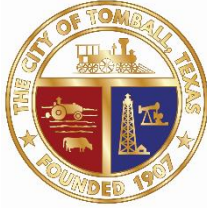


**NOTICE OF REGULAR COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, November 01, 2021
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, November 01, 2021 at 6:00 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 CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR NOVEMBER 1, 2021, 6:00 PM, AT 401 MARKET STREET, TOMBALL, TEXAS, 77375 AND WILL PROVIDE VIDEO ACCESS VIA ZOOM.COM. THIS MEETING AGENDA AND THE AGENDA PACKET ARE POSTED ONLINE AT: [HTTPS://TOMBALLTX.GOV/ARCHIVE.ASPX?AMID=38](https://tomballtx.gov/archive.aspx?amid=38); A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.

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: 818 3259 8255, Passcode: 608435. 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. Invocation - Led by Pastor Greg Jenkins – Tomball Assembly of God
- C. Pledges to U.S. and Texas Flags
- D. 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.]*

E. Presentations

1. Al Gerhardt, Tomball Lions Club - \$1,000.00 donation each to Fire and Police Departments for annual Christmas Programs

F. Reports and Announcements

1. Announcements

- I. November 3, 2021 – **Depot Day** – 10:00 a.m. – 4:00 p.m. at the Depot – Honoring *National Model Railroad Month*

- II. November 19, 2021 – **Light it Up! Tree Lighting** – 6:30 p.m. – 8:30 p.m. at the Depot

- III. November 20, 2021 – **56th Annual Holiday Parade** – Downtown – Greater Tomball Area Chamber of Commerce – 10:00 a.m. to 12:30 p.m.

- IV. December 4, 2021 – **Deck the Depot** – Depot Plaza

- V. December 10-12, 2021 – **German Christmas Market** – Depot Plaza and Market Street

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

- I. Glenn Windsor – Quarterly Investment Report for Period Ending September 30, 2021. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values at the end of the quarter, yield information, and weighted average maturities. On September 30, 2021, the City had total cash and cash equivalents in the amount of \$54,468,580.

G. Approval of Minutes

1. Approve the Minutes of the October 18, 2021 Regular Tomball City Council Meeting

H. Old Business

1. Adopt, on Second Reading, Ordinance No. 2021-36, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of

Ordinances by changing the zoning district classification of approximately 1.9 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the General Retail District, said property being generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

I. New Business

- [1.](#) Approve Request by Houston Repertoire Ballet for \$16,500.00 for December 2021 “Nutcracker” Performance
- [2.](#) Appoint/Reappoint members to Position 2, 5, and 8 of the Tourism Advisory Committee Board, expiring December 5, 2021
- [3.](#) Approve Northwest Communications, Inc Estimate #19356 for \$58,0275.00 purchase of 25 Portable radios with required accessories.
- [4.](#) Approve Changes to Spirit of Texas Bank Entity Signer
- [5.](#) Approve Special Event Permit and In kind services for the Rotary event “The Big Show”
- [6.](#) Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

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

Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager, Finance Director, Director of Public Works

J. 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 28th day of October 2021 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Tracylynn Garcia, Assistant City Secretary, TRMC, CPM, CMC

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) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: November 1, 2021

Topic:

Al Gerhardt, Tomball Lions Club - \$1,000.00 donation each to Fire and Police Departments for annual Christmas Programs

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>10-25-2021</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: November 1, 2021

Topic:

November 3, 2021 – **Depot Day** – 10:00 a.m. – 4:00 p.m. at the Depot – Honoring ***National Model Railroad Month***

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>9-8-2021</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: November 1, 2021

Topic:

November 19, 2021 – *Light it Up! Tree Lighting* – 6:30 p.m. – 8:30 p.m. at the Depot

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>9-8-2021</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: November 1, 2021

Topic:

November 20, 2021 – *56th Annual Holiday Parade* – Downtown – Greater Tomball Area Chamber of Commerce – 10:00 a.m. to 12:30 p.m.

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>9-8-2021</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: November 1, 2021

Topic:

December 4, 2021 – *Deck the Depot* – Depot Plaza

Background:

Origination:

Recommendation:

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

Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>10-18-2021</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: November 1, 2021

Topic:

December 10-12, 2021 – *German Christmas Market* – Depot Plaza and Market Street

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

Signed	<u>Doris Speer</u>	<u>10-18-2021</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: November 1, 2021

Topic:

Glenn Windsor – Quarterly Investment Report for Period Ending September 30, 2021. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values at the end of the quarter, yield information, and weighted average maturities. On September 30, 2021, the City had total cash and cash equivalents in the amount of \$54,468,580.

Background:

Origination:

Recommendation:

Party(ies) responsible for placing this item on agenda: Glenn Windsor, Finance Director

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Doris Speer</u>	<u>8/10/2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

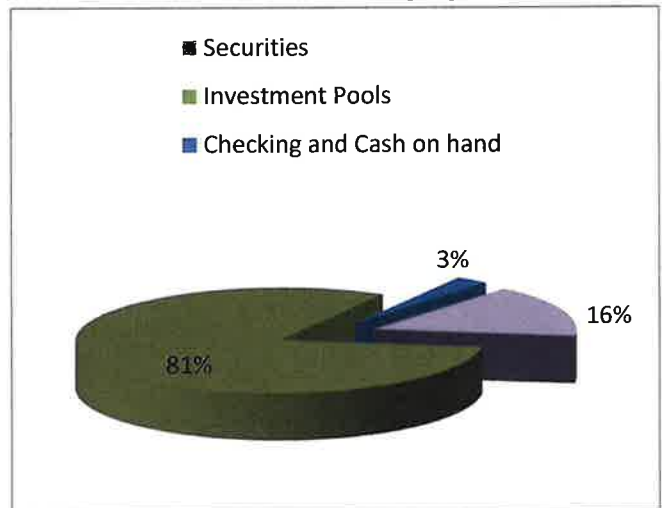
CITY OF TOMBALL PORTFOLIO DIVERSIFICATION September 30, 2021

By Type

	Current Market Value	Percent Portfolio
Securities	\$ 8,762,105	16%
Investment Pools	44,262,469	81%
Checking and Cash on hand	1,444,007	3%
Total Portfolio	\$ 54,468,580	

Safety of principal is the first priority of any Public investing portfolio. The City of Tomball invests in Securities of Federal, State and Local Governments, in Texas CLASS and in the state pool, TexPool. These investments are in securities with a rating of A-1/P-1 or higher and pools with Standard & Poor's highest rating of AAAM. Our charter requires that we maintain reserves of no less than 90 days and no more than one year of the current budgeted expenditures. The City currently has reserves in excess of the charter requirement.

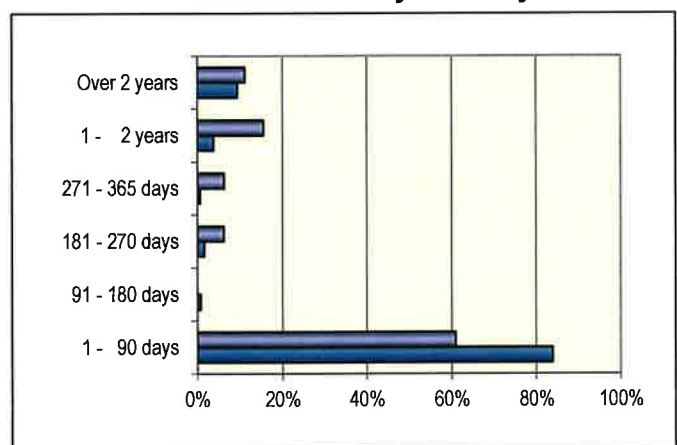
Diversification by Type



By Maturity

	Current Market Value	Percent Portfolio
1 - 90 days	\$ 45,706,475	84%
91 - 180 days	405,535	1%
181 - 270 days	870,566	2%
271 - 365 days	329,745	1%
1 - 2 years	2,049,816	4%
Over 2 years	5,106,444	9%
Total Portfolio	\$ 54,468,580	

Diversification by Maturity



Ensuring adequate liquidity is available to cover all expenditures is the second priority of any public investing program. The City staff forecasts cash flow and ladders the maturity of investments to ensure funds are adequate when needed. A portion of funds are kept in overnight investments as a buffer for any unexpected expenditures. These overnight investments (TexPool, Texas CLASS) have been performing according to market in the yield category as well as providing liquidity.

