square

PROJECT SUMMARY

An Upscale Mixed-Income Senior Living Development

Development Name:	The Enclave at Tomball Square
Location:	Medical Complex Dr. & SH 249 (NW)
Proposed Land Use:	Mixed-Income Senior Housing (Continuing Care Retirement Community)
Current Zoning:	GR (General Retail)
Site Size:	3.3 +/- acres
Estimated Unit Count:	~110 units
Unit Mix Summary:	1BD: 28 Units (25%) 2BD: 82 Units (75%)
Average Unit Size:	1BD: 600 Sq. Ft. 2BD: 913 Sq. Ft.
Density:	+/- 35 units per acre
Construction Type:	4-Story Wood Framed Surface Parking
Exterior Finish:	Stone, Stucco, & Siding
Est. Total Development Cost:	~\$30 million
Est. Construction Commencement:	Q4 2026
Est. Completion Date:	Q2 2028



The Enclave at Tomball Square

SITE AERIAL

An Upscale Mixed-Income Senior Living Development



The Enclave at Tomball Square

DESIGN FEATURES

An Upscale Mixed-Income Senior Living Development

DESIGN FEATURES

High Quality Building Materials

- Stone, Stucco, & Siding Exterior
- Metal & timber Accents
- Durable Exterior Materials with Long-Term Performance & Durability
- Energy Efficient Windows & Doors

Thoughtfully-Integrated Resident Amenities

- Wellness & Restricted-Mobility Amenities
- Common Area Sunroom & Patio
- Enhanced Landscape Plans

Interior & Accessibility Design

- Wide corridors and clear wayfinding
- Step-free access throughout common areas
- Non-slip flooring and high-contrast finishes

Beautiful, resident-focused design centered on inclusivity, accessibility, and sustainability—with sensory-sensitive spaces and amenities that prioritize comfort, care, and connection.



The Enclave at Tomball Square

COMMUNITY FEATURES

An Upscale Mixed-Income Senior Living Development

COMMUNITY FEATURES

Access & Security

- Gated Community with Controlled Building Access

Community & Social Spaces

- Resident Clubhouse with Kitchen
- Community Lounge with Library and Business Center
- Art Studio
- 24hr Retail Market & Parcel Lockers

Health & Wellness

- Fitness Center
- Telehealth & Wellness Amenities

Outdoor Amenities

- **Community Gardens & Outdoor Seating Areas**
- Fully Fenced Dog Park
- Sunroom & Covered Patios



The Enclave at Tomball Square

AMENITIES

An Upscale Mixed-Income Senior Living Development



COMMUNITY GARDENS



LIBRARY



ART STUDIO



FITNESS CENTER



TELEHEALTH, CARE & WELLNESS



GATHERING SPACE

The Enclave at Tomball Square

UNIT FEATURES

An Upscale Mixed-Income Senior Living Development

UNIT FEATURES

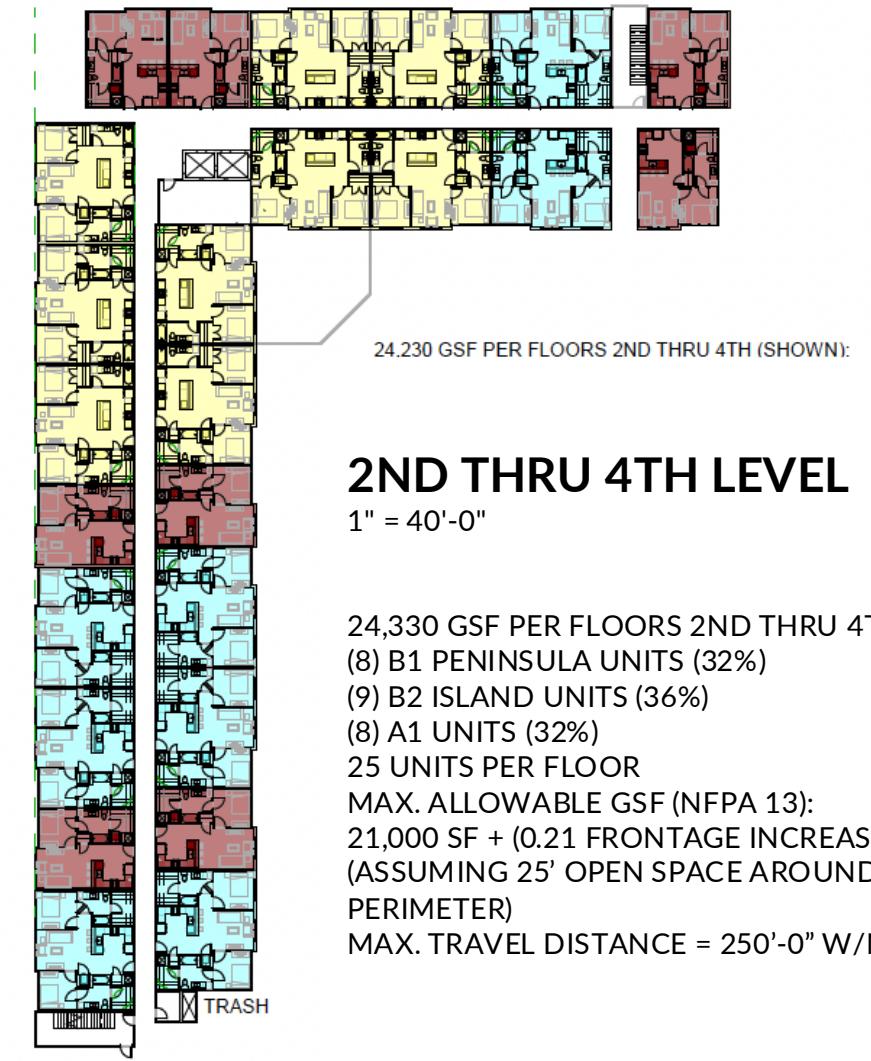
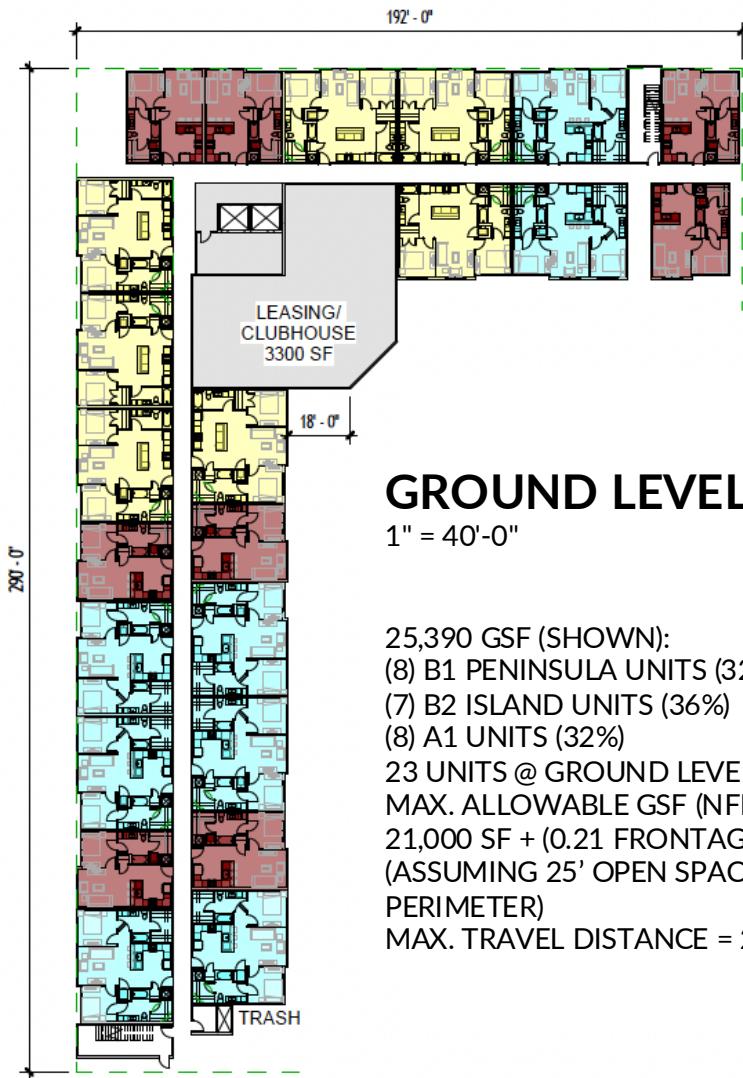
- 1 & 2 Bedrooms
- 9 Foot Ceilings
- Sleek Stone Countertops
- Wood-Style Flooring
- Designer, Energy Efficient Lighting
 - Kitchen Islands
 - Stainless Steel Appliances
 - In-Unit Washers & Dryers
 - Garden Patios



The Enclave at Tomball Square

FLOOR PLATES

An Upscale Mixed-Income Senior Living Development

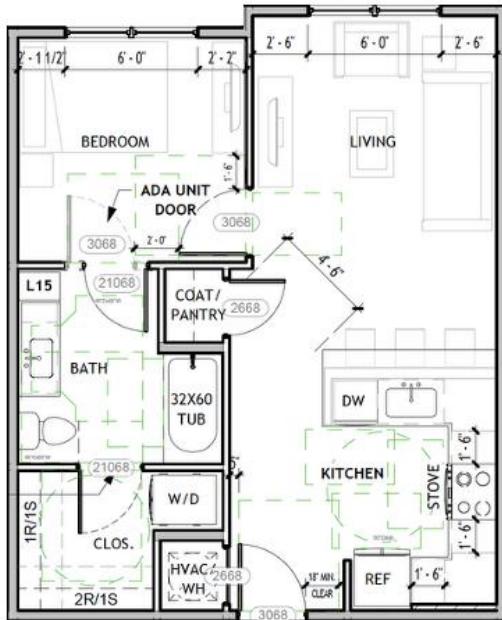


The Enclave at Tomball Square

FLOOR PLANS

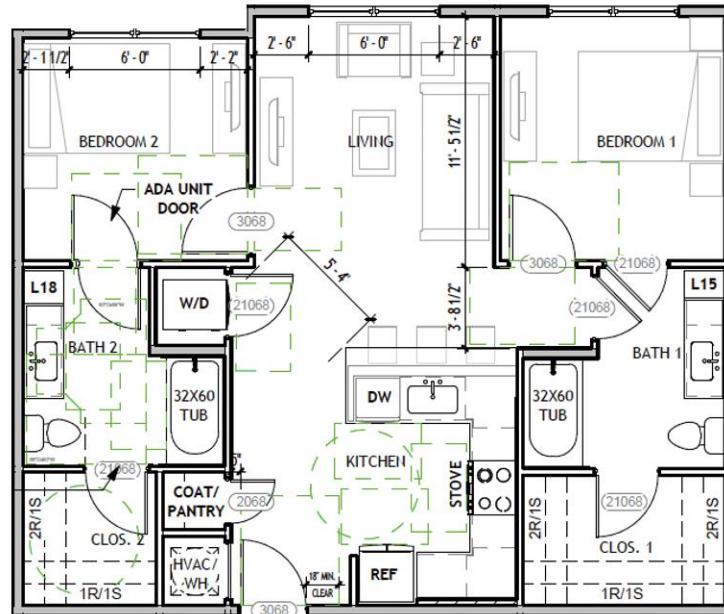
An Upscale Mixed-Income Senior Living Development