**CITY OF TOMBALL
INVESTMENT PORTFOLIO SUMMARY
ACTIVITY FOR QUARTER ENDING
September 30, 2021**

ALL CITY FUNDS (POOLED)

INVESTMENTS	COST	MARKET	RATIO	YTM at COST	BENCHMARK YTM**
Beginning of period	13,713,253	11,245,566	0.8201	3.440%	0.07%
Purchases	-	-			
Maturities/Calls	2,491,444	2,419,686			
Change in value		(4,903,147)			
Sales					
End of period	16,204,697	8,762,105	0.5407	3.378%	0.09%

**Benchmark security is the One-year U. S. Treasury Bill

Weighted average maturity of the portfolio at quarter end is the following number of days: 747.75

This report is in compliance with the investment strategies as approved
and the Public Funds Investment Act.



Treasurer

**CITY OF TOMBALL
INVESTMENTS IN SECURITIES
PORTFOLIO AS OF SEPTEMBER 30, 2021**

SECURITY DESCRIPTION	CUSIP NUMBER	RATING	MATURITY DATE	INTEREST YIELD	MARKET VALUE	DAYS AFTER 09/30/21	INDIVIDUAL MARKET VALUE/TOTAL	WAM DAYS x PERCENT	CALLABLE
1) San Antonio TX muni - 5.0%	796311CQ9	AA	2/1/2022	5.000%	203,170	124	2.319%	2.88	N
2) Clear Creek TX ISD - 3.4%	1845403R1	AAA	2/15/2022	3.400%	202,364	138	2.310%	3.19	Y
3) Texas A&M Revenue - 2.246%	88213ADP7	AAA	5/15/2022	2.246%	870,566	227	9.936%	22.55	N
4) Univ of TX Build America - 3.675%	9151375J8	AAA	8/15/2022	3.675%	329,745	319	3.763%	12.00	Y
5) Alvin TX ISD - 5.0%	022447S98	AAA	2/15/2023	5.000%	393,994	503	4.497%	22.62	N
6) Lubbock TX - 2.520%	549188UK4	AA	2/15/2023	2.520%	515,337	503	5.881%	29.58	N
7) Texas St Univ Sys Fing Revenue - 5.0%	88278PZR8	AA	3/15/2023	5.000%	224,597	531	2.563%	13.61	N
8) Texas A&M Revenue - 2.349%	88213AKA2	AAA	5/15/2023	2.349%	484,521	592	5.530%	32.74	N
9) Allen TX WTRWKS & SWR Revenue - 5.0%	018112SF0	AAA	6/1/2023	5.000%	431,367	609	4.923%	29.98	N
10) Grand Parkway Trans - 1.608%	38611TCV7	AA	10/1/2023	1.608%	454,896	731	5.192%	37.95	Y
11) Texas ST REF TXBL - 4.0%	8827235H8	AAA	10/1/2023	4.000%	611,556	731	6.980%	51.02	N
12) Austin TX Elec Utility - 5.0%	052414PE3	AA	11/15/2023	5.000%	962,683	776	10.987%	85.26	N
13) N Harris CNTY - 5.0%	65956NGL4	AA	12/15/2023	5.000%	297,824	806	3.399%	27.40	N
14) San Antonio Elec & Gas Rev - 5.25%	7962532J0	AA	2/1/2024	5.250%	284,398	854	3.246%	27.72	Y
15) Amarillo TX Tax NTS - 2.0%	023015J35	AAA	2/15/2024	2.000%	519,212	868	5.926%	51.43	N
16) Nueces Co TXBL REF Ser B - .864%	670386ST9	AA	2/15/2025	0.864%	499,649	1234	5.702%	70.37	N
17) Wisconsin ST GF Annual A TXBL	977100GX8	AA	5/1/2025	1.899%	466,359	1309	5.322%	69.67	Y
18) Federal Home Loan Bank	3130AMTK8	AAA	6/30/2025	1.000%	1,009,867	1369	11.525%	157.78	Y
TOTALS				3.378%	8,762,105	679	100.000%	747.75	

**CITY OF TOMBALL
CASH AND CASH EQUIVALENTS
FOR QUARTER ENDING
September 30, 2021**

FUNDS		CASH AND CASH EQUIVALENTS					TOTAL CASH, CASH EQUIVALENTS AND INVESTMENTS
MAJOR FUNDS	SPIRIT OF TEXAS	TEXAS CLASS	TEXPOOL	OPERATING ACCOUNT	TOTAL CASH AND CASH EQUIVALENTS	INVESTMENT SECURITIES	
General		2,713,984	15,526,376	818,789	19,059,149	3,594,522	22,653,671
Debt Service		1,015,098	4,726,929	77,989	5,820,016	-	5,820,016
Enterprise		887,353	753,987	21,580	1,662,920	-	1,662,920
OTHER FUNDS							
Special Revenue		81,420	3,737	6,649	91,806	-	91,806
Municipal Court Building Security		108,560	74,771	49,785	233,116	-	233,116
Municipal Court Technology		65,136	87,646	7,019	159,801	-	159,801
Hotel Occupancy Tax		108,560	500,833	4,867	614,260	-	614,260
Tomball "Fun Runs"			2,512	5,275	7,787	-	7,787
General Capital Projects	2,046,997	61,701	5,540,165	174,163	7,823,026	5,167,583	12,990,609
Business Park			931,997	-	931,997	-	931,997
Fleet Replacement		487,787	20,896	3,002	511,685	-	511,685
Water Capital Recovery		108,664	4,131,742	8,923	4,249,329	-	4,249,329
Sewer Capital Recovery		162,526	3,168,861	8,949	3,340,336	-	3,340,336
Health Insurance Trust			944,231	241,937	1,186,168	-	1,186,168
Tomball Legacy Fund			1	15,081	15,081	-	15,081
TOTALS	2,046,997	5,800,790	36,414,682	1,444,007	45,706,475	8,762,105	54,468,580

City Council Meeting Agenda Item Data Sheet

Meeting Date: November 1, 2021

Topic:

Approve the Minutes of the October 18, 2021 Regular Tomball City Council Meeting

Background:

Origination: City Secretary

Recommendation:

Approve

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

FUNDING (IF APPLICABLE)

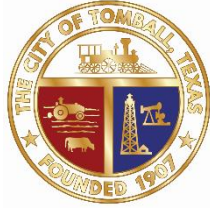
Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	Doris Speer	10-19-2021	Approved by		
	Staff Member	Date		City Manager	Date

MINUTES OF REGULAR COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, October 18, 2021
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for October 18, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting of the Tomball City Council to order at 6:00 p.m.

PRESENT:

Mayor Gretchen Fagan
Council 1 John Ford
Council 2 Mark Stoll
Council 3 Chad Degges
Council 5 Lori Klein Quinn

ABSENT:

Council 4 Derek Townsend, Sr. - Excused

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Police Chief – Jeff Bert
Fire Chief – Joe Sykora
Director of Public Works – Beth Jones
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
It Manager – Doug Tippey
Administrative Assistant-CSO – Sasha Luna
Community Center Manager – Rosalie Dillon

B. Invocation - Led by Jonathan Schleicher - CFRE, Director of Advancement

C. Pledges to U.S. and Texas Flags – Led by Joe Sykora

D. The following public comments were received:

Mark Clark, President - Requested the City's assistance and support to move the Rotary's "Big Show" to the Depot on Saturday, October 23, 2021, due to inability to hold the event at the originally planned location.

E. Reports and Announcements

1. Announcements

I. November 3, 2021 – **Depot Day** – 10:00 a.m. – 4:00 p.m. at the Depot – Honoring *National Model Railroad Month*

II. November 19, 2021 – *Light it Up! Tree Lighting* – 6:30 p.m. – 8:30 p.m. at the Depot

III. November 20, 2021 – *56th Annual Holiday Parade* – Downtown – Greater Tomball Area Chamber of Commerce – 10:00 a.m. to 12:30 p.m.

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

I. Larrissa Roberts – Report on Success of *Drive-Boo at Juergens Park* and **2nd Saturday at the Depot**

II. Mike Baxter – Report on Success of *"Bluegrass Tomball"*

F. Approval of Minutes

1. Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to approve the Minutes of the October 4, 2021 Regular Tomball City Council Meeting.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

G. New Business

1. Motion made by Council 5 Klein Quinn, Seconded by Council 3 Degges, to approve the request from Concordia Lutheran High School for City Support and In-Kind Services for the *3rd Annual Cruisin' Crusaders 5K Run/Walk* in downtown Tomball, on Saturday, February 5, 2022

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

2. Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to Accept Public Comments and Discuss the Petition (the “Petition”), Filed by 318 Sydney Park, LLC (the “Petitioner”), requesting that the City Dissolve Public Improvement District Number Nine (the “District”) which contains Land Owned Only by the Petitioner and Located Entirely within the Corporate Limits of the City at 6:15 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:16 p.m.

3. Motion made by Council 2 Stoll, Seconded by Council 3 Degges, to approve Resolution No. 2021-34, A Resolution Regarding the Dissolution of a Public Improvement District; Providing for a Severability Clause; Providing an Effective Date; and Containing Other Matters Relating to the Subject [TPID 9]

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

4. Motion made by Council 3 Degges, Seconded by Council 2 Stoll, to approve Resolution No. 2021-37, a Resolution Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Certain Territory; Describing Such Territory; Setting the Date, Time, and Place for Public Hearing at which All Interested Parties shall have an Opportunity to be Heard; Providing for Publication of Notice of Such Public Hearing; and Directing Preparation of a Municipal Service Plan for the Territory Proposed to be Annexed (*Being a Tract or Parcel Containing 240.075 Acres or 10,457,658 Square Feet of Land Situated in the Auguste Senerchal Survey, Abstract No. 722, Harris County, Texas, Being a Residue of a Called 314.8179 Acres described in Deed to Exxon Mobile Corporation, as recorded under Harris County Clerk's File (H.C.C.F.) No. W883345, with Said 240.075 Acre Tract Being More Particularly Described by Metes and Bounds Provided Herein, Harris County, Texas*) [0 Boudreaux, Lovett Industrial; HCAD No. 450260000004] and setting the date for the Public Hearing as November 15, 2021.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

5. Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to approve Resolution No. 2021-38, a Resolution of the City Council of the City of Tomball, Texas, Authorizing Participation in the National Opioid Settlement Agreements Secured by the Office of the Attorney General as a “Non-Litigating Subdivision”; and Authorizing the Mayor to Execute Certain Settlement Participation Documents.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

6. Consideration to Approve **Zoning Case P21-369**: Request by Louis Smulders to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.9 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the General Retail District. The property is generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on **Zoning Case P21-369** at 6:37 p.m.

The following public comments were read into the record:

Loretta Dickerson - Her opposition to the proposed zoning
12714 Pine Woods, 77375 change was read into the record.

Arlene Knobloch - Her opposition to the proposed zoning
12727 Pine Woods, 77375 change was read into the record.

Receiving no additional public comments, Mayor Fagan closed the Public Hearing at 6:39PM

- Motion made by Council 2 Stoll, Seconded by Council 1 Ford to read Ordinance No. 2021-36 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

- Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to adopt, on First Reading, Ordinance No. 2021-36, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 1.9 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the General Retail District, said property being generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Voting Yea: Council 2 Stoll, Council 3 Degges

Voting Nay: Council 1 Ford, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Voting to Break Tie: Mayor Fagan, voting Yea.

Motion carried, 3 votes Aye, 2 votes Nay.

7. Motion made by Council 2 Stoll, Seconded by Council 3 Degges, to approve the Development Agreement between the City of Tomball and Classic Neighborhood – FC Holdings, LLC, for Public Improvement District (PID) Number 13, Pine Trails Subdivision

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

- H. Motion made by Council 2 Stoll, Seconded by Council 5 Klein Quinn, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

Meeting adjourned at 7:04 p.m.

PASSED AND APPROVED this the 1st day of November 2021.

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Mayor

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: November 1, 2021

Topic:

Adopt, on Second Reading, Ordinance No. 2021-36, an Ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the zoning district classification of approximately 1.9 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the General Retail District, said property being generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas; providing for the amendment of the Official Zoning Map of the City; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters.

Background:

Council adopted Ordinance No. 2021-36 to rezone as General Retail on first reading, October 18, 2021.

Origination: Louis Smulders

Recommendation:

Adopt Ordinance No. 2021-36 on Second Reading.

Party(ies) responsible for placing this item on agenda: Kim Chandler, Community Development Coordinator

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Doris Speer</u>	<u>10-19-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

ORDINANCE NO. 2021-36

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE TOMBALL CODE OF ORDINANCES BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF APPROXIMATELY 1.9 ACRES OF LAND LEGALLY DESCRIBED AS RESERVE A BLOCK 3 OF PINE MEADOWS, FROM THE SINGLE-FAMILY 6 DISTRICT TO THE GENERAL RETAIL DISTRICT, SAID PROPERTY BEING GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THEIS LANE AND SOUTH CHERRY STREET, WITHIN THE CITY OF TOMBALL, HARRIS COUNTY, TEXAS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

* * * * *

Whereas, Louis Smulders has requested that approximately 1.9 acres of land legally described as Reserve A Block 3 Of Pine Meadows, generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas, (the "Property"), be rezoned; 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 two 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 Planning & Zoning Commission recommended in its final report that City Council approve the rezoning to the Office 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 for the requested rezoning, the City Council held the public hearing for the requested rezoning and the City Council considered the final report of the Planning & Zoning Commission; and

Whereas, the City Council deems it appropriate to grant the requested rezoning.

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.

Ordinance No. 2021-36

Section 2. The zoning classification of the Property is hereby changed from the Single-Family 6 District to the General Retail District 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 General Retail District 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 to the General Retail District 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 than 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 in 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 18TH DAY OF OCTOBER 2021.

COUNCILMAN FORD	<u>NAY</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>ABSENT</u>
COUNCILMAN KLEIN QUINN	<u>NAY</u>
MAYOR FAGAN	<u>AYE</u>

SECOND READING:

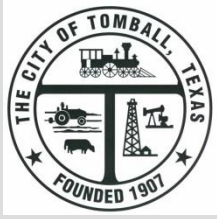
READ, PASSED, AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 1ST DAY OF NOVEMBER 2021.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGES	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: October 11, 2021

City Council Public Hearing Date: October 18, 2021

Rezoning Case: P21-369

Property Owner(s): Louis Smulders

Applicant(s): Louis Smulders

Legal Description: Reserve A Block 3 Pine Meadows

Location: Southwest corner of Theis Lane and South Cherry Street (Exhibit “A”)

Area: Approximately 1.9 acres

Comp Plan Designation: Neighborhood Residential (Exhibit “B”)

Present Zoning and Use: Single-Family 6 District (Exhibit “C”) / Undeveloped (Exhibit “D”)

Request: Rezone from the Single-Family 6 District to the General Retail District

Adjacent Zoning & Land Uses:

- North:** Commercial District / Goodson Distribution
- South:** Single-Family 6 District / Single-family residences (Pine Meadows subdivision)
- West:** Single-Family 6 District / Single-family residences (Pine Meadows subdivision)
- East:** Single-Family 20 Estate and Light Industrial Districts / Single-family residences

BACKGROUND

When Pine Meadows subdivision was platted in 2004, the subject site was designated for commercial use. The City adopted Zoning in 2008 and designated the property as Single-Family 6 District, overriding the recorded plat.

In July 2021, a rezoning request for the same parcel from Single-Family 6 District to Commercial District was considered. Planning & Zoning Commission and staff recommend denial of that zone change and the zone change was denied by City Council. At that time, staff’s recommendation was to consider the Office District for this site, as the Office zoning district is intended to be a transition district between residential uses and more intense non-residential uses. The Office District is considered to be suitable for locations that are in close proximity to residential districts as the uses permitted in the Office District are generally compatible with adjacent residential areas.

ANALYSIS

Location: The subject site, approximately 1.9 acres is located at the southwest corner of Theis Lane and South Cherry Street and was originally part of the Pine Meadows subdivision plat. Goodson Distribution Center is located to the north of the property and single-family residences are located to the east, south and west.

Description of Proposed Zoning Category: According to Section 50-76 (*General Retail District (GR)*), the General Retail District is “established to provide areas for local neighborhood shopping and service facilities for the retail sales of goods and services. These shopping areas should utilize established landscape and buffering requirements. The GR General Retail District should be located along or at the intersection of major collectors or thoroughfares to accommodate higher traffic volumes.” Uses allowed in the General Retail District are typically not compatible with residential uses.