One Bedroom Units

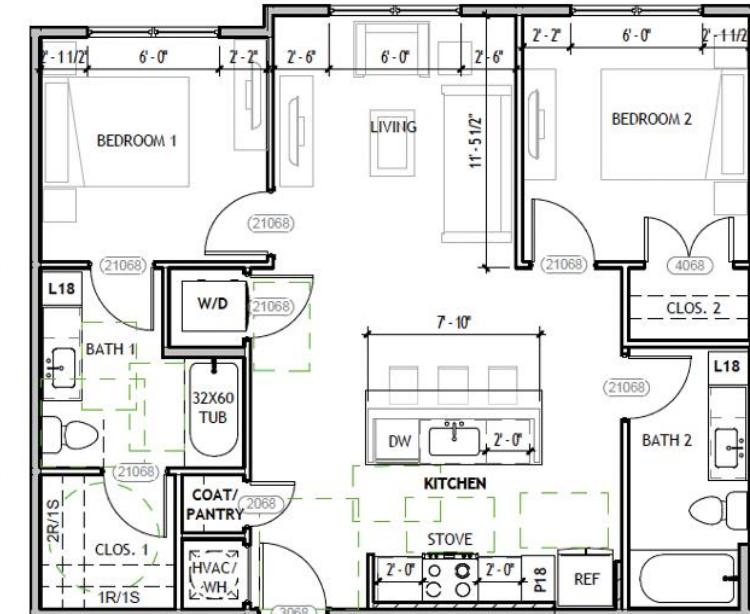


1 Bedroom | 1 Bathroom | 600 SF

Two Bedroom Units



2 Bedroom | 2 Bathroom | 913 SF



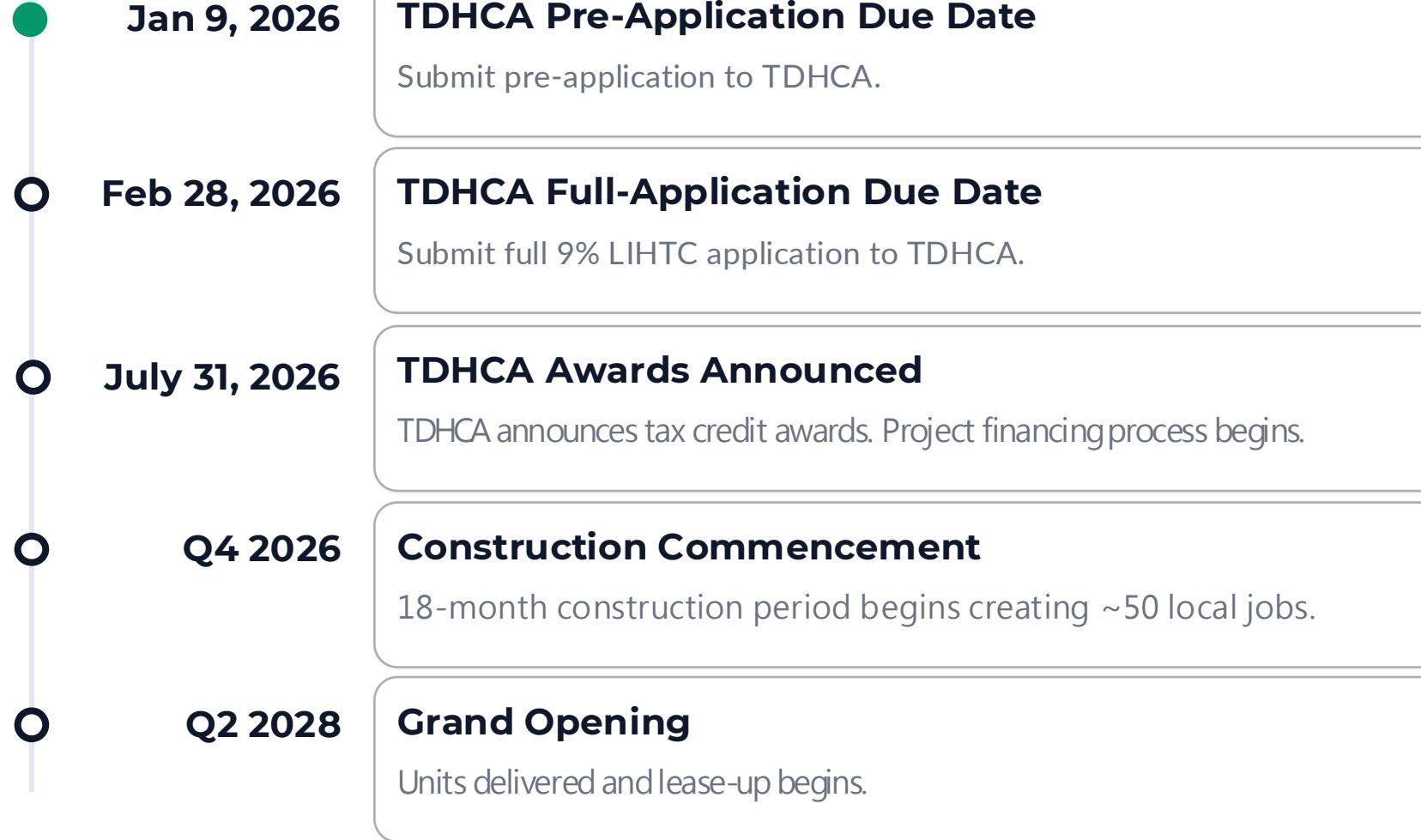
2 Bedroom | 2 Bathroom | 913 SF

The Enclave at Tomball Square

An Upscale Mixed-Income Senior Living Development

ESTIMATED TIMELINE

Estimated Project Timeline



An Upscale Mixed-Income Senior Living Development

Growing Senior Population in Tomball A Community Aging in Place

Tomball's 65+ population has doubled since 2010, growing 6x faster than all other groups combined.

As seniors age in place on fixed incomes, the demand for affordable senior housing far outpaces supply.

25%

Total Population Growth Rate

Tomball's population grew 25% from 2010-2023, reaching over 13,000 residents.

86%

Senior Household Growth Rate

Tomball's 65+ population grew 86% from 2010-2023—3x faster than overall population growth.

21.7%

Senior Concentration

Over 1 in 5 Tomball residents are 65+, well above the 15% Texas and 17% national averages.

33%

Senior Head of Household

One-third of all Tomball households are headed by someone 65+, up from 28% in 2010.

38.6

Average Age

Tomball's median age rose from 32 to 38.6 since 2020—now 3 years above the Texas average of 35.5.

An Upscale Mixed-Income Senior Living Development

The Majority of Senior Renters in Texas Are Cost-Burdened

Percentage of Rent Burdened Senior Households (Ages 65-79) in 2023 (Census ACS):

<u>Texas</u>	<u>Houston</u>	<u>Tomball</u>
59%	62%	70%

Number of Texas Rent Burdened Seniors spending over 30% of income on housing:

<u>2017</u>	<u>2021</u>	<u>2025</u>	<u>2030</u>
228,506 <small>Senior Residents</small>	291,764 <small>Senior Residents</small>	320,103 <small>Senior Residents</small>	415,000 <small>Senior Residents</small>
55% <small>Rent-Burdened</small>	58% <small>Rent-Burdened</small>	60% <small>Rent-Burdened</small>	70% <small>Rent-Burdened</small>

When seniors devote 30% - 50%+ of a fixed income to rent, they are forced to **sacrifice essentials**. AARP Texas reports that older adults routinely forgo medical care, prescriptions, and groceries just to avoid eviction. Tax credit affordable housing changes that equation.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 16, 2026

Topic:

Conduct a Public Hearing and Approve Resolution 2026-14, a Resolution of the City Council of the City of Tomball, Texas, Establishing Guidelines and Criteria for Tax Abatements in the City of Tomball; and Providing an Effective Date.

Background:

Chapter 312 of the Texas Tax Code requires that any governing body that wishes to participate in tax abatements, must have an adopted set of guidelines and criteria governing the tax abatement agreements that the governing body will consider. In addition, the taxing unit must also adopt a resolution stating that it elects to become eligible to participate in tax abatement. The guidelines and the resolution must be adopted every two years, following a public hearing to consider public feedback on the proposed guidelines.

The City of Tomball has previously adopted the resolution and proposed guidelines in previous years. This item would renew the existing policy for two years if approved, with the next consideration being in February 2028.

The approval of the guidelines does not obligate the City to authorize or approve any tax abatement request in the future.

Origination: Project Management

Recommendation:

Conduct a Public Hearing and Approve Resolution No. 2026-14 establishing guidelines and criteria for tax abatements in the City of Tomball.

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

Staff Member

Date

Approved by

City Manager

Date

**NOTICE OF PUBLIC HEARING ON
PROPERTY TAX ABATEMENT GUIDELINES AND CRITERIA**

Notice is Hereby Given that a Public Hearing will be held by the City Council of the City of Tomball on Monday, February 16, 2026 at 6:00 P.M. at City Hall, 401 Market Street, Tomball, Texas. On this day, the City Council will consider the following:

Resolution Number 2026-14 to consider the amendment, repeal, or reauthorization of the City of Tomball's Property Tax Abatement guidelines and criteria, in accordance with Chapter 312 of the Texas Tax Code. A copy of the current version of the guidelines and criteria governing tax abatement agreements are available on the City's website.

Members of the public will be given the opportunity to be heard, and all persons desiring to address Council regarding the amendment, repeal, or reauthorization of the property tax abatement guidelines and criteria will be permitted to do so at that time. The City Council will, in addition, receive written comments if timely filed with the City Secretary no later than 5:30 p.m. on February 16, 2026, prior to commencement of the public hearing.

This notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

For further information, please contact:
Meagan Mageo
Project Manager
City of Tomball
(281) 290-1411

RESOLUTION NO. 2026-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS, STATING THE CITY OF TOMBALL'S
INTENT TO PARTICIPATE IN TAX ABATEMENT AND
ESTABLISHING THE GUIDELINES AND CRITERIA FOR
GRANTING TAX ABATEMENTS IN A REINVESTMENT ZONE
CREATED IN THE CITY OF TOMBALL.**

* * * * *

WHEREAS, the capital investment and creation and retention of job opportunities are a community priority; and

WHEREAS, new jobs and investments will benefit the area economy, provide needed opportunities, strengthen the real estate market, and generate revenue to support local services; and

WHEREAS, the City of Tomball must compete with other localities currently offering tax inducements to attract new business and modernization projects; and

WHEREAS, the abatement of property taxes, when offered to attract new investment and primary jobs in industries which bring in money from outside a community instead of merely recirculating dollars within a community, has been shown to be an effective method of enhancing and diversifying an area of economy; and

WHEREAS, Texas law requires any eligible taxing jurisdiction to establish guidelines and criteria regarding eligibility for tax abatement prior to granting of any future tax abatement, and said guidelines and criteria to be unchanged for a two-year period unless amended by a three-quarters (3/4) vote; and

WHEREAS, the City Council of the City of Tomball desires to adopt guidelines and criteria regarding eligibility for tax abatement from the City of Tomball;

NOW, THEREFORE BE IT RESOLVED, that, pursuant to the authority contained in Section 312.002 of the Texas Tax Code, the City of Tomball does hereby intend to participate in tax abatement and adopt the guidelines and criteria for granting tax abatements in reinvestment zones in the City of Tomball attached hereto as Exhibit "A" and incorporated herein as if set forth at length.

PASSED, APPROVED, AND RESOLVED this _____ day of _____ 2026.

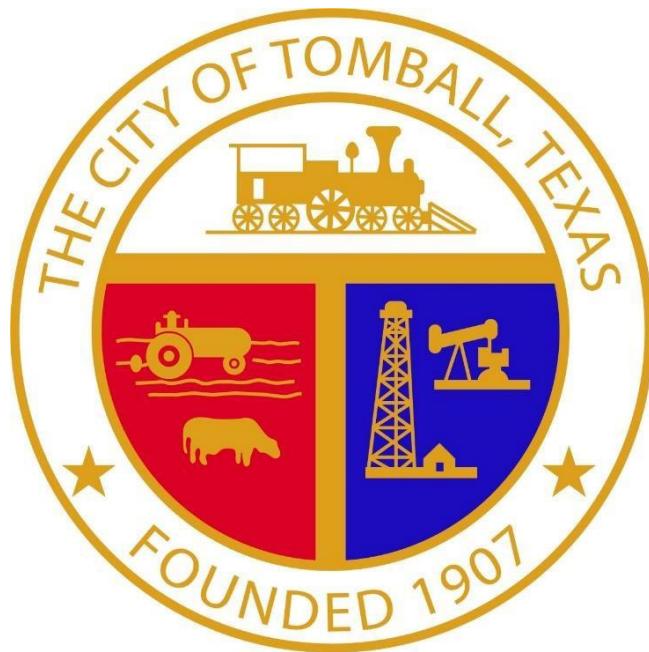
Lori Klein Quinn, Mayor

ATTEST:

Thomas Harris III, City Secretary

CITY OF TOMBALL, TEXAS

TAX ABATEMENT POLICY & GUIDELINES



February 16, 2026

TAX ABATEMENT GUIDELINES SUMMARY

TERMS

Up to 100% abatement for a period not to exceed 10 years. Each project is reviewed on a case-by-case basis. The amount of the abatement will be determined based on the merits of the project, including, but not limited to, location of the project, its size, total capital investment value, the number of temporary and permanent jobs created, the costs and benefits for the City, and the project's impact on Tomball's economy.

FACILITIES THAT QUALIFY

Corporate Headquarters Facility
Manufacturing Facility
Research Facility
Regional Distribution Facility
Regional Service Facility
Regional Entertainment/Tourism Facility
Other Basic Industry Facilities

AUTHORIZED INVESTMENTS

New Facilities
Expansions
Modernizations

ABATED

Buildings, structures, fixed machinery, equipment, personal property, site improvements, and related office space

ECONOMIC CRITERIA

New business: Minimum two-million-dollar (\$2,000,000) investment; create a minimum of twenty-five (25) jobs.

Expansions: Minimum one-million-dollar (\$1,000,000) investment; must prevent the loss of payroll or retain, increase, or create payroll on a permanent basis in the City of Tomball.

CITY OF TOMBALL, TEXAS TAX ABATEMENT POLICY

SECTION 1: GENERAL PURPOSE AND OBJECTIVES

The City of Tomball is committed both to the promotion of high-quality development within the City and to the improvement in the quality of life of its citizens. In order to meet these goals, the City will, on a case-by-case basis, give consideration to providing tax abatement within designated reinvestment zones as stimulation for economic development in the City. The purpose of this tax abatement policy is to encourage the growth and establishment of industry and commercial enterprise in the City. Growth is measured by the capital investment in the City for buildings, machinery, and other capital goods that increases the Tomball workforce.

The City of Tomball will consider tax abatement for qualified business and property owners in accordance with the procedures and criteria outlined in this document. Nothing herein shall imply or suggest that the City is under any obligation to provide any incentive to any applicant. All applications shall be considered on a case-by-case basis.

All applications for tax abatement must be for commercial and/or industrial improvements. Tax abatement is available for both new facilities and for the expansion and modernization of existing facilities. No residential developments will be considered for tax abatement. Tax abatement will not be ordinarily considered for projects that would be developed without such incentives unless it is demonstrated that higher development standards or other community development goals will be achieved through the use of abatement.

SECTION 2: DEFINITIONS

- (a) **Abatement** means the full or partial exemption from ad valorem taxes of certain new improvements of real and/or personal property in a reinvestment zone designated for economic development purposes.
- (b) **Agreement** means a contractual agreement between the City of Tomball and a property owner and/or lessee for the purpose of tax abatement.
- (c) **Base Year Value** means the assessed value of eligible property on January 1 preceding the execution of the Agreement plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the Agreement.
- (d) **Corporate Headquarters Facility** means the facility or portion of a facility where corporate staff employees are physically employed and where the majority of the company's financial, personnel, legal, planning or other headquarters related functions are handled either on a national, regional or division basis.
- (e) **Deferred Maintenance** means improvements necessary for continued operations, which do not improve productivity or alter the process technology.

- (f) **Economic life** means the number of years a property improvement is expected to be in service in a facility. Provided, however, that in no circumstance shall the number of years exceed the depreciation allowance specified in the United States Internal Revenue Code.
- (g) **Effective Date of Abatement** means the first (1st) day of January immediately following the date the Agreement is approved by the City Council of Tomball or at any other date specifically authorized by City Council.
- (h) **Eligible Jurisdiction** means the City of Tomball, Harris County and any school district or college district which levies ad valorem taxes upon, and provides services to, property located within the proposed or existing reinvestment zone.
- (i) **Expansion** means the addition of buildings, structures, fixed machinery, equipment, and personal property for the purpose of increasing production capacity.
- (j) **Facility** means property improvements completed or in the process of construction which together comprise an integral whole.
- (k) **Manufacturing Facility** means buildings, structures, fixed machinery, equipment and personal property, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.
- (l) **Modernization** means the upgrading of existing facilities, which increases the productive input or output, updates the technology or substantially lowers the unit cost of the operation; modernization may result from the construction, alteration, or installation of buildings, structures, fixed machinery, equipment and personal property. It shall not be for the purpose of reconditioning, refurbishing or repairing.
- (m) **New Facility** means a property, previously undeveloped, that is placed into service by means other than or in conjunction with expansion or modernization.
- (n) **New Machinery and Equipment** means tangible machinery, equipment, or personal property that is securely placed or fastened and stationary within a building or structure or permanently resides in the City of Tomball.
- (o) **Other Basic Industry Facility** means buildings and structures including fixed machinery, equipment, and personal property not elsewhere described, used or to be used for the production of products or services which primarily serve a market outside the City of Tomball and result in the creation of new permanent jobs and bring new wealth in to the City.
- (p) **Real Property** means the land on which a facility is placed.
- (q) **Regional Distribution Facility** means buildings and structures including fixed machinery, equipment, and personal property used or to be used primarily to receive, store, service or distribute goods or materials owned by the facility, from which a

majority of revenues generated by the activity at the facility are derived from outside the City of Tomball.

- (r) **Regional Entertainment/Tourism Facility** means buildings and structures, including fixed machinery, equipment, and personal property used or to be used to provide entertainment and/or tourism related services, from which a majority of revenues generated by activity at the facility are derived from outside the City of Tomball.
- (s) **Regional Service Facility** means buildings and structures, including fixed machinery, equipment, and personal property used or to be used to provide a service, from which a majority of revenues generated by activity at the facility are derived from outside the City of Tomball.
- (t) **Research Facility** means buildings and structures, including fixed machinery, equipment, and personal property used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

SECTION 3: GUIDELINES AND CRITERIA

Minimum Standards for Tax Abatement

- (a) The project shall not have any negative environmental impacts on the community (e.g., significant pollution or hazardous waste).
- (b) The project should stimulate local employment and/or commercial activity and benefit existing business and not compete with existing businesses to the extent of being a detriment to the local economy as a whole.
- (c) **New Facilities:** The project will establish and maintain at least twenty-five (25) jobs in the City of Tomball and have a minimum capital investment of two million (\$2,000,000). (*The acquisition cost of the real property is not included in the project investment*).
- (d) **Expansion/Modernization:** The project must prevent the loss of payroll or retain, increase or create payroll on a permanent basis in the City of Tomball and have a minimum capital investment of one million (\$1,000,000). (*The acquisition cost of the real property is not included in the project investment*).
- (e) The City of Tomball may consider tax abatement for an investment less than the minimum amount required based upon City evaluation of economic development factors, including but not limited to:
 - (1) the location of taxable inventory on the property;
 - (2) the amount of sales tax that the project will generate for the City.
- (f) Tax abatement may only be granted for the additional tax value resulting from any of the following:
 - (1) construction of a new facility of any type as herein defined;

- (2) expansion of existing facilities of any type as herein defined; or
- (3) modernization of existing facilities of any type as herein defined.

(g) The project should have high visibility and image impact or be a significantly higher level of development quality.

(h) The project will serve as a catalyst or magnet to attract or retain other high quality industrial/business development.

(i) The project will not solely and primarily have the effect of transferring employment from one part of the city to another.

(j) The development must conform to the City's zoning ordinance.

(k) The costs of city services required for the development should not exceed the amount of taxes generated if abatement is provided.

SECTION 4: ABATEMENT AUTHORIZED

(a) **Authorized Tax Abatement Categories.** A facility may be eligible for tax abatement if it is a:

- Corporate Headquarters Facility
- Manufacturing Facility
- Research Facility
- Regional Distribution Facility
- Regional Service Facility
- Regional Entertainment/Tourism Facility, or
- Other Basic Industry Facility

(b) **Authorized Date:** A facility shall be eligible for tax abatement if it has applied for such abatement prior to the commencement of construction.

(c) **Creation of New Value:** Abatement may only be granted for the additional value of eligible property improvement made subsequent to and in an abatement agreement between the City of Tomball and the property owner and/or lessee, subject to such limitations as the City Council may require.

(d) **Eligible Property:** Abatement may be extended to the value of buildings, structures, fixed machinery, equipment, personal property, site improvements plus that office space and related fixed improvements necessary to the operation and administration of the facility. The value of all property shall be the appraised value for each year, as finally determined by the applicable appraisal district.

(e) **Ineligible Property:** The following types of property shall generally be fully taxable and ineligible for abatement: land; inventories; supplies; tools; furnishings; and other forms of movable personal property; vehicles; vessels; aircraft; housing; hotel

accommodations; deferred maintenance investments; property to be rented or leased except as provided below; improvements for the generation or transmission of electrical energy not wholly consumed by a new facility or expansion; any improvements, including those to produce, store or distribute natural gas, fluids or gases, which are not integral to the operation of the facility; property which has an economic life of less than fifteen (15) years; property owned or used by the State of Texas or its political subdivision or by any organization owned, operated or directed by a political subdivision of the State of Texas, or any property exempted by local, state or federal law; and property owned or leased by a member of city council or a member of a zoning or planning commission of the City.

(f) Leased Facilities: If a leased facility is granted abatement, the agreement shall be executed with the lessor and the lessee.

(g) Value and Term of Abatement: Abatement shall be granted effective with the January 1 valuation date immediately following the date of execution of the agreement or at such other date specifically authorized by City Council. The value of the abatement will be determined based on the merits of the project, including, but not limited to, total capital investment value and added employment. Up to one hundred percent of the value of new eligible properties may be abated for a total term of abatement not to exceed ten years. However, a project must provide an extraordinary economic benefit to the City to be considered for one hundred percent abatement.

If a modernization project includes facility replacement, the abated value shall be the value of the new unit(s) less the value of the old unit (s).

(h) Taxability: From the execution of the abatement to the end of the agreement, taxes shall be payable as follows:

- (1) The value of ineligible property as provided in Section 4(e) shall be fully taxable;
- (2) The base year value of existing eligible property as determined each year shall be fully taxable; and,
- (3) The additional value of new eligible property shall be taxable at the end of any abatement period.

SECTION 5: APPLICATION

(a) Any present or potential owner of taxable property in the City of Tomball may request the creation of a reinvestment zone or tax abatement by filing a written application with the Finance Director of the City of Tomball.

(b) The application shall consist of a completed application form accompanied by: a general description of the project/new improvements to be undertaken; a descriptive list of the improvements for which an abatement is requested; a list of the kind, number and location of all proposed improvements of the property; a list of the estimated value of

inventory and the location where the inventory will be stored; the projected employment number at the proposed facility and the estimated average salary; the estimated amount of annual sales subject to State Sales & Use Tax; a map and property description; and a time schedule for undertaking and completing the proposed improvements. The applicant shall also include information pertaining to the reasons the abatement is necessary in order to have the project undertaken in the City of Tomball. In the case of modernization, a statement of the assessed value of the facility separately stated for real and personal property shall be given for the tax year immediately preceding the application. The application form may require financial and other information as the Tomball City Council deems appropriate for evaluating the financial capacity and other factors of the applicant.

- (c)** The applicant must certify that the applicant does not employ nor will it employ any undocumented workers (an individual who, at the time of employment, is not lawfully admitted for permanent residence to the United States or, authorized under law to be employed in that manner in the United States). The applicant must agree that if it is convicted of a violation under 8 U.S.C. Section 1324a(f) after receiving a tax abatement, applicant shall repay the amount of the tax abatement with interest, at the rate of 12% per annum, within 120 days after the City notifies the applicant of the violation. The City shall have the authority to bring a civil action to recover any amounts which the applicant must repay the City under this provision, and in such action may recover court costs and reasonable attorneys' fees.
- (d)** The City of Tomball may request additional information as deemed appropriate for evaluating the financial capacity of the applicant and compatibility of the proposed improvements with these guidelines and criteria.
- (e)** Upon receipt of a completed application, the City of Tomball shall notify in writing the presiding officer of the governing body of each eligible jurisdiction.
- (f)** After receipt of a completed application, the City Council through its City Manager or his/her designee shall determine whether the application qualifies for abatement under the terms of these guidelines and criteria.
- (g)** The City Manager or his/her designee shall prepare a fiscal impact analysis setting out the impact of the proposed reinvestment zone and tax abatement. The impact analysis study shall include, but not limited to, an estimate of the economic effect of the creation of the zone and the abatement of taxes and the benefit to the City of Tomball and the property to the included in the zone. The cost of city services to the development should not exceed the amount of taxes generated by the development
- (h)** The City Council shall not establish a reinvestment zone or enter into an abatement agreement if it finds that the request for the abatement was filed after the commencement of construction, alteration, or installation of improvements related to a proposed new facility, expansion, or modernization. An applicant is ineligible for abatement if a decision to commence a new facility, expansion or modernization in the City of Tomball has been formally announced on or before the date of adoption of these guidelines.

SECTION 6: PUBLIC HEARING AND APPROVAL

- (a)** The City Council may not adopt an ordinance designating a reinvestment zone until it has held a public hearing at which interested persons are entitled to speak and present evidence for or against the designation. Notice of the hearing must be published at least seven (7) days before the hearing in a newspaper of general circulation in the City. The presiding officers of eligible jurisdictions shall be notified in writing at least seven (7) days prior to the hearing.
- (b)** Before the City Council may adopt, amend, repeal, or reauthorize guidelines and criteria, the City Council must hold a public hearing regarding the proposed adoption, amendment, repeal, or reauthorization at which members of the public are given the opportunity to be heard.
- (c)** The agreements that are being considered must be published at least 30 days before the scheduled meeting date. The publication must include the name of the owner, the name/location of the reinvestment zone where the property will be, the nature of the improvements or repairs covered by the proposed agreement, and the estimated cost of the improvements or repair.
- (d)** The City of Tomball will post the current version of the guidelines of the tax abatement.
- (e)** In order to enter into a tax abatement agreement, the City Council must find that the terms of the proposed agreement meet these Guidelines and Criteria and that:
 - (1) There will be no substantial adverse effect on the provision of the City of Tomball's services or tax base; and
 - (2) The planned use of the property will not constitute a hazard to public safety, health or morals.

SECTION 7: AGREEMENT

- (a)** After approval of a tax abatement application within a designated reinvestment zone, the Tomball City Council shall formally pass a resolution and execute an agreement with the owner of the facility and lessee as required, which shall include:
 - (1) Estimated value to be abated and the base year value;
 - (2) Percent of value to be abated each year;
 - (3) The commencement date and the termination date of abatement;
 - (4) The proposed use of the facility, nature of construction, time schedule for completion of the project, map, property description and improvement list;
 - (5) The contractual obligation in the event of default, violation of terms or conditions, delinquent taxes, recapture, administration and assignment, or other provisions that may be required for uniformity or compliance with state law;

- (6) Amount of investment, increase in assessed value and average number of job involved; and
- (7) A requirement that the applicant annually submit to the City, a January employee count of the abated facility which corresponds to the employment counts reported in the facility's Employer's Quarterly Report to the Texas Workforce Commission, and a separate notarized letter certifying the number of jobs created or retained as a direct result of the abated improvements and the number of employees in other facilities located within the City of Tomball. Submission shall be used to determine abatement eligibility for that year and shall be subject to audit if requested by the governing body. Failure to submit may result in the ineligibility to receive an abatement for that year and the termination of the tax abatement agreement and subject any abated taxes to recapture pursuant to Section 8 hereof.

Such agreement shall normally be executed within sixty (60) days after the applicant has forwarded all necessary information and documentation to the Tomball City Council.

- (b) The City Council may impose any other conditions in a tax abatement agreement that the City Council deems necessary to promote the purpose of these guidelines.

SECTION 8: RECAPTURE

- (a) In the event that the facility is completed and begins producing product or service, but subsequently discontinues producing product or service for any reason excepting fire, explosion or other casualty or accident or natural disaster for a period of one (1) year during the abatement period, then the agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the facility no longer produces. The taxes otherwise abated for that calendar year shall be paid to the City of Tomball within sixty (60) days from the date of termination.
- (b) Should the City Council determine that the company or individual is in default according to the terms and conditions of its agreement, the City of Tomball shall notify the company or individual in writing at the address stated in the agreement, and if such is not cured within sixty (60) days from the date of such notice (the Cure Period), then the agreement may be terminated.
- (c) In the event that the company or individual allows its ad valorem taxes owed the City of Tomball to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or contest, or violates any of the terms and conditions of the abatement agreement and fails to cure during the Cure Period, then the City may terminate the agreement and all taxes previously abated by virtue of the agreement will be recaptured and paid within sixty (60) days of the termination.

SECTION 9: ADMINISTRATION

(a) Each year, the company or individual receiving abatement shall furnish the Chief Appraiser and the City of Tomball with such information as may be necessary for the abatement.

The agreement shall stipulate that employees and/or designated representatives of the City of Tomball will have access to the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the company or individual and in accordance with its safety standards.

(b) Upon completion of construction, the jurisdiction which created the zone shall annually evaluate each facility receiving abatement to ensure compliance with the agreement and report possible violations of the agreement to the City of Tomball and its attorney.

(c) All documents related to tax abatements, including the annual certifications, will be kept on file with the City Secretary or other applicable City of Tomball department or office.