Permitted Land Uses: Theis Lane and Cherry Street are existing minor arterials based on the Thoroughfare Map, however there are multiple single-family residences located to the south and west of the subject site. Based on the range of uses permitted by right in this zone, it does not appear that the General Retail District is appropriate for this property. See attached land use matrix (Exhibit E) for a list of uses that are permitted in the General Retail District.

Comprehensive Plan Recommendation: The property is designated as Neighborhood Residential by the Comprehensive Plan Future Land Use Map. This category is intended “for areas predominantly comprised of single-family detached housing”. Appropriate land uses include single-family residences and “limited commercial services that do not require large parking lots” where residential collector streets meet arterials. Compatible zoning districts include Single-Family 20 Estate, Single-Family 9 and 6, and Planned Developments. The proposed zoning district does not meet the intent of this category.

Conceptual Development Plans: The applicant has included proposed development plans for the site. However, it is important to note that the zone change cannot be conditioned on a site plan or other additional requirements. Once the property is zoned, it can be developed for any uses permitted in that zoning category and in a manner that meets the requirements of the zoning code.

Recommendation: The zoning code includes another zoning district, Office that will permit the proposed uses with a Conditional Use Permit (CUP). Office District seems appropriate for the subject parcel considering the adjacent residential use. CUP gives City an opportunity to review the site plan and identify additional requirements. This was recommended to the applicant at a Pre-development meeting.

Applicable Compatibility Standards: At the previous meeting, there was some discussion on landscaping, buffers, and lighting. The following zoning requirements would be applicable to this property:

- A ten-foot side landscaped open-space buffer along the adjacent residential area.
- Minimum rear yard adjacent to a single-family (within which parking is permitted) shall be 60 feet.
- A minimum 15 percent of the front yard shall be permanently landscaped area. In addition, 7.5 percent of the area not covered by building or structure shall be permanently landscaped.

- S. Cherry Street and Theis Lane - A minimum ten foot landscape buffer adjacent to the right-of-way is required, with one large tree per 40 linear feet (or portion thereof) of street frontage.
- Landscape areas of a minimum of 50 square feet in area and a minimum of five feet wide, with at least one tree within 60 feet of every parking space.
- A minimum of one tree planted in the parking area for every ten parking spaces for parking lots having more than 20 spaces.
- A minimum 3-4 trees required for the proposed square footage of the building, in addition to those required for major thoroughfares.
- All parking area lighting shall be designed, shielded and operated so as not to reflect or shine on adjacent properties.

PUBLIC COMMENT

A Notice of Public Hearing was published in the paper on September 29, 2021 and property owners within 200 feet of the project site were mailed notification of this proposal on September 30, 2021. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

RECOMMENDATION

Based on the findings outlined in the analysis section of this staff report, City staff is unable to recommend approval of Zoning Case P21-369. The Office Zoning District may be more appropriate for this property, as it is intended to be a transition district between residential uses and more intense uses. More intense uses would require a CUP that would give the City an opportunity to evaluate the impact of those uses on adjoining residential properties and require appropriate measures to mitigate the adverse impacts.

EXHIBITS

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Land Use Matrix
- F. Rezoning Application and Supporting Documents

A. Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan

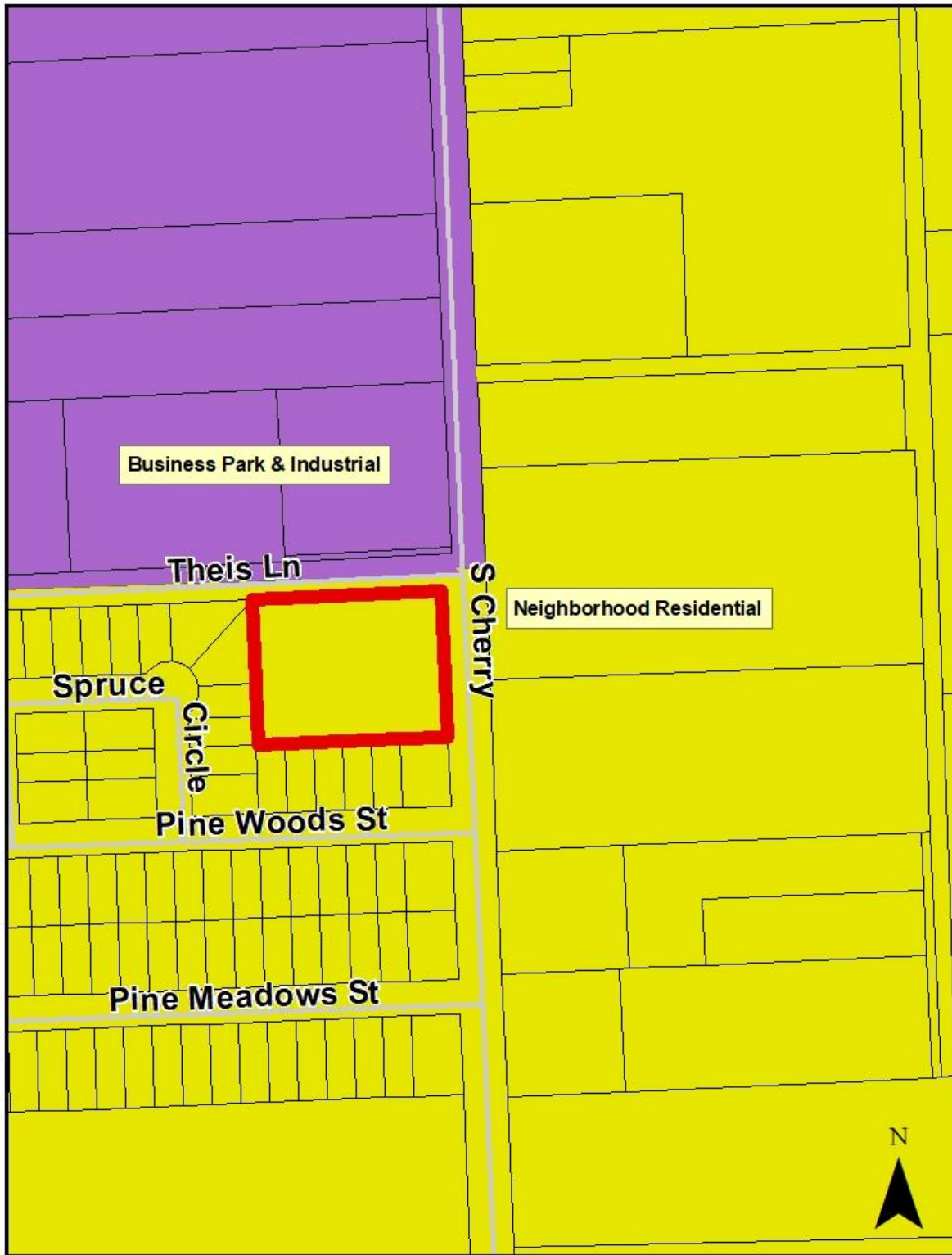
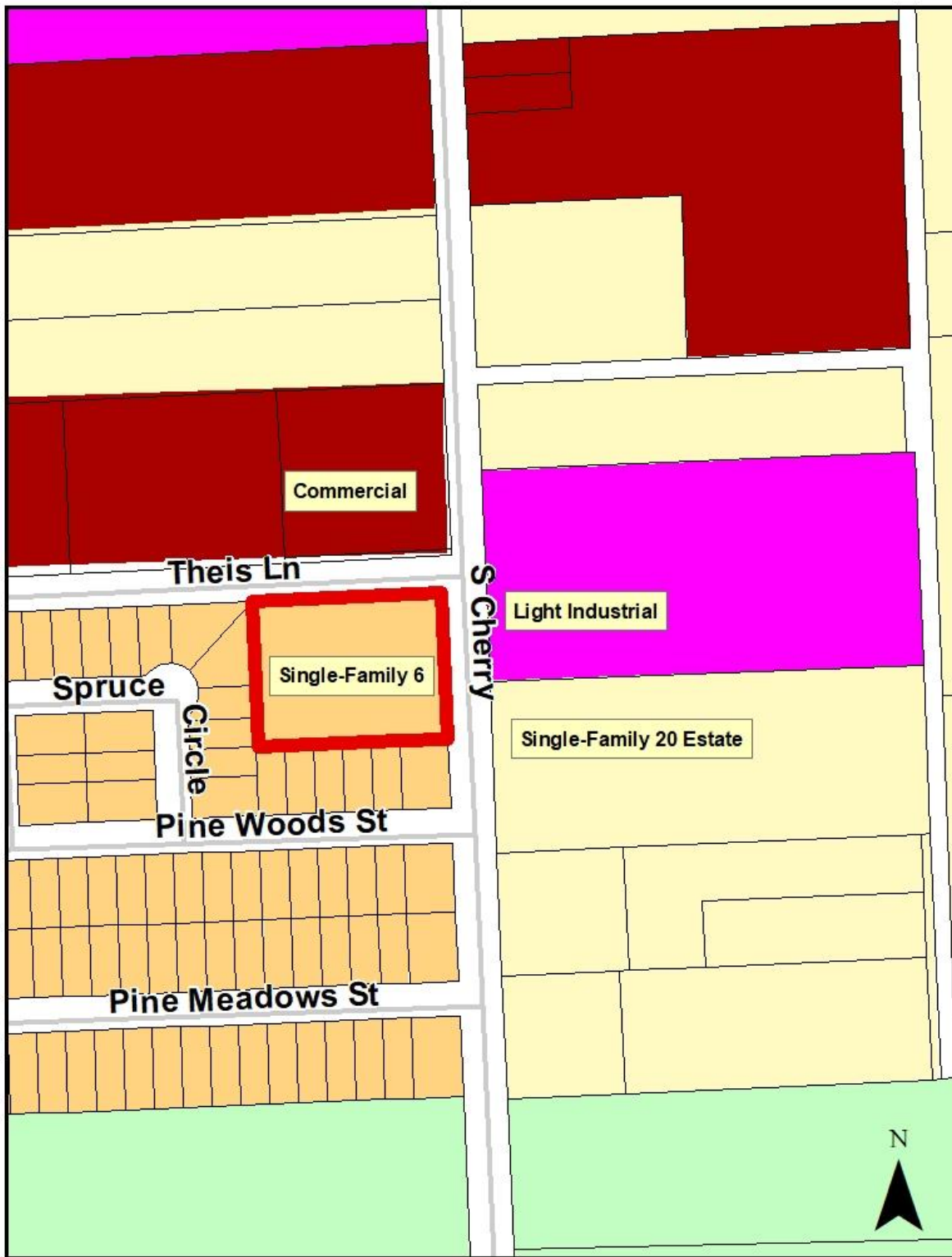


Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



**Exhibit “E”
Land Use Matrix**

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL	Nonresidential Zoning Districts		
Source: City of Tomball Chapter 50 - Zoning			
P Designates use permitted (Blank) Designates use prohibited (i.e., not allowed) C Designates use may be permitted by a CUP (also see section 50-81) ‡ The land use is defined within section 50-2			
Zoning Categories	O	GR	C
Accessory building/structure (business or industry) ‡	P	P	P
Accessory building/structure (residential) ‡			
Accessory dwelling			
Acid manufacture			
Adhesives and sealants manufacture			C
Adult day care (business)			
Aircraft parts manufacture			
Airplane repair and manufacturing			
Airport or landing field ‡			
All-terrain vehicle (go-carts) dealer/sales (w/no outdoor sales, storage, and display)		P	P
All-terrain vehicle (go-carts) dealer/sales (w/outdoor sales, storage, and display)		P	P
Ambulance service		C	P
Amusement devices/arcade (4 or more devices, indoors only) ‡		C	P
Amusement, commercial (indoor) ‡		C	P
Amusement, commercial (outdoor) ‡		C	P
Amusement, commercial, temporary, (e.g., carnival, haunted house). (Note: Allowed by building official for up to 10 days) ‡			C
Animal kennel (outdoor pens)			C
Animal processing and slaughter			C
Antenna (commercial)			
Antenna (noncommercial)			
Antique shop (no outside sales or storage) ‡		P	P
Antique shop (with outside storage)		C	P
Any manufacture or industrial process not listed and not prohibited by law			C
Apparel shop		P	P

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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Zoning Categories	O	GR	C	
Appliance repair		P	P	
Armed services recruiting center	P	P	P	
Art gallery/museum/dealer ‡	C	P	P	
Artificial flower manufacture		C	P	
Artist or photography studio	C	P	P	
Asphalt paving and roofing material manufacture				
Assisted living facility (continuing care retirement community) ‡	C	P	P	
Auction house		C	P	
Auto accessories (retail sales only)		P	P	
Auto body repair/painting		C	P	
Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/no outdoor sales, storage, and display)		P	P	
Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/outdoor sales, storage, and display) ‡		P	P	
Auto dealer, primarily used auto sales w/no outdoor sales, storage, and display		C	P	
Auto dealer, primarily used auto sales w/outdoor sales, storage, and display ‡		C	P	
Auto glass repair/tinting		P	P	
Auto interior shop/upholstery		C	P	
Auto muffler shop		C	P	
Auto paint shop		C	P	
Auto parts sale (new or rebuilt; no outside storage, no outside display, no repair)		P	P	
Auto parts sale (new or rebuilt; with outside storage or display)		C	P	
Auto rental		P	P	
Auto repair (major) ‡		C	P	
Auto repair (minor) ‡		P	P	
Auto storage or auto auction ‡			C	
Auto tire sales (indoor)		P	P	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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Zoning Categories	O	GR	C	
Auto wrecker service			P	
Automobile assembly				
Automobile driving school (including defensive driving)	C	P	P	
Automobile parts manufacturing			C	
Automobile wash (full service/detail shop) ‡		P	P	
Automobile wash (self-service) ‡		C	P	
Awning manufacture, cloth, metal and wood			P	
Bag manufacturing			P	
Bakery (wholesale) ‡			P	
Bakery, retail (eating establishment, no drive-through) ‡	C	P	P	
Bakery, retail (with drive-through)		P	P	
Bank, savings and loan, or credit union (no motor bank services)	P	P	P	
Bank, savings and loan, or credit union (with motor bank services)	C	P	P	
Barber/beauty shop (no related school/college)	C	P	P	
Battery manufacture				
Bed and breakfast inn ‡	C	P	P	
Bike sales and/or repair		P	C	
Billiard/pool Facility (4 or more tables)		C	P	
Bingo facility		C	P	
Bird and pet shops (retail only)		P	P	
Bleaching/chorine powder manufacture				
Boiler manufacture and repair				
Book binding			P	
Book/stationery shop (retail only) ‡		P	P	
Bottling works			P	
Bowling alley (air conditioned and soundproofed)		P	P	
Brewpub	C	P	P	
Broadcast station (with tower)				

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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Zoning Categories		O	GR	C
Broadcast towers (commercial)				
Broom manufacture				P
Building material sales/lumber yard ‡			C	P
Bulk Grain and/or feed storage				C
Bus or truck storage				P
Candy and other confectionary products manufacture			C	P
Canning and preserving factory				C
Canvas and related products manufacture				P
Caretaker's, guard's residence ‡		P	P	P
Carpenter shop			C	P
Carpet and rug cleaning plant			C	P
Casein manufacture				
Catering service			P	P
Cattle, swine, or poultry feedlot (CAFO)				
Cellular communications tower/PCS				
Celluloid and similar cellulose manufacture				
Cement manufacture				
Cemetery and/or mausoleum ‡		C	C	C
Ceramic products manufacture			C	P
Chalk manufacture				
Check cashing service			C	C
Chemicals (agricultural) manufacture				
Chemicals (industrial) manufacture				
Child day care center (business) ‡		C	P	P
Church/temple/place of worship ‡		P	P	P
Civic center (municipal) ‡		P	P	P
Civic club		P	P	P
Cleaning plant (commercial laundry) ‡			C	P
Clinic, emergency care			P	P