SECTION 10: ASSIGNMENT

An abatement may be assigned by the holder to a new owner or lessee of the same facility with the written consent of the Tomball City Council, which consent shall not be unreasonably withheld. Any assignment shall provide that the assignee shall irrevocably and unconditionally assume all the duties and obligations of the assignor upon the same terms and conditions as set out in the agreement. Any assignment of a tax abatement agreement shall be to an entity that contemplates the same improvements or repairs to the property, except to the extent such improvements or repairs have been completed. No assignment shall be approved if the assignor or the assignees are indebted to the City of Tomball for ad valorem taxes or other obligations.

SECTION 11: CONFIDENTIALITY OF PROPRIETARY INFORMATION

Subject to the provisions and limitations of Chapter 552 of the Texas Government Code, information that is provided to the City of Tomball in connection with an application or request for the creation of a reinvestment zone for the purposes of tax abatement in accordance with the above criteria and guidelines and which describes the specific process or business activities to be conducted or equipment or other property to be located on the property for which the tax abatement is sought is confidential and not subject to public disclosure until the tax abatement agreement is executed. The information in the custody of the City of Tomball after the agreement is executed will be treated as confidential to the extent allowed by law.

SECTION 12: SUNSET PROVISION

These Guidelines and Criteria are effective upon the date of their adoption and will remain in force for two (2) years, at which time all reinvestment zones and tax abatement contracts created pursuant to its provisions will be reviewed by the Tomball City Council to determine whether the goals have been achieved. Based on that review, the Guidelines and Criteria may be modified, renewed or eliminated.

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 16, 2026

Topic:

Conduct a public hearing and consideration to approve Zoning Case Z26-01: Request by Kyle Burts to consider a zone change from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34; two tracts containing approximately 1.498 acres of land located at the southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road). The applicant is requesting to allow for the property to be developed for any use permitted within the Commercial Zoning District.

Adopt, on First Reading, Ordinance No. 2026-01, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34; two tracts containing approximately 1.498 acres of land located at the southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road), within the City of Tomball, Harris County, Texas; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Background:

Origination: Kyle Burts

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

ORDINANCE NO. 2026-01

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING FROM MULTIFAMILY RESIDENTIAL (MF) TO COMMERCIAL (C) ON A 0.986 ACRE TRACT AND A 0.512 ACRE TRACT OF THE JOSEPH HOUSE SURVEY ABST NO. 34; TWO TRACTS CONTAINING APPROXIMATELY 1.498 ACRES OF LAND LOCATED AT THE SOUTHWEST INTERSECTION OF WEST HUFSMITH ROAD AND NORTH CHERRY STREET (307 WEST HUFSMITH ROAD), WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

Whereas, Kyle Burts requested a zone change from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34; two tracts containing approximately 1.498 acres of land located at the southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road). The applicant is requesting to allow for the property to be developed for any use permitted within the Commercial Zoning District; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within three hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

Whereas, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City's receipt of the requested rezoning; and

Whereas, the City Council deems it appropriate to grant a rezoning to the Commercial (C) District.

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

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

Section 2. The rezoning classification of the Property is hereby changed and is subject to the regulations, restrictions, and conditions hereafter set forth.

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

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

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE _____ DAY OF _____ 2026.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE _____ DAY OF _____ 2026.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

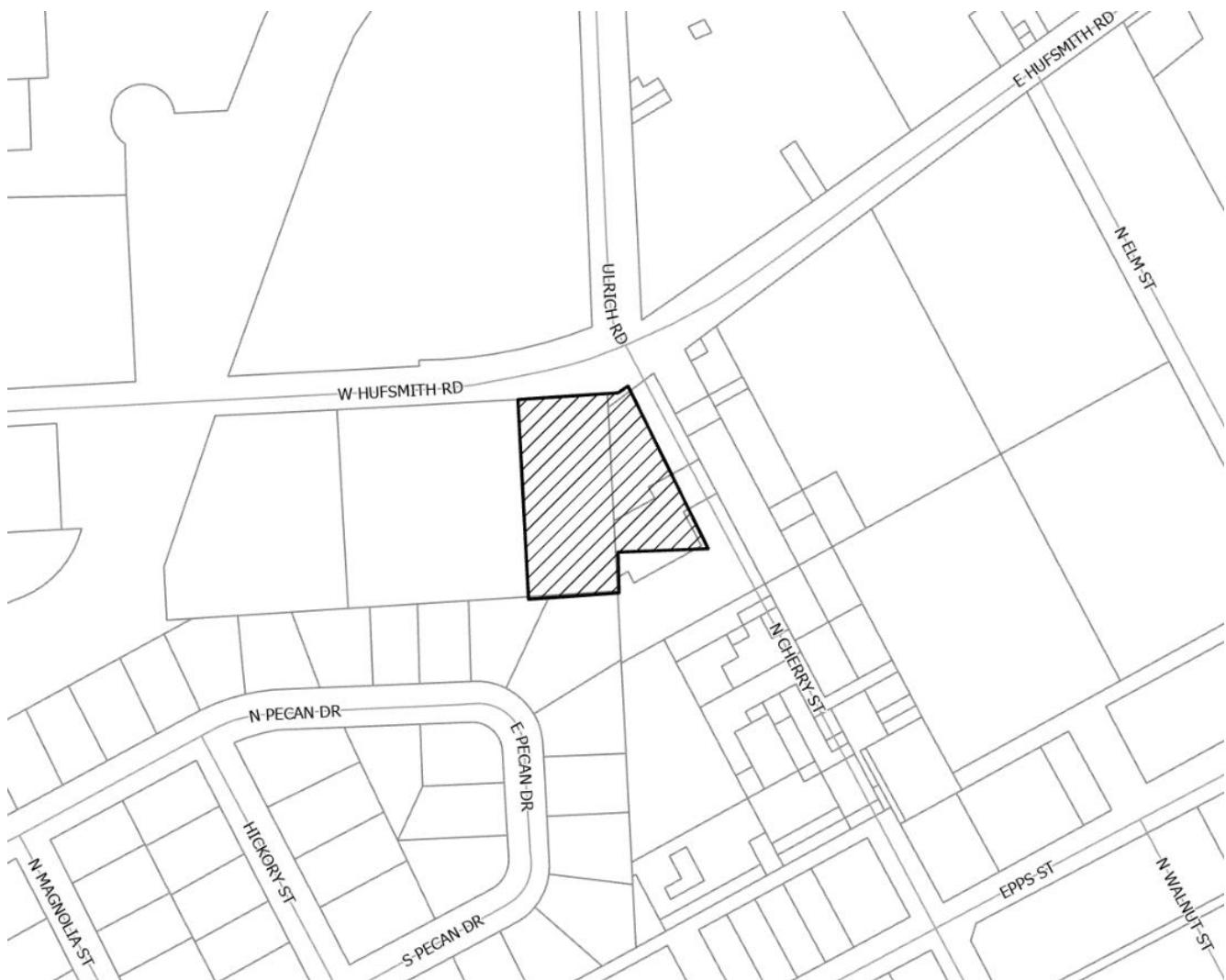
LORI KLEIN QUINN, Mayor

ATTEST:

Thomas Harris III
City Secretary

Exhibit "A"

Location: 307 West Hufsmith Road, within the City of Tomball, Harris County, Texas.



NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
FEBRUARY 9, 2026
&
CITY COUNCIL
FEBRUARY 16, 2026



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, February 9, 2026, at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, February 16, 2026, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

Zoning Case Z26-01: Request by Kyle Burts to consider a zone change from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34; two tracts containing approximately 1.498 acres of land located at the southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road). The applicant is requesting to allow for the property to be developed for any use permitted within the Commercial Zoning District.

Zoning Case Z26-02: Request by Tompark Developers LLC to consider a zone change from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots; two lots containing approximately 10.05 acres of land located south of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street). The applicant is requesting to allow for the property to be developed for any use permitted within the Industrial Zoning District.

Zoning Case Z26-03: Request by Anthony James Corp to consider a zone change from Planned Development District - 3 (PD-3) to Planned Development District - 21 (PD-21), which shall be known as PD-21, with a final concept plan and development narrative on Lots 1, 2, 4, 5, 6, and 7, Block 1 and Lots 1, 2, 3, 4, 5, and 6, Block 2 of Chestnut Business Park; and Lot 3, Block 1 of Replat of Lot 3 Chestnut Business Park; and Lot 1, Block 1 of Gomez Subdivision; 14 total lots containing approximately 16.35 acres of land located along Chestnut Business Park Drive, South Chestnut Street; south of Timkin Road (711 South Chestnut Street). The applicant is requesting to allow for the expansion of an existing business within the business park.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Administrative Services Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Planning Division, at (281) 290-1477 or at planning@tomballtx.gov.

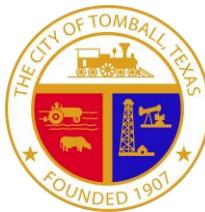
CERTIFICATION

I hereby certify that the above notice of the 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 day of February 2026 by 5:00 p.m., and remained posted for at least three consecutive business days preceding the scheduled time of said meeting.

Benjamin Lashley

Benjamin Lashley
Assistant City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1019 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



City of Tomball
Community Development Department

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z26-01

1/21/2026

The Planning & Zoning Commission will hold a public hearing on **February 9, 2026 at 6:00 PM**, in the City Council Chambers at City Hall, 401 Market Street, Tomball, Texas to recommend approval or denial to City Council on a request by Kyle Burts to consider a zone change from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34; two tracts containing approximately 1.498 acres of land located at the southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road). The applicant is requesting to allow for the property to be developed for any use permitted within the Commercial Zoning District.

This hearing is open to any interested person. Opinions, objections, and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only the area which is highlighted in green on the map is being considered for **re-zoning**. The blue area is the notification area. All owners of property within 300 feet of the subject property, as indicated by the most recently approved city tax roll, are required to be notified. Whether recommended for approval or denial by the Planning & Zoning Commission, this case will be heard by the City Council for First Reading with public hearing on **February 16, 2026 at 6:00 PM** in the City Council Chambers at City Hall, 401 Market Street, Tomball, Texas.

If you have any questions please contact the Planning Division, by telephone (281-290-1477) or by email address planning@tomballtx.gov.

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1477 if you have any questions about this notice.

CASE #: Z26-01

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name:
Parcel I.D.:
Address:

Mailing To: Community Development Department
501 James St., Tomball TX 77375

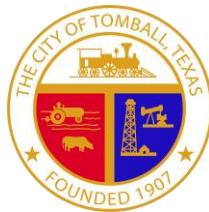
Email: planning@tomballtx.gov

I am in favor

I am opposed

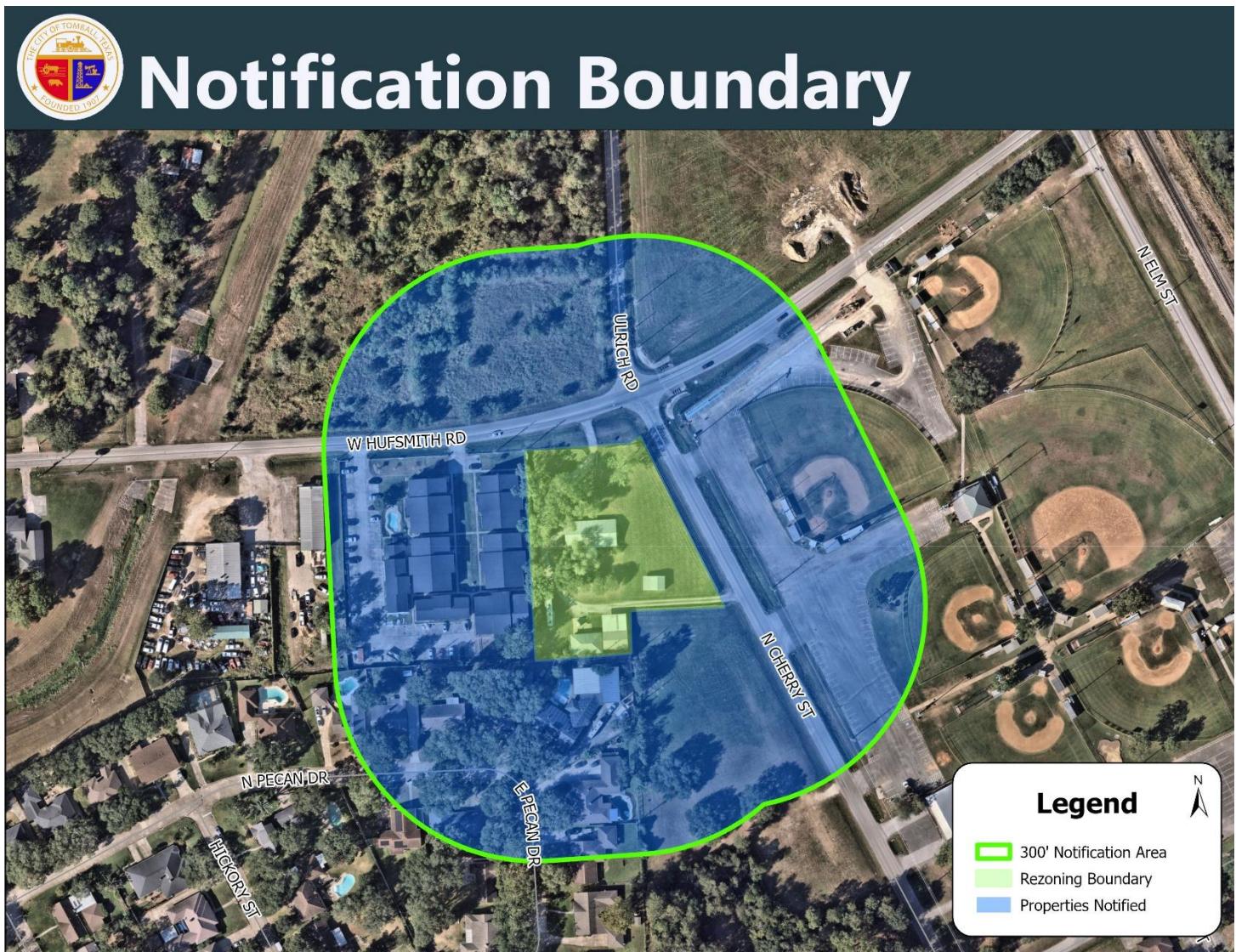
Additional Comments:

Signature: _____



City of Tomball
Community Development Department

Z26-01



Kimberly Chandler

To: shafferkylea@gmail.com
Subject: RE: OPPOSED - Case #: Z26-01

From: Shafferkylea <shafferkylea@gmail.com>

Sent: Friday, December 26, 2025 2:36 PM

To: Planning <planning@tomballtx.gov>

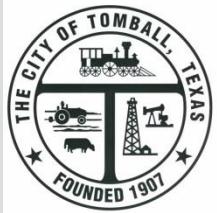
Subject: OPPOSED - Case #: Z26-01

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

I am opposed to Case #: Z26-01. Not only would it increase traffic at an already congested 4 way stop, it would also increase light noise/nuisance because commercial business have flood lights on all night, and it would decrease the safety of the residential homeowners in the surrounding neighborhoods.

Thank you,

Kyle and Kristin Shaffer
SHAFFER KYLE AARON & KRISTIN NOACK
Parcel I.D.: 0966420000006
Address: 407 N PECAN DR
TOMBALL, TX 77375



**Rezoning
Staff Report**

Planning & Zoning Commission Public Hearing Date: February 9, 2026
City Council Public Hearing Date: February 16, 2026

Rezoning Case: Z26-01
Property Owner(s): Kyle Burts
Applicant(s): Kyle Burts
Legal Description: Request by Kyle Burts to consider a zone change from Multifamily Residential (MF) to Commercial (C) on a 0.986 acre tract and a 0.512 acre tract of the Joseph House Survey ABST No. 34
Location: Southwest intersection of West Hufsmith Road and North Cherry Street (307 West Hufsmith Road) (Exhibit "A")
Area: 1.498 acres
Comp Plan Designation: Medium-Density Residential (Exhibit "B")
Present Zoning: Multifamily Residential (MF) District (Exhibit "C")
Request: Rezone from the Multifamily Residential (MF) to the Commercial (C) District.

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North	Single-Family Residential – 20 (SF-20)	Large single-family estate and undeveloped land
South	Single-Family Residential – 6 (SF-6)	Single-family residences and undeveloped land
East	Single-Family Residential – 6 (SF-6)	Tomball Little League baseball fields
West	Multifamily Residential (MF)	Tomball Ranch Apartments

BACKGROUND

The subject property has been within the City of Tomball's MF zoning district since the adoption of zoning in February 2008. There is currently a single-family detached residence with three accessory structures on the property. Nearby zoning cases include a successful rezoning into the Office (O) district on the southwest corner of West Hufsmith/Brown Road and Baker Drive in 2020; and the issuance of a Conditional Use Permit (CUP) to the private baseball complex on the north side of East Hufsmith Road in 2023.

ANALYSIS

Comprehensive Plan Analysis: The property is designated as “Medium-Density Residential” by the Comprehensive Plan’s Future Land Use Map. The Medium-Density Residential designation is intended to promote housing diversity and affordability to serve a range of local employment types, income levels, and age brackets. Non-residential uses that support residential development, such as parks, recreation facilities, and schools, may be appropriate in the area. This category can serve as a transition between lower-density and higher-density residential uses as well as low intensity nonresidential uses.

Staff Review Comments: The request to rezone the subject property to Commercial (C) is not in conformance with the Future Land Use Plan, however, this property may be unique due to its location at the corner of two designated arterial roadways. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected within higher traffic commercial districts. Multi-Family or Single-Family Residential may not be desired uses for an intersection that is heavily trafficked such as this, and light commercial or office uses may be more appropriate as a transition between the intersection and the adjacent residential properties.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site were mailed notification of this proposal on January 21, 2026. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location

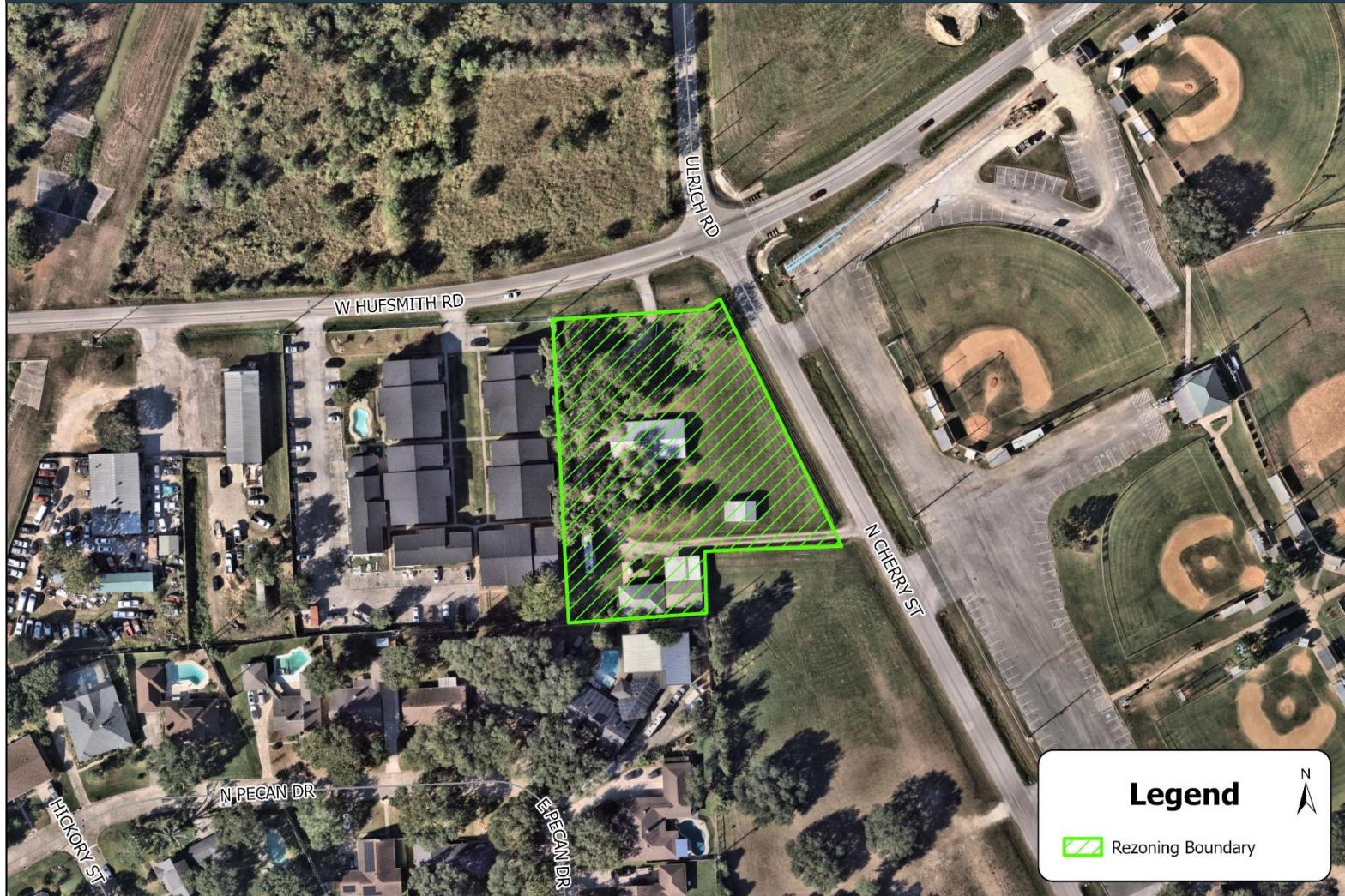
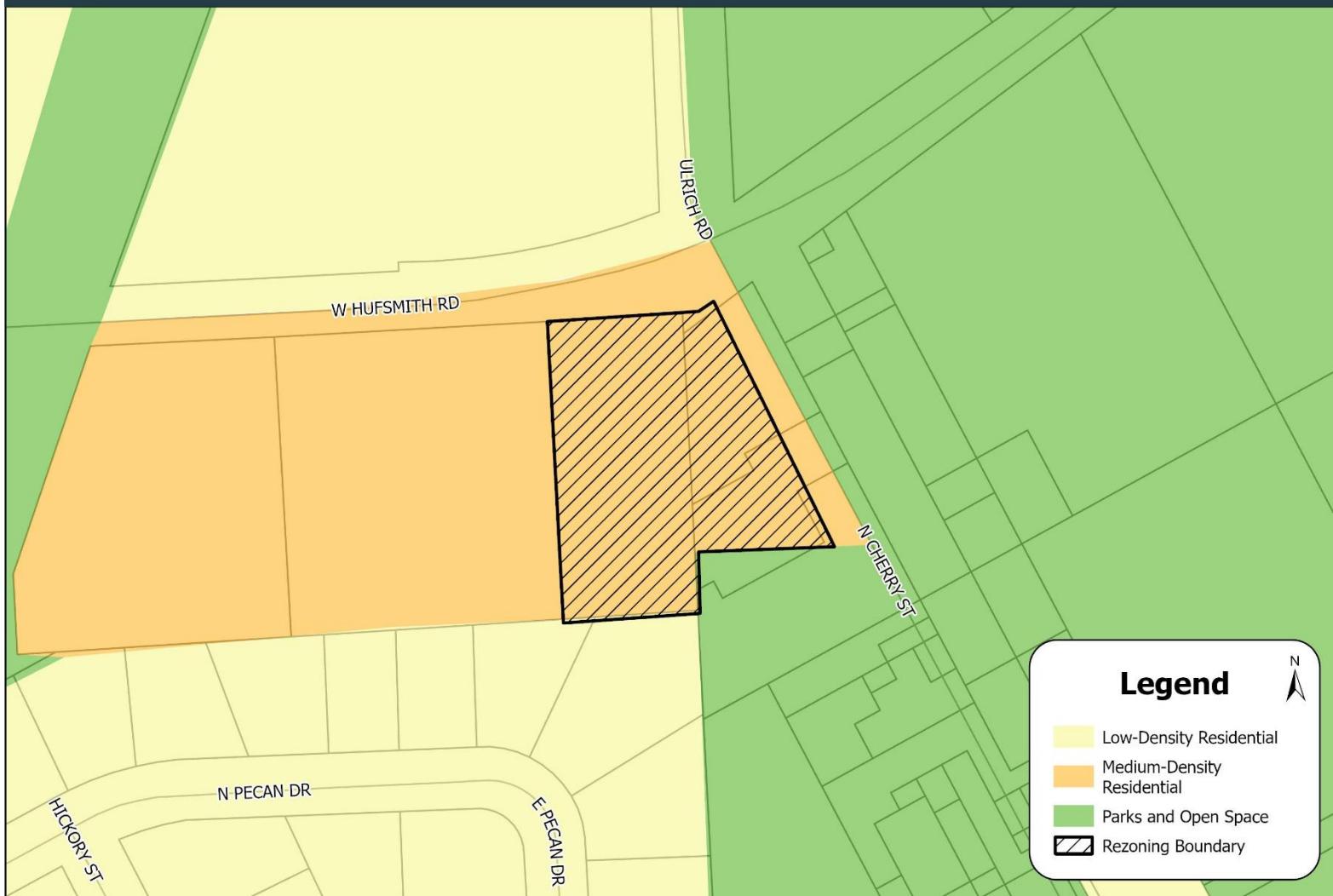


Exhibit "B"
Future Land Use Plan



Future Land Use



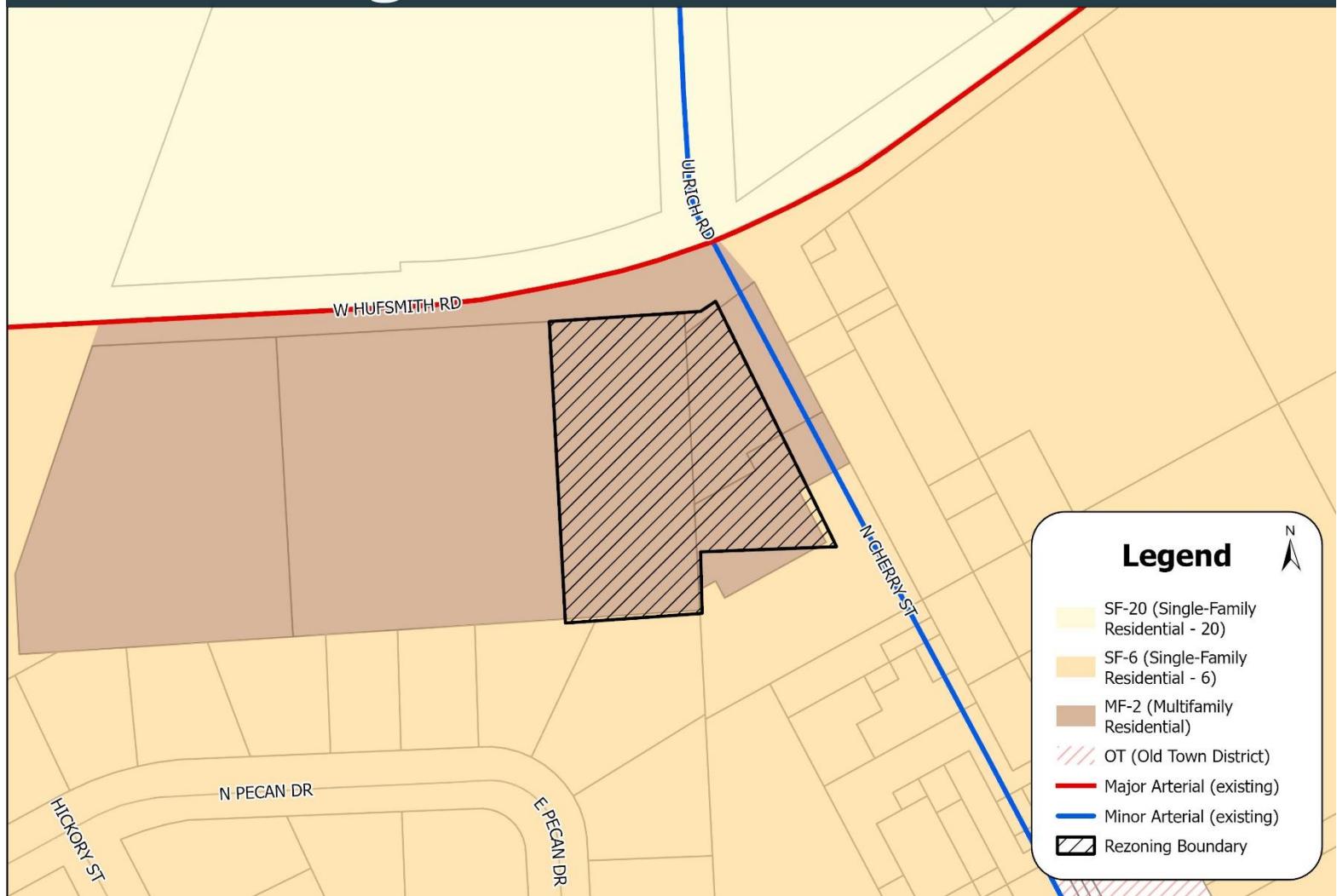
Legend

- Low-Density Residential
- Medium-Density Residential
- Parks and Open Space
- Rezoning Boundary

Exhibit "C"
Zoning Map



Zoning



Legend

- SF-20 (Single-Family Residential - 20)
- SF-6 (Single-Family Residential - 6)
- MF-2 (Multifamily Residential)
- OT (Old Town District)
- Major Arterial (existing)
- Minor Arterial (existing)
- Rezoning Boundary

Exhibit "D"
Site Photo(s)

Subject Property (South)



Neighbor (North)



Neighbor (East)



Neighbor (West)



Exhibit "E"
Rezoning Application

Revised: 08/25/2023



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.