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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Zoning Categories	O	GR	C	
Clinic, medical and/or dental	P	P	P	
Clothing manufacture			P	
Coffee roasting			C	
Coffin manufacture			C	
Cold storage plants/locker			P	
Communication equipment sales/service (installation and/or repair, no outdoor sales or storage or towers/antennae)		P	P	
Community center (public)	P	P	P	
Community home ‡				
Community or social buildings ‡	P	P	P	
Concrete or asphalt mixing/batching plant (permanent) ‡				
Concrete or asphalt mixing/batching plant (temporary) ‡		C	P	
Consignment shop		C	P	
Construction contractor with storage yard			P	
Contractor's office/sales, no outside storage including vehicles		P	P	
Contractor's temporary on-site construction office (only with permit from building official.)	P	P	P	
Convenience store (with or without gasoline sales) ‡	C	P	P	
Copy shop ‡	C	P	P	
Country club (private) ‡	C	C	C	
Credit agency	P	P	P	
Crematory				
Culvert manufacture				
Cutlery, handtools and general hardware manufacture			C	
Dairy products manufacture			C	
Dance hall/dancing facility ‡		C	C	
Dance/drama/music schools (performing arts, martial arts)	C	P	P	
Dinner theatre		P	P	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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Zoning Categories	O	GR	C	
Distillation of liquors, spirits, etc. (brewery)				
Distribution center ‡			P	
Drinking establishment	C	P	P	
Drive-in theater			C	
Drug store (retail only)		P	P	
Dwelling, four-family (quadraplex) (defined under Multiple-family dwelling) ‡				
Dwelling, HUD code- manufactured home ‡				
Dwelling, industrialized home ‡				
Dwelling, multiple-family ‡				
Dwelling, single-family attached ‡				
Dwelling, two-family, duplex or duplex townhome ‡				
Dwelling, zero-lot line/patio home ‡				
Dwelling—Single-family detached ‡				
Dye manufacture				
Dyeing plant			C	
Earth satellite dish (private, less than 3 feet in diameter)				
Eating establishment (with drive-in service) ‡		C	P	
Eating establishment (with drive- through service) ‡		C	P	
Eating establishment (with no drive through service) ‡	C	P	P	
Electric lamp manufacture			C	
Electric power plant			C	
Electric repair, (domestic equipment and autos)	C	P	P	
Electrical substation ‡	C	C	C	
Electronic assembly			P	
Electronic goods (retail only)		P	P	
Electro-plating/electro-typing			P	
Elevator manufacture				
Enameling and painting			C	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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Zoning Categories	O	GR	C	
Engraving plant				P
Envelope manufacture				P
Exhibition hall ‡		C		P
Exterminator service/company (no outdoor sales or storage)		P		P
Fair ground or rodeo ‡				C
Family home (child care in place of residence) ‡	P	P		P
Farm (ranch, garden, crops, livestock, or orchard) ‡	P	P		P
Farm/garden machinery and equipment manufacture				C
Fats and oils (animal) manufacture				
Feed and grain store/farm supply store ‡		C		P
Feed manufacture				C
Felt manufacture				
Fix-it shops, small engine, saw filing, mower sharpening		C		P
Fixtures manufacture				C
Florist shop (retail only) ‡	C	P		P
Flour and other grain mills				
Food or grocery store		P		P
Food processing ‡				C
Footwear manufacture				C
Fortunetelling and similar activities ‡				
Foundry, all types				
Fraternal organization ‡	C	P		P
Fraternity or sorority house ‡	C	C		C
Funeral home ‡		C		P
Fur/hide tanning and finishing				
Furnace manufacture				
Furniture and appliance store (retail only) ‡		P		P
Furniture manufacture				C

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Zoning Categories	O	GR	C	
Furniture store (new and used) ‡		P	P	
Garage/accessory dwelling ‡				
Garden shop ‡		P	P	
Gases (industrial) manufacture				
Gasoline station		P	P	
General retail stores (no outside storage)		P	P	
Gift or card shop (retail only)	C	P	P	
Glucose manufacture				
Golf course (private) ‡	C	C	C	
Golf course (publicly owned) ‡	P	P	P	
Golf driving range		C	P	
Governmental building or use (county, state or federal) ‡	P	P	P	
Greenhouse (non-retail/hobby)				
Hair products factory (other than human)				
Hardware store		P	P	
Health club (indoor)	C	P	P	
Health club (outdoor)		P	P	
Heating and air conditioning sales/services		C	P	
Heavy machinery sales and storage ‡			C	
Heliport ‡	C	C	C	
Helistop	C	C	C	
Hobby and crafts store (retail only)	C	P	P	
Home improvement center		P	P	
Home occupation ‡		P	P	
Hospital ‡	C	P	P	
Hotel ‡		P	P	
Household care facility ‡				
Household care institution		P	P	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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Zoning Categories	O	GR	C	
Ice cream/ice manufacture				P
Institution for alcoholic, narcotic, or psychiatric patients ‡		C		C
Institution of religious, educational or philanthropic nature	C	P		P
Iron works (ornamental)				C
Jewelry store		P		P
Kerosene manufacture or storage				
Laboratory equipment manufacturing ‡				
Laundromat/washateria/self- service ‡		P		P
Laundry/dry cleaning (retail only, drop off/pick up) ‡	C	P		P
Lawnmower repair and/or sales		C		P
Leather products manufacture				C
Livestock sales/auction				
Livestock, wholesale/auction				
Loading or storage tracks				P
Loan service (payday / auto title)		C		C
Locksmith		P		P
Lumber mill/yard				
Machine shop				P
Machinery manufacture				C
Mailing service (private)		P		P
Maintenance and repair service for buildings/janitorial		C		P
Manufactured home display or sales (new or used) ‡				C
Marble working and finishing				C
Market, open air, flea				C
Mattress, making and renovating				P
Meat and fish market (retail only)		P		P
Meat packing plant				
Metal cans and shipping containers manufacture				C

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
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P Designates use permitted (Blank) Designates use prohibited (i.e., not allowed) C Designates use may be permitted by a CUP (also see section 50-81) ‡ The land use is defined within section 50-2				
Zoning Categories	O	GR	C	
Metal products, stamping and manufacture			C	
Milk depot, wholesale			P	
Mini-warehouse/self storage ‡		C	P	
Mirror resilvering			C	
Mobile Food Court ‡		C	C	
Model home (including sales office)	P	P	C	
Mortuary		C	P	
Motel ‡			C	
Motion picture studios, commercial films		C	P	
Motion picture theater (indoors)		P	P	
Motor freight transportation, storage, and terminal			P	
Motorcycle sales/dealer w/no outdoor sales, storage, and display		p	P	
Motorcycle sales/dealer w/outdoor sales, storage, and display ‡		P	P	
Moving and storage company			P	
Municipal facility or use ‡	P	P	P	
Museum	C	P	P	
News printing			P	
Non-city public assembly (auditorium, gymnasium, stadiums, meeting halls, etc.)		P	P	
Nursery ‡		P	P	
Office equipment manufacture			P	
Office showroom/warehouse ‡	C	C	P	
Office, parole-probation		P	P	
Office, professional and general business ‡	P	P	P	
Oil compounding and barreling				
Oilcloth manufacture				
Orthopedic, prosthetic, surgical appliances and supplies manufacture			P	
Outdoor sales as a primary use ‡		C	P	
Paint manufacture and/or mixing			C	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
Source: City of Tomball Chapter 50 - Zoning				
P Designates use permitted (Blank) Designates use prohibited (i.e., not allowed) C Designates use may be permitted by a CUP (also see section 50-81) ‡ The land use is defined within section 50-2				
Zoning Categories	O	GR	C	
Painting and refinishing shop		C	P	
Paper and paper pulp manufacture				
Paper products and paper box manufacture			P	
Park and/or playground (private) ‡	P	P	P	
Park and/or playground (public, municipal) ‡	P	P	P	
Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡	C	P	P	
Pawn shop ‡			P	
Pecan processing			C	
Penal or correctional institutions			P	
Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display		P	P	
Personal watercraft sales (new/repair) w/outdoor sales, storage, and display		P	P	
Pet and animal grooming shop (no outside kennels) ‡		P	P	
Petroleum and petroleum products refining				
Petroleum distribution/storage ‡			C	
Pharmacy (retail only)	C	P	P	
Piano and musical instruments (retail only)		P	P	
Plastic products, molding, casting and shaping			P	
Playfield or stadium (private)		C	P	
Plumbing shop		C	P	
Post office (governmental)	P	P	P	
Poultry hatchery				
Poultry slaughtering and processing				
Printing equipment, supplies and repairs		C	P	
Printing ink manufacture				
Private street subdivision		C	C	
Propane sales filling (retail)		C	P	
Publishing and printing company		C	P	
Quick lube/oil change/minor inspection		P	P	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
Source: City of Tomball Chapter 50 - Zoning				
P Designates use permitted (Blank) Designates use prohibited (i.e., not allowed) C Designates use may be permitted by a CUP (also see section 50-81) ‡ The land use is defined within section 50-2				
Zoning Categories		O	GR	C
Radio, television and communications towers				
Railroad team tracks, unloading docks, and spurs				P
Railroad yards, round house or shop				C
Reception venue		C	P	P
Recreational vehicle park				
Recreational vehicle park/campground ‡				C
Rectory/parsonage		P	P	P
Reduction of fats, ores, metals, garbage, offal, etc.; rendering plant				
Rehabilitation care facility (halfway house) ‡		C	P	P
Rehabilitation care institution (business) ‡		C	P	P
Residential use ‡		C	C	C
Retirement housing for the elderly ‡				
Riding academy		C	C	C
Rock quarries, sand, gravel and earth excavations or extractions				
Rug and carpet manufacture				C
Salvage storage yard ‡				
Sand, gravel, or stone storage (including sales) ‡				C
Sanitary landfill (private)				
School, business (e.g., barber/beauty/cosmetology)			P	P
School, college or university		C	P	P
School, commercial trade (vocational) ‡		C	P	P
School, other than public or denominational ‡		C	P	P
School, public or denominational ‡		P	P	P
Scientific and industrial research laboratories (hazardous) ‡				C
Scientific and industrial research laboratories (nonhazardous) ‡		P	C	P
Scrap metal storage yard				
Seamstress, dressmaker or tailor (retail only)		C	P	P