FEES: Must be paid at time of submission or application will not be processed.

- \$1,000.00 fee for requests to rezone to standard zoning districts
- \$1,500.00 fee for request to rezone to Planned Development districts.

DIGITAL APPLICATION SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: ci-tomball-tx.smartgovecommunity.com

Applicant

Name: Kyle Burts Title: _____
Mailing Address: 307 W Hufsmith Rd City: Tomball State: Texas
Zip: 77375 Contact: Kyle Burts
Phone: (281) 703-0034 Email: kburts@burtsranch.com

Owner

Name: Kyle Burts Title: _____
Mailing Address: 307 W Hufsmith Rd City: Tomball State: Texas
Zip: 77375 Contact: Kyle Burts
Phone: (281) 703-0034 Email: kburts@burtsranch.com

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____ Contact: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: Retail Commercial

Physical Location of Property: 307 W Hufsmith Rd Tomball, TX 77375

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

Legal Description of Property: TR 69 ABST 34 J House

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

Current Zoning District: (MF) : Multi-Family Residential

Revised: 08/25/2023

Current Use of Property: Residential

Proposed Zoning District: Commercial (C)

Proposed Use of Property: Retail Commercial

HCAD Identification Number: 0402700010070 Acreage: 1.5

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

Kyl Burts
Signature of Applicant

11-12-25

Date

X

Kyl Burts
Signature of Owner

11-12-25

Date

Kyle Burts
307 W Hufsmith Rd
Tomball, TX 77375
Phone: 281-703-0034
Email: kburts@burtsranch.com

Date: November 12, 2025

To:

City of Tomball Planning Department
Attn: Planning & Zoning Division
501 James Street
Tomball, TX 77375

Subject: Formal Request for Rezoning — 307 W Hufsmith Rd, Tomball, TX 77375

Dear Planning & Zoning Commission Members,

I am submitting this letter to formally request a zoning map amendment for my property located at **307 W Hufsmith Rd, Tomball, TX 77375**. The property is currently zoned **Multi-Family Residential (MF)**, and I am requesting that it be rezoned to **Retail Commercial (C)** to better align with the surrounding land uses and current development patterns along West Hufsmith Road.

The proposed rezoning would create consistency with nearby commercial properties and support the City's long-term vision for compatible, economically beneficial development. Allowing for commercial use of this property would enhance local business opportunities, provide convenient services to area residents, and contribute positively to the growth of the Tomball community.

This request is in harmony with the City of Tomball's Comprehensive Plan and promotes the orderly development of the area. I respectfully request your favorable consideration of this application.

Please contact me at your convenience if any additional information, documentation, or site plans are needed in support of this request. I would be glad to meet with staff or attend any hearings required to discuss this matter further.

Thank you for your attention and consideration.

Sincerely,

Kyle Burts
Property Owner
307 W Hufsmith Rd
Tomball, TX 77375
Phone: 281-703-0034
Email: kburts@burtsranch.com

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 16, 2026

Topic:

Conduct a public hearing and consideration to approve Zoning Case Z26-02: Request by Tompark Developers LLC to consider a zone change from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots; two lots containing approximately 10.05 acres of land located south of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street). The applicant is requesting to allow for the property to be developed for any use permitted within the Industrial Zoning District.

Adopt, on First Reading, Ordinance No. 2026-02, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots; two lots containing approximately 10.05 acres of land located south of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street), within the City of Tomball, Harris County, Texas; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Background:

Origination: Tompark Developers 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: #

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

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING FROM SINGLE-FAMILY RESIDENTIAL (SF-20) TO INDUSTRIAL (I) ON LOTS 374 AND 375 OF CORRECTED MAP OF TOMBALL OUTLOTS; TWO LOTS CONTAINING APPROXIMATELY 10.05 ACRES OF LAND LOCATED SOUTH OF THE SOUTHEAST INTERSECTION OF MEDICAL COMPLEX DRIVE AND SOUTH PERSIMMON STREET (1631 SOUTH PERSIMMON STREET), WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

Whereas, Tompark Developers LLC requested a zone change from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots; two lots containing approximately 10.05 acres of land located south of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street). The applicant is requesting to allow for the property to be developed for any use permitted within the Industrial Zoning District; and

Whereas, at least fifteen (15) days after publication in the official newspaper of the City of the time and place of a public hearing and at least ten (10) days after written notice of that hearing was mailed to the owners of land within three hundred feet of the Property in the manner required by law, the Planning & Zoning Commission held a public hearing on the requested rezoning; and

Whereas, the public hearing was held before the Planning & Zoning Commission at least forty (40) calendar days after the City's receipt of the requested rezoning; and

Whereas, the City Council deems it appropriate to grant a rezoning to the Industrial (I) District.

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

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

Section 2. The rezoning classification of the Property is hereby changed and is subject to the regulations, restrictions, and conditions hereafter set forth.

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

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Section 6. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE _____ DAY OF _____ 2026.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE _____ DAY OF _____ 2026.

COUNCILMAN FORD	_____
COUNCILMAN GARCIA	_____
COUNCILMAN DUNAGIN	_____
COUNCILMAN COVINGTON	_____
COUNCILMAN PARR	_____

LORI KLEIN QUINN, Mayor

ATTEST:

Thomas Harris III
City Secretary

Exhibit "A"

Location: 1631 South Persimmon Street, within the City of Tomball, Harris County, Texas.



NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
FEBRUARY 9, 2026
&
CITY COUNCIL
FEBRUARY 16, 2026



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, February 9, 2026, at 6:00 P.M.** and by the City Council of the City of Tomball on **Monday, February 16, 2026, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

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Zoning Case Z26-03: Request by Anthony James Corp to consider a zone change from Planned Development District - 3 (PD-3) to Planned Development District - 21 (PD-21), which shall be known as PD-21, with a final concept plan and development narrative on Lots 1, 2, 4, 5, 6, and 7, Block 1 and Lots 1, 2, 3, 4, 5, and 6, Block 2 of Chestnut Business Park; and Lot 3, Block 1 of Replat of Lot 3 Chestnut Business Park; and Lot 1, Block 1 of Gomez Subdivision; 14 total lots containing approximately 16.35 acres of land located along Chestnut Business Park Drive, South Chestnut Street; south of Timkin Road (711 South Chestnut Street). The applicant is requesting to allow for the expansion of an existing business within the business park.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Administrative Services Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Planning Division, at (281) 290-1477 or at planning@tomballtx.gov.

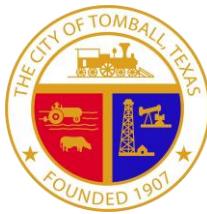
CERTIFICATION

I hereby certify that the above notice of the 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 day of February 2026 by 5:00 p.m., and remained posted for at least three consecutive business days preceding the scheduled time of said meeting.

Benjamin Lashley

Benjamin Lashley
Assistant City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1019 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.tomballtx.gov.



City of Tomball
Community Development Department

NOTICE OF PUBLIC HEARING

RE: Zone Change Case Number Z26-02

1/21/2026

The Planning & Zoning Commission will hold a public hearing on **February 9, 2026 at 6:00 PM**, in the City Council Chambers at City Hall, 401 Market Street, Tomball, Texas to recommend approval or denial to City Council on a request by Tompark Developers LLC to consider a zone change from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots; two lots containing approximately 10.05 acres of land located south of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street). The applicant is requesting to allow for the property to be developed for any use permitted within the Industrial Zoning District.

This hearing is open to any interested person. Opinions, objections, and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only the area which is highlighted in green on the map is being considered for **re-zoning**. The blue area is the notification area. All owners of property within 300 feet of the subject property, as indicated by the most recently approved city tax roll, are required to be notified. Whether recommended for approval or denial by the Planning & Zoning Commission, this case will be heard by the City Council for First Reading with public hearing on **February 16, 2026 at 6:00 PM** in the City Council Chambers at City Hall, 401 Market Street, Tomball, Texas.

If you have any questions please contact the Planning Division, by telephone (281-290-1477) or by email address planning@tomballtx.gov.

For the PLANNING & ZONING COMMISSION
Please call (281) 290-1477 if you have any questions about this notice.

CASE #: Z26-02

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name:
Parcel I.D.:
Address:

Mailing To: Community Development Department
501 James St., Tomball TX 77375

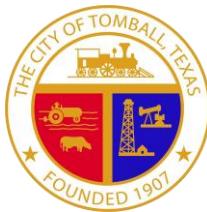
Email: planning@tomballtx.gov

I am in favor

I am opposed

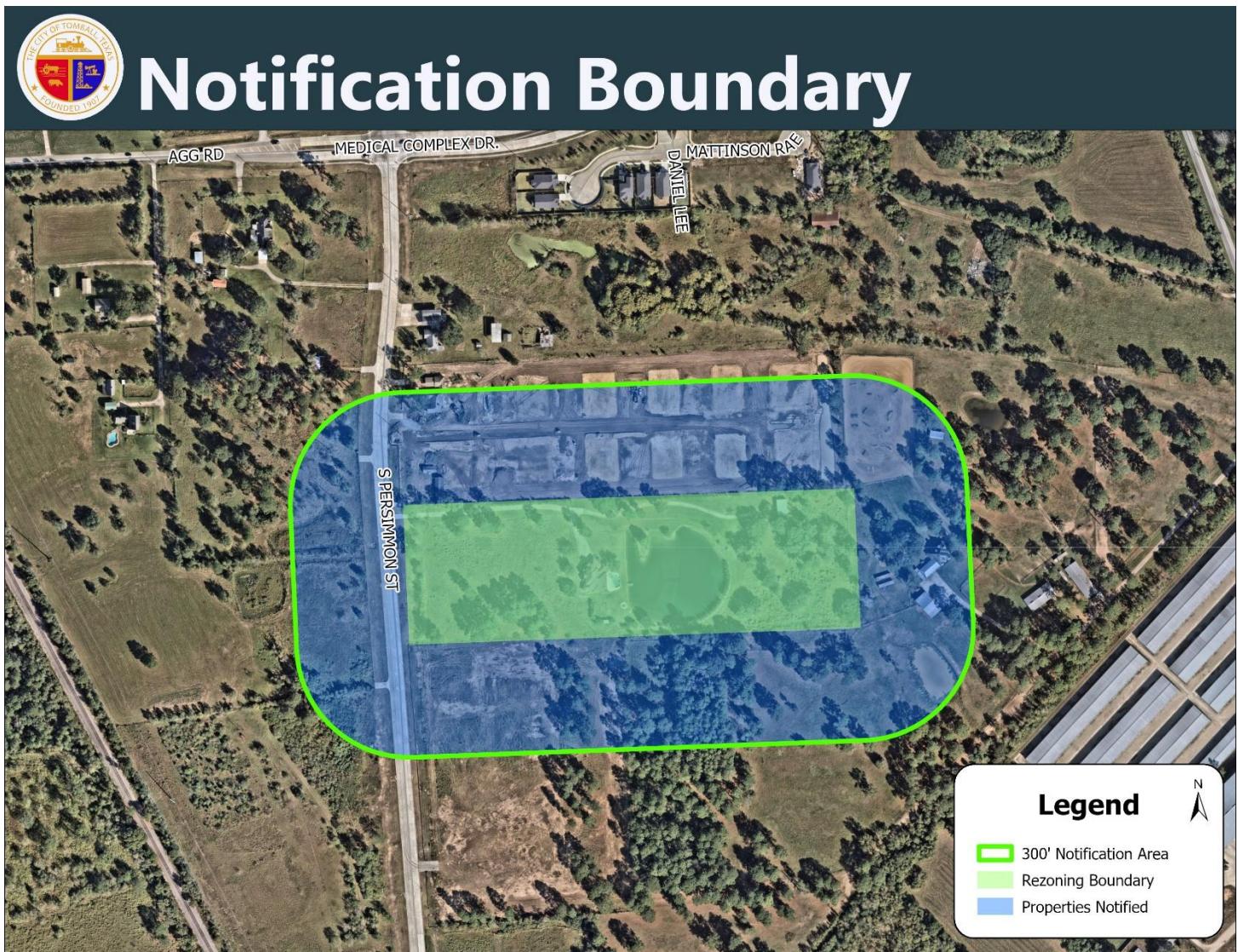
Additional Comments:

Signature: _____



City of Tomball
Community Development Department

Z26-02



For the PLANNING & ZONING COMMISSION
Please call (281) 290-1477 if you have any questions about this notice.

CASE #: Z26-02

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

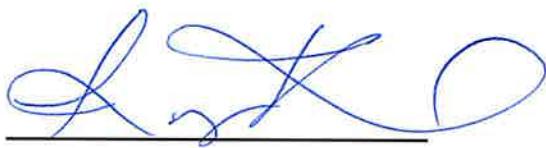
Mailing To: Community Development Department
501 James St., Tomball TX 77375

I am in favor

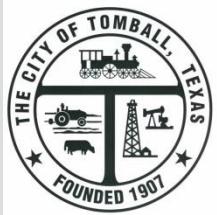
I am opposed

Name: MICHEL MELVIN E & TRACY A
Parcel I.D.: 0352920000374
Address: 21725 HUFSMITH KOHRVILLE RD
Email: planning@tomballtx.gov

Additional Comments:

Signature: 

501 James Street • TOMBALL, TEXAS 77375



***Rezoning
Staff Report***

Planning & Zoning Commission Public Hearing Date: February 9, 2026
City Council Public Hearing Date: February 16, 2026

Rezoning Case: Z26-02

Property Owner(s): Tompark Developers LLC

Applicant(s): Tompark Developers LLC

Legal Description: Request by Tompark Developers LLC to consider a zone change from Single-Family Residential (SF-20) to Industrial (I) on Lots 374 and 375 of Corrected Map of Tomball Outlots

Location: South of the southeast intersection of Medical Complex Drive and South Persimmon Street (1631 South Persimmon Street) (Exhibit "A")

Area: 10.05 acres

Comp Plan Designation: Business Park and Industrial (Exhibit "B")

Present Zoning: Single-Family Residential – 20 (SF-20) District (Exhibit "C")

Request: Rezone from the Single-Family Residential – 20 (SF-20) to the Industrial (I) District.

Adjacent Zoning & Land Uses:

	Zoning	Land Use
North	Industrial (I)	Office/warehouse business park (under construction)
South	Industrial (I)	Office/warehouse business park (under construction)
East	Industrial (I)	Large single-family estate and undeveloped land
West	Single-Family Residential – 20 (SF-20)	Undeveloped Land

BACKGROUND

The subject property has been within the City of Tomball's SF-20-E zoning district since the adoption of zoning in February 2008. The property contains a single-family residence with an accessory structure. Recent zoning cases in the area include the successful rezoning into the Industrial (I) district by the properties directly to the north, east, and south in 2023, 2024, and 2025 respectively.

ANALYSIS

Comprehensive Plan Analysis: The property is designated as “Business Park and Industrial” by the Comprehensive Plan’s Future Land Use Map. The Business Park and Industrial designation is intended to be located near adequate thoroughfares which provide convenient access for vehicular traffic including freight.

Staff Review Comments: The request to rezone the subject property to Industrial (I) is in conformance with the Future Land Use Plan. Furthermore, the subject property has frontage on South Persimmon Street which is designated as an arterial roadway on Tomball’s Major Thoroughfare Plan. Roadways such as this are designed to accommodate the volume and character of traffic that can be expected within the Industrial district. The request is consistent with the uses and zoning of the surrounding area.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper and property owners within 300 feet of the project site were mailed notification of this proposal on January 21, 2026. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

EXHIBITS

- A. Aerial Location Map
- B. Future Land Use Plan
- C. Zoning Map
- D. Site Photos
- E. Rezoning Application

Exhibit "A"
Aerial Location Map



Location

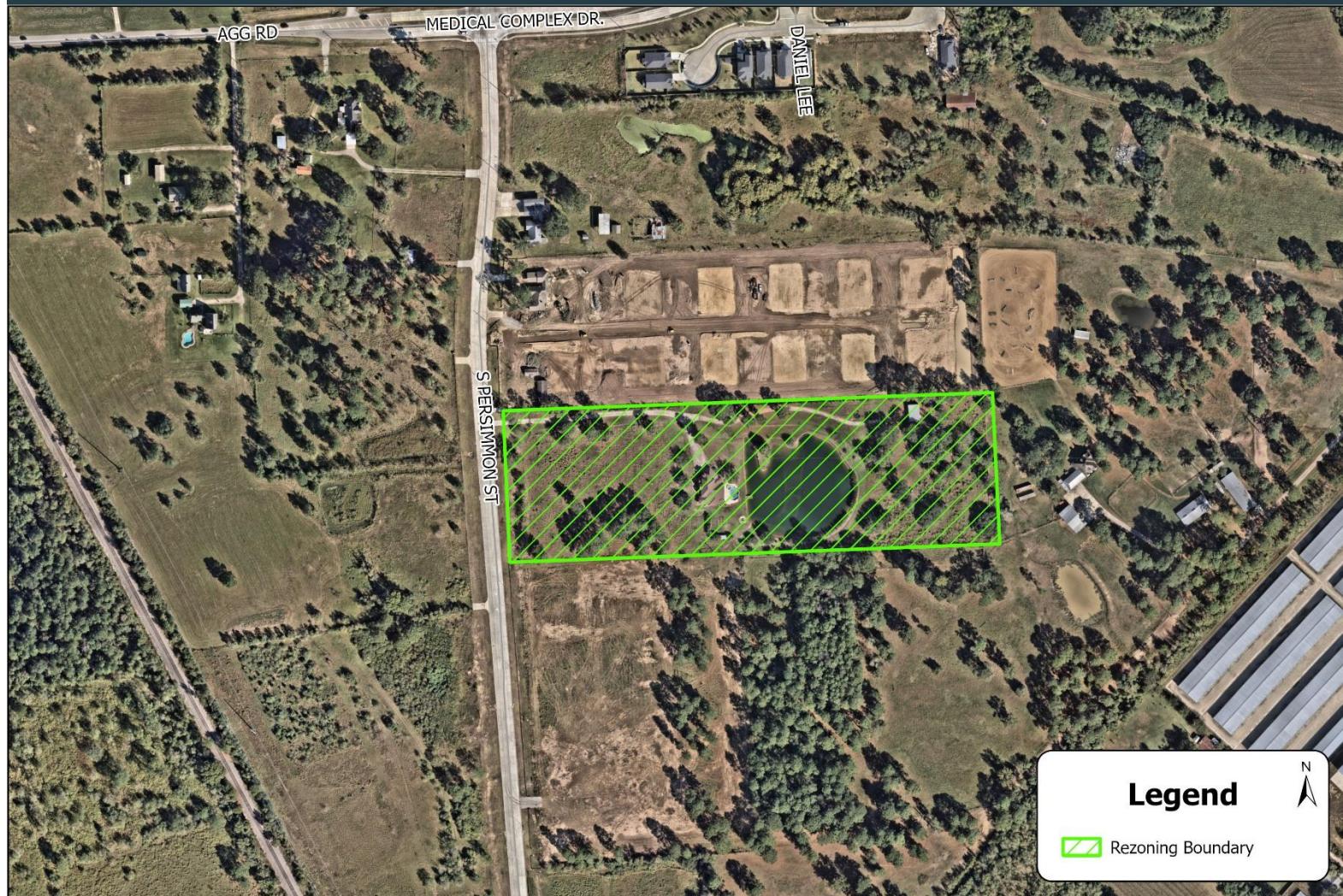
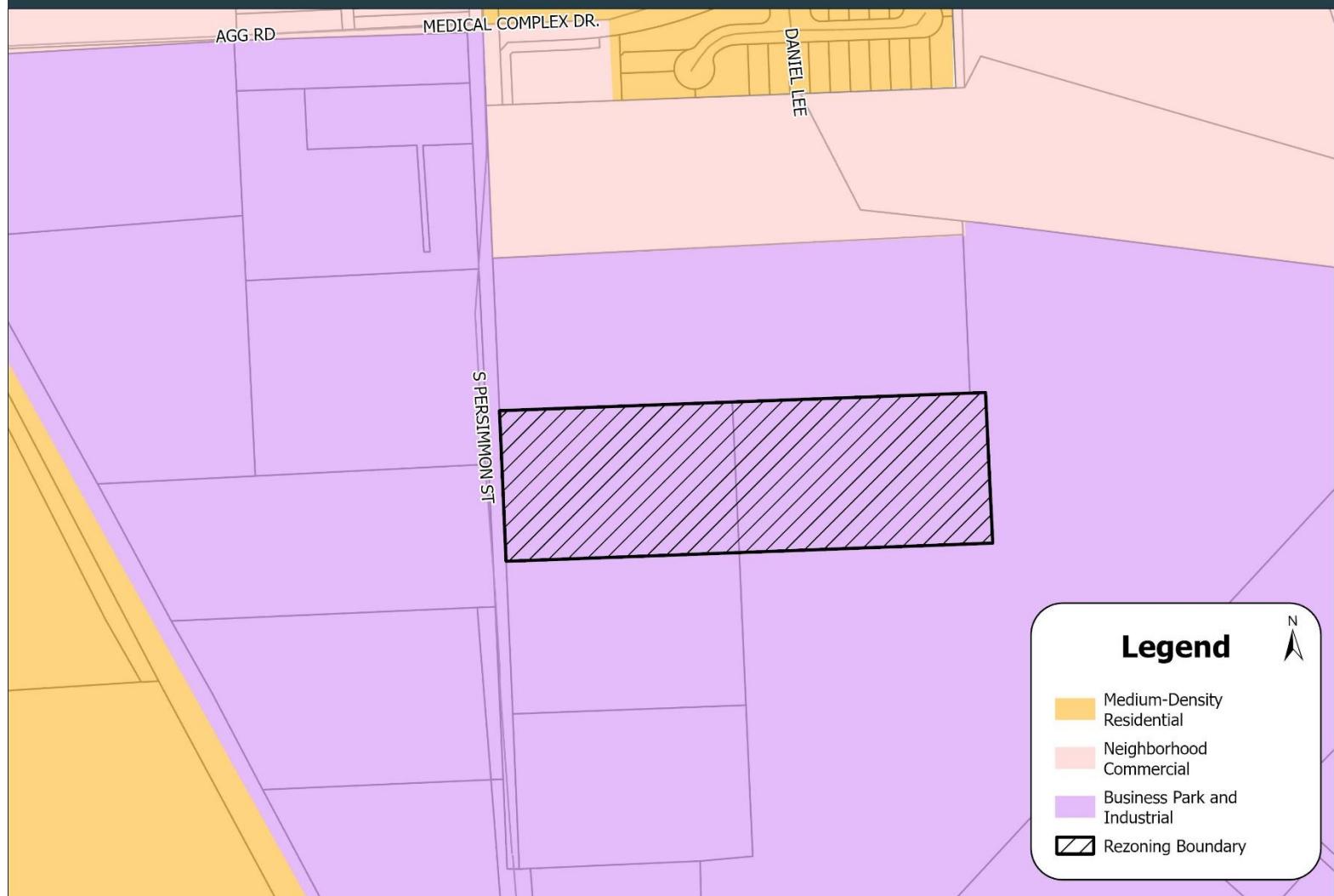


Exhibit "B"
Future Land Use Plan



Future Land Use



Legend

- Medium-Density Residential
- Neighborhood Commercial
- Business Park and Industrial
- Rezoning Boundary

Exhibit "C"
Zoning Map



Zoning

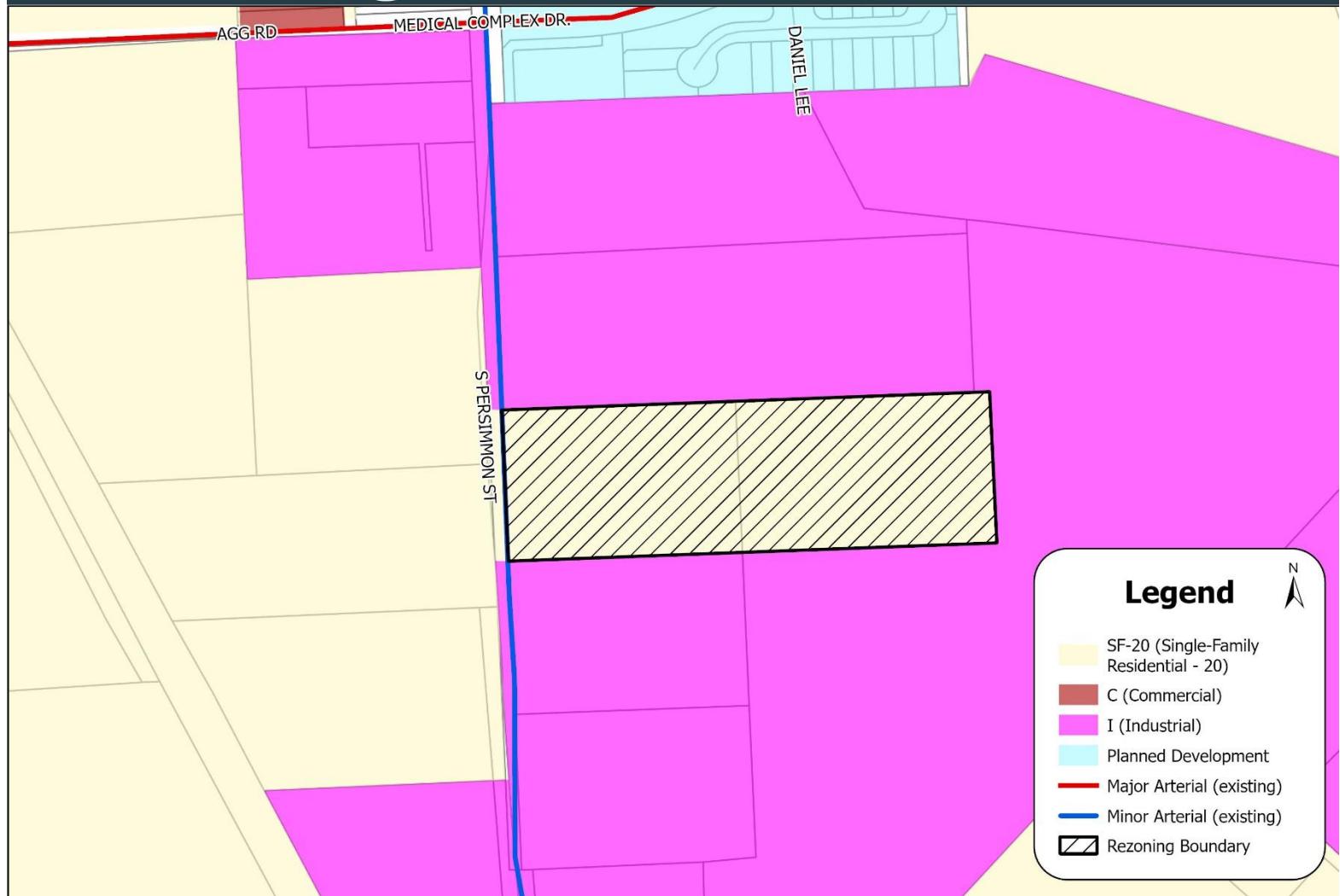


Exhibit “D”
Site Photo(s)

Subject Property (East)



Neighbor (North)



Neighbor (South)



Neighbor (West)



Exhibit "E"

Rezoning Application

Revised: 08/25/2023



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.