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
Source: City of Tomball Chapter 50 - Zoning				
P Designates use permitted (Blank) Designates use prohibited (i.e., not allowed) C Designates use may be permitted by a CUP (also see section 50-81) ‡ The land use is defined within section 50-2				
Zoning Categories	O	GR	C	
Security monitoring company (no outside storage)	P	P	P	
Security systems installation company		C	P	
Sexually oriented business				
Sheet metal shop			P	
Shellac and varnish manufacture				
Sheltered care facility ‡		C	C	
Shoe repair shop (retail only)		P	P	
Sign manufacturing (no outside storage)			C	
Sign manufacturing (with outside storage)			C	
Sign shop (small scale, such as a storefront; includes sign and banner making for retail sale only; no outside storage)		P	P	
Sign, all types (defined within the referenced section) ‡				
Skating rink		P	P	
Skilled nursing facility ‡	C	C	P	
Snuff manufacture				
Soap, detergents, cleaning preparations manufacture				
Stable, commercial				
Stables (private, principal or accessory use) ‡				
Starch manufacture				
Steel works, blast furnaces and rolling mills				
Stone cutting or crushing				
Stone monuments and gravestones, engraving and retail sales only		C	P	
Stone, clay, glass and concrete Products (other than handicrafts) manufacture				
Storage of cement, sands and gravel			C	
Storage of used lumber and building materials			C	
Studio for radio and/or television (no towers) ‡	P	P	P	
Swimming pool, commercial ‡	C	P	P	
Swimming pool, private (use by membership) ‡	P	P	P	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
Source: City of Tomball Chapter 50 - Zoning				
P Designates use permitted (Blank) Designates use prohibited (i.e., not allowed) C Designates use may be permitted by a CUP (also see section 50-81) ‡ The land use is defined within section 50-2				
Zoning Categories	O	GR	C	
Tattoo or body piercing studio ‡			C	
Taxi/limousine service		C	P	
Taxicab storage and repair			P	
Taxidermist		C	P	
Telemarketing agency	C	C	C	
Telephone exchange/switching station ‡	P	P	P	
Temporary real estate field office	P	P	P	
Tennis court (private/lighted)		C	C	
Tennis court (private/not lighted)	P	P	P	
Textile products manufacture			C	
Tire retreading and recapping			C	
Tire sales (indoors, no outside storage) ‡			P	
Tire sales (outdoors, with outside storage) ‡			C	
Tool and machinery rental (indoor storage only) ‡		P	P	
Tool and machinery rental (with outdoor storage) ‡		C	P	
Transfer station (refuse/pick-up) ‡			C	
Transit terminal ‡			P	
Trophy engraving		P	P	
Truck and bus leasing ‡			P	
Truck manufacture				
Truck sales and services (heavy trucks) ‡			P	
Truck stop ‡			C	
Truck terminal ‡			P	
Upholstery shop (nonauto)		P	P	
Used merchandise		P	P	
Vacuum cleaner sales and repair ‡		P	P	
Veterinarian clinic (indoor kennels) ‡		P	P	
Veterinarian clinic (outdoor kennels or pens) ‡			C	
Video rental/sales		P	P	

TYPES OF LAND USES PERMITTED IN OFFICE, GENERAL RETAIL & COMMERCIAL		Nonresidential Zoning Districts		
Source: City of Tomball Chapter 50 - Zoning				
P Designates use permitted (Blank) Designates use prohibited (i.e., not allowed) C Designates use may be permitted by a CUP (also see section 50-81) ‡ The land use is defined within section 50-2				
Zoning Categories	O	GR	C	
Warehouse (defined under storage or wholesale warehouse) ‡		C	P	
Waste paper products manufacture				
Water distillation			P	
Wedding chapel		P	P	
Welding shop		C	P	
White lead manufacture				
Wholesale trade, nondurable goods		C	P	
Wood container manufacture			C	
Wood distillation (manufacture of tar, charcoal, turpentine and similar				
Wood preserving manufacture and treatment				
Wood products manufacture			C	
Woodworking shops		C	P	
Wrecking materials yard ‡				

Exhibit “F”

Rezoning Application



RECEIVED (KC)
09/01/2021

Revised: 4/13/2020
P&Z #21-369
\$420.00 PD

APPLICATION FOR RE-ZONING

Community Development Department
Planning Division

APPLICATION SUBMITTAL: 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.

Applicant

Name: Louis Smulders Title: Owner
Mailing Address: 30 E. Rivercrest Dr. City: Houston State: Tx.
Zip: 77042 Contact: Louis Smulders
Phone: (832) 755-5072 Email: louis_smulders@hotmail.com

Owner

Name: Maritia LP Title: Entity Name
Mailing Address: 30 E. Rivercrest Dr. City: Houston State: Tx
Zip: 77042 Contact: Louis Smulders
Phone: (832) 755-5072 Email: louis_smulders@hotmail.com

Engineer/Surveyor (if applicable)

Name: Pickering & Associates -Roger D. Pickering Title: Surveyor
Mailing Address: 7702 Pin Oak St. City: Montgomery State: Tx
Zip: 77316 Contact: Roger Pickering
Phone: (936) 447-4703 Fax: () Email: rpickering@hotmail.com

Description of Proposed Project: 1.9 Acre Corner Tract on Theis Ln & S. Cherry St

Physical Location of Property: SW Corner of Theis Ln & S. Cherry St.

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

Legal Description of Property: Reserve A Blk 3 of Pine Meadows, Harris County

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

Current Zoning District: SF-6 Single Family

Current Use of Property: Vacant

Proposed Zoning District: General Retail

Proposed Use of Property: Office, Retail, Medical Clinic, Convenience Store, Bakery, Beauty Shop

HCAD Identification Number: 1252560030038 Acreage: 1.9 Acres

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405

www.tomballtx.gov

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 	8/31/2021
Signature of Applicant	Date
X 	8/31/2021
Signature of Owner	Date

401 Market Street
401 Market Street
Tomball, TX 77375
(281) 351-5484

DATE : 8/31/2021 1:21 PM
OPER : RP
TKBY : rp
TERM : 2
REC# : R01278965

130.0000 PLANNING AND ZONING 420.00
theis and s cherry louis smulders
420.

Paid By: theis and s cherry louis
smulder
2-CK 420.00 REF: w 5040

APPLIED	420.00
TENDERED	420.00
CHANGE	0.00

713-906-9119
BURKE@SBCGLOBAL.NET

BURKE FROELICH
REAL ESTATE AGENT

THE WIRT COMPANY
COMMERCIAL - INVESTMENTS - ACREAGE

THE STATE OF TEXAS
COUNTY OF HARRIS

I, Lou Smulders, of Maritia L. P., his successors in office and assigns, whose address is 11530 Brown Road, Tomball, Texas 77377, owner, hereinafter referred to as owners of the 30.5747 acre tract described in the above and foregoing plat of Pine Meadows, do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions, and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself, my heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

Further, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unrestricted aerial easement five feet (5') in width from a plane twenty feet (20') above the ground level upward; located adjacent to all public utility easements shown hereon.

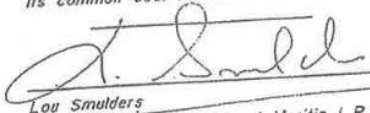
Further, owners do hereby covenant and agree that all the property within the boundaries of this plat shall be restricted to provide that the drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening less than one and three quarters square feet (1 3/4 inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

Further, owners do hereby dedicate to the public a strip of land three feet (3') wide on each side of the center line of any and all bayous, gullies, ravines, draws, sloughs, or other natural drainage channels located upon dedicated land, said plat, as easements for drainage purposes, giving the City Of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

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

Further, We hereby relinquish all rights of access to major larger streets or highways shown hereon except by way of platted streets shown.

In Testimony Whereof, Maritia L.P. has caused these presents to be signed by Lou Smulders, hereunto authorized as its common seal hereunto affixed this 27th day of June, 2003


Lou Smulders

Executive Vice President, of Maritia L.P.

①



JESSE PRUITT A-629
 CLAUDE N. PILLOT A-632

WE, THE CITY OF
 TOMBALL, TEXAS
 DO HEREBY CERTIFY
 THAT THIS PLAT
 WAS
 BEN GRIFFIN, C

To certify that the City accepts the Planning Commission's authorized approval and acceptance
 evidenced public easements and rights-of-way in conformance with the laws of the State of Texas
 ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this
 day of February, 2004

Darwin
 Mayor

Doris Speer
 Doris Speer, City Secretary

Notary Public, Clerk of the County Court of Harris County, do hereby certify that the within instrument
 of authentication was filed for registration in my office on this 8 day of April
8:12 o'clock P. M., and duly recorded on the 12 day of April, 2003, at 9:15 o'clock A. M.
552232 at the Map Records of Harris County.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office, at Harris County, Texas, the day and date last above written.

B. KAUFMAN

Notary Public
 of the County Court
 Harris County, Texas

UAC

NOTION HEREIN WHICH RESTRICTS
 RENTAL OR USE OF THE
 REAL PROPERTY BECAUSE OF
 RACE IS INVALID AND
 UNENFORCEABLE UNDER FEDERAL LAW.

THIS INSTRUMENT IS VALID ONLY AS TO THE
 PARTS WHICH THE ORIGINAL
 INSTRUMENT AND ONLY THEN TO THE
 EXTENT THE INSTRUMENT IS NOT ALTERED
 AFTER RECORDING

3

DATE: FEBRUARY 27, 20

OWNER: MARITIA L.F.
 11530 BROWN ROAD
 TOMBALL, TEXAS 77
 (281) 755-5072

ENGINEER: DAVID S. BROUSE
 17527 HAWKINS
 TOMBALL, TEXAS
 (281) 290-8

(c) $\frac{1}{\sqrt{2}}$

NOTE: CITY OF TOMBALL DRAINAGE EASEMENTS (FOR DRAINAGE PURPOSES ONLY) ARE 20' WIDE LOCATED ADJACENT TO THE WEST LINE AND THE WEST LINE OF SAID SUBDIVISION. ALL 20' WIDE EASEMENTS SHALL BE PLACED WITHIN EASEMENT 2. NO FENCING ALLOWED WITHIN EASEMENT 2.

This instrument was acknowledged before me on the 21st day of July, 2007, at San Jose, California, and I acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said person.

 **ASHLEY CRISLER**
Notary Public, State of Idaho
Commission Expires 9-15-2016

Mark Stoll
Mark Stoll, Chairman

Vincent O'Donnell
Vincent O'Donnell, Vice Chairman

William L. Anderson
William L. Anderson
Texas Registration No.: 2053



WE, THE CITY MANAGER AND THE CITY ENGINEER FOR THE CITY OF TOMBALL, TEXAS, HEREBY CERTIFY
THAT THIS PLAT COMPLIES WITH THE CITY OF TOMBALL'S ORDINANCES.

Ben Griffin
BEN GRIFFIN, CITY MANAGER

Mark W. Moore
MARK W. MOORE, P.E., CITY ENGINEER

o'clock 4 M., and

PINE MEADOWS

FINAL PLAT

A SUBDIVISION OF 30.5747 ACRES

LOCATED IN THE J. PRUITT SURVEY, A-629

CONSISTING OF

COMMERCIAL RESERVE, 5 BLOCKS, 144 RESIDENTIAL LOTS
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

JANUARY 27, 2003

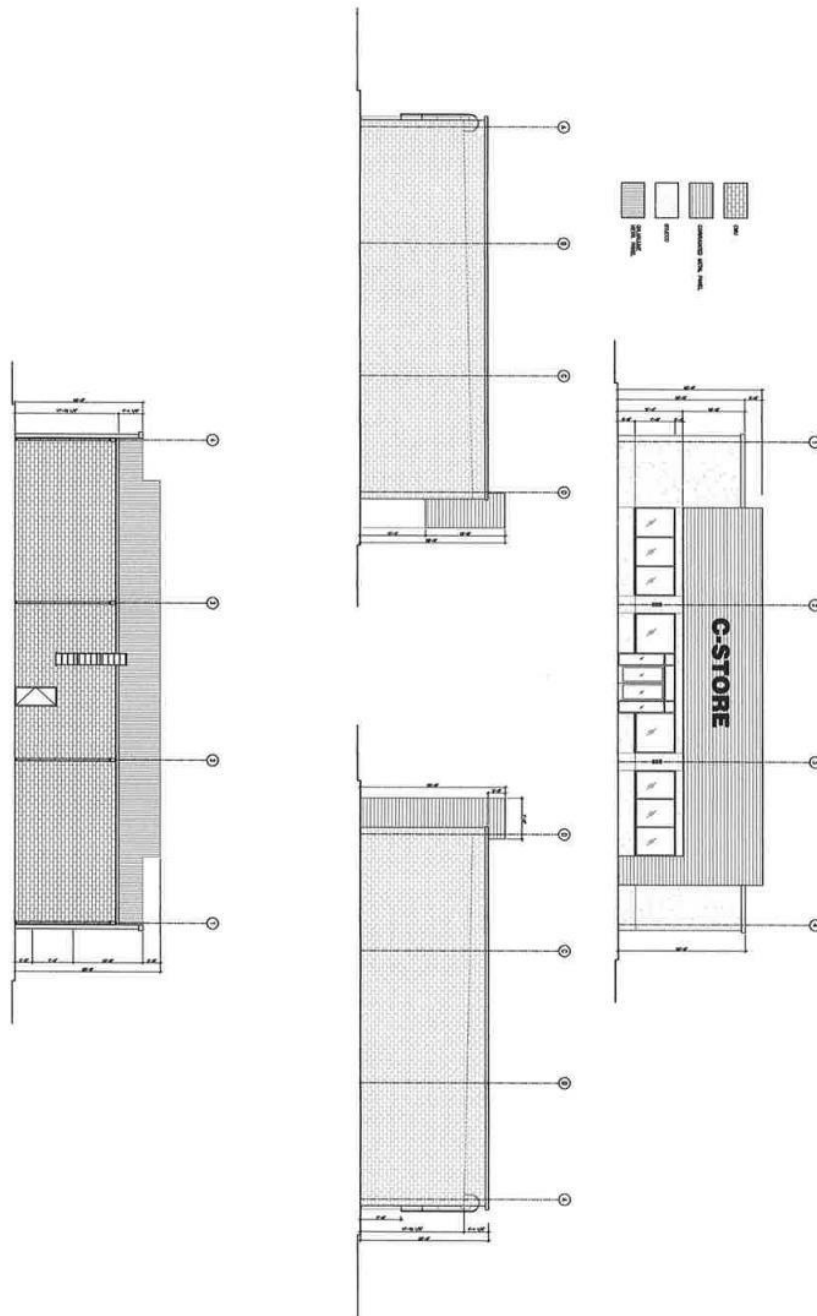
MARITIA L.P.
1530 BROWN ROAD
TOMBALL, TEXAS 77377
(832) 755-5072

WIL S. BROUSSARD, P.E.
17527 HAWKINS LANE
TOMBALL, TEXAS 77375
(281) 290-8502

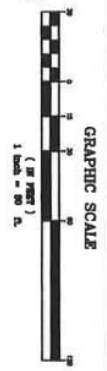