FEES: Must be paid at time of submission or application will not be processed.

- \$1,000.00 fee for requests to rezone to standard zoning districts
- \$1,500.00 fee for request to rezone to Planned Development districts.

DIGITAL APPLICATION SUBMITTALS:

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

WEBSITE: ci-tomball-tx.smartgovcommunity.com

Applicant

Name: Interplan Associates, Inc Title: Designer
Mailing Address: 10930 W. Sam Houston Pkwy. N, STE 550 City: Houston State: Texas
Zip: 77064 Contact: Carlos Chavez
Phone: (713) 337-0711 Email: info@interplanassociates.com

Owner

Name: Tompark Developers LLC Title:
Mailing Address: 23727 Norton House Lane City: Katy State: Texas
Zip: 77493 Contact: Marcos Patronelli
Phone: () Email: marcospatronelli@gmail.com

Engineer/Surveyor (if applicable)

Name: Title:
Mailing Address: City: State:
Zip: Contact:
Phone: () Fax: () Email:

Description of Proposed Project: Office Warehouse Business Park

Physical Location of Property: 1631 S. Persimmon St, Tomball, Tx 77375

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

Legal Description of Property: Jesse Pruitt Survey, A-629, Part of Lot 374 and All of Lot 375

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

Current Zoning District: SF-20-E SINGLE FAMILY RESIDENTIAL

Revised: 08/25/2023

Current Use of Property: **Residence**

Proposed Zoning District: **(LI) : Light Industrial**

Proposed Use of Property: **Office Warehouse Park**

HCAD Identification Number: **0352920000537, 0352920000538** Acreage: **10.05**

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 
Signature of Applicant

11/18/25
Date

X 
Signature of Owner

11/18/25
Date



INTERPLAN ASSOCIATES, INC.
PLANNING * DESIGN MANAGEMENT * PERMITS

City of Tomball
Planning Division
501 James St,
Tomball, TX 77375

November 13, 2025

Re: Tompark Developers, LLC
1631 South Persimmon Street
Tomball TX 77375

To Whom It May Concern:

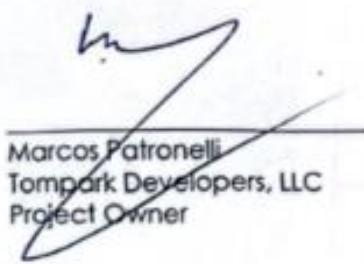
We are applying for a rezoning permit for the above referenced property. At this moment, the project is in a residential zone, and we need to change to light industrial zoning.

Our client is proposing to do a Commercial Office Warehouse Building Park development for business use.

Sincerely,

Armando Bazan Jr.
Senior Partner

Carlos T. Chavez
Senior Partner
NCARB Member



Marcos Patronelli
Tompark Developers, LLC
Project Owner

10930 W. SAM HOUSTON PKWY. N * HOUSTON, TEXAS 77064
OFFICE 713-337-0711 * E-MAIL INFO@INTERPLANASSOCIATES.COM

City Council Meeting Agenda Item Data Sheet

Meeting Date:February 16, 2026

Topic:

Approve the Tomball Police Department Annual Data Capture Report – 2025 and authorize the posting of the information as required by Senate Bill 1074.

Background:

Senate Bill 1074 was enacted January 2002 and prohibits the practice of racial profiling within law enforcement. This senate bill requires data to be collected throughout the year and submitted annually to the Texas Commission on Law Enforcement (TCOLE) each January.

An additional requirement for Senate Bill 1074 is the availability of the report to the public for viewing. Following Council's approval of the Tomball Police Department Annual Data Capture Report – 2025, this report will be made available to the public and anyone with questions or concerns related to Senate Bill 1074 or the report should contact Chief Jeff Bert at 281-351-5451 or via email at Jeff.Bert@tomballtx.gov.

G. A. K. T. and D. L. D. (2005) A model of the Gossypium hirsutum genome. *Plant Biotechnology Journal* 3: 282-295. © 2005 (CD 1074)

• 14

Staff recommends approving the Tomball Police Department Annual Data Capture Report – 2025 and authorize the posting of the information as required by Senate Bill 1074.

Party(ies) responsible for placing this item on agenda: Jeff Bert, Chief of Police

FUNDING (IF APPLICABLE)

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

Yes: No: X

If yes, specify Account Number: #

If no funds will be transferred from account: # **To Account: #**

Signed: Jeff Bert **Approved by:** _____
Staff Member _____ Date _____ City Manager _____ Date _____

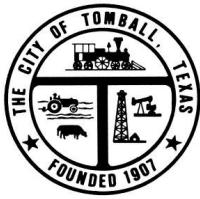
**TOMBALL POLICE
DEPARTMENT**

ANNUAL CONTACT DATA REPORT



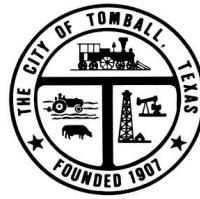
2025

POLICE CONTACT DATA



PRESS RELEASE

#26-001



TOMBALL POLICE DEPARTMENT

400 Fannin, Tomball, Texas 77375

(281) 351-5451 Fax: (281) 351-2615

For Immediate Release

Date: January 14, 2026
Contact: Captain Shon Davis
Phone: (281) 351-5451, ext 1356

“Citizen Input: Senate Bill 1074 – Racial Profiling”

The 77th Texas Legislature enacted Senate Bill 1074, prohibiting the practice of racial profiling. This legislation went into effect in January of 2002, and in part requires law enforcement agencies to seek input from the community.

The Tomball police Department has a long history of working in partnership with members of the community, and we continually strive to excel at our mission of delivering the highest quality of police service to all – in a fair and impartial manner. To that end, and as a means of assessing our effectiveness in policy development and employee training, we are always eager to receive public feedback regarding our service delivery.

Anyone with questions or concerns related to Senate Bill 1074 should contact Captain Shon Davis at 281-351-5451, ext. 1356. General comments praising our officers' efforts or expressing concerns may be directed to any department supervisor in person, by telephone (281-351-5451), or via our website (tomballtx.gov).

The Tomball Police Department is very proud of the relationship we enjoy with our community and we value perspective, comments, and support.

CHART I

2025 Activity

CITY OF TOMBALL DEMOGRAPHICS:

RACE:	NUMBER	% OF TOTAL
Black	833	6.75%
Asian/Pacific Islander	189	1.53%
White	8,328	67.48%
Hispanic/Latino	2,848	23.08%
Alaska Native/American Indian	27	0.22%
TOTAL	12,341	

** NUMBER OBTAINED FROM THE U.S. CENSUS 2020 Demographic Profile Data for Tomball, Texas. The races listed on data.census.gov include "Some Other Race Alone" with 50 reported and "Population of Two or More Races" with 430 reported. These 480 subjects are listed in the TOTAL but not under individual races.

CONTACTS: **16,729**

1 CONTACTS BY GENDER:

SEX:	CONTACTS	% OF TOTAL
MALE	9,962	59.55%
FEMALE	6,767	40.45%
TOTAL	16,729	

2 CONTACTS BY RACE or ETHNICITY:

Must equal total stops: 16,729

RACE:	CONTACTS	% OF TOTAL
Black	2,743	16.40%
Asian/Pacific Islander	523	3.13%
White	10,218	61.08%
Hispanic/Latino	3,102	18.54%
Alaska Native/American Indian	143	0.85%
TOTAL	16,729	

3 ETHNICITY KNOWN BEFORE STOP?

Must equal total stops: 16,729

ETHNICITY KNOWN BEFORE STOP?	NUMBER	% OF TOTAL
YES	106	0.63%
NO	16,623	99.37%
TOTAL	16,729	

4 REASON FOR STOP:

Must equal total stops: 16,729

REASON FOR STOP:	NUMBER	% OF TOTAL
VIOLATIONS OF LAW	65	0.39%
PRE-EXISTING KNOWLEDGE (I.E. WARRANT)	74	0.44%
MOVING TRAFFIC VIOLATION	10,446	62.44%
VEHICLE TRAFFIC VIOLATION (EQUIPMENT, REGISTRATION)	6,144	36.73%
TOTAL	16,729	

5 LOCATION OF STOP:

STREET ADDRESS OR APPROXIMATE LOCATION OF THE STOP	NUMBER	% OF TOTAL
CITY STREET	15,844	94.71%
US HIGHWAY	0	0.00%
STATE HIGHWAY	565	3.38%
COUNTY ROAD	320	1.91%
PRIVATE PROPERTY OR OTHER	0	0.00%
TOTAL	16,729	

6 SEARCHES:

SEARCH CONDUCTED	NUMBER	% OF TOTAL
YES	325	1.84%
NO	16,404	98.06%
TOTAL	16,729	

7 REASON FOR SEARCH

REASON FOR SEARCH:	NUMBER	% OF TOTAL
CONSENT	89	27.38%
CONTRABAND / EVIDENCE IN PLAIN SIGHT	4	1.23%
PROBABLE CAUSE OR REASONABLE SUSPICION	212	65.23%
INVENTORY PERFORMED AS A RESULT OF TOWING	5	1.54%
INCIDENT TO ARREST / WARRANT	15	4.62%
TOTAL	325	

8 CONTRABAND DISCOVERED

CONTRABAND DISCOVERED?	NUMBER	% OF TOTAL
YES	193	59.38%
NO	132	40.62%
TOTAL	325	

9 DESCRIPTION OF CONTRABAND DISCOVERED

DESCRIPTION OF CONTRABAND DISCOVERED	NUMBER	% OF TOTAL
ILLEGAL DRUGS / DRUG PARAPHERNALIA	163	84.46%
CURRENCY	0	0.00%
WEAPONS	3	1.55%
ALCOHOL	7	3.63%
PROPERTY STOLEN	2	1.04%
OTHER	18	9.33%
TOTAL	193	

10 RESULT OF THE STOP

DESCRIPTION OF CONTRABAND DISCOVERED	NUMBER	% OF TOTAL
VERBAL WARNING	10,309	61.62%
WRITTEN WARNING	903	5.4%
CITATION	5,401	32.29%
WRITTEN WARNING AND ARREST	0	0.00%
CITATION AND ARREST	3	0.02%
ARREST	113	0.68%
TOTAL	16,729	

11 ARREST BASED ON:

ARREST BASED ON:	NUMBER	% OF TOTAL
VIOLATION OF PENAL CODE	61	52.59%
VIOLATION OF TRAFFIC LAW	4	3.45%
VIOLATION OF CITY ORDINANCE	0	0.00%
OUTSTANDING WARRANT	51	43.97%
TOTAL	116	

12 PHYSICAL FORCE RESULTING IN BODILY INJURY

WAS PHYSICAL FORCE USED RESULTIN IN BODILY INJURY DURING STOP?	NUMBER	% OF TOTAL
YES	2	0.01%
NO	16,727	99.99%
TOTAL	16,729	

CHART II

2025 Activity

SEARCHED:

RACE:	NUMBER	% OF TOTAL
Black	117	36.00%
Asian/Pacific Islander	4	1.23%
White	160	49.23%
Hispanic/Latino	43	13.23%
Alaska Native/American Indian	1	0.31%
TOTAL	325	

*** INFORMATION RECORDED ON CITATIONS, NUMBERS OBTAINED FROM TOMBALL RACIAL PROFILING DATA.*

SEARCHED - COMPARISON

RACE:	CONSENSUAL SEARCH	PC / SEARCH
Black	7	7.87%
Asian/Pacific Islander	0	0.00%
White	63	70.79%
Hispanic/Latino	18	20.22%
Alaska Native/American Indian	1	1.12%
TOTAL	89	212

*** INFORMATION RECORDED FROM TOMBALL RACIAL PROFILING DATA. * PC – PROBABLE CAUSE*

ARRESTS:

RACE:	ARREST / RESULT OF STOP	% ARRESTED
Black	27	23.28%
Asian/Pacific Islander	3	2.59%
White	68	58.62%
Hispanic/Latino	18	15.52%
Alaska Native/American Indian	0	0.00%
TOTAL	116	

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 16, 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. 551.072 – Deliberations regarding Real Property; A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

Background:

Origination: David Esquivel, City Manager

Recommendation:

Party(ies) responsible for placing this item on agenda: David Esquivel, City Manager

FUNDING (IF APPLICABLE)

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

If yes, specify Account Number: #

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

Signed: _____ **Approved by:** _____

Staff Member	Date	City Manager	Date
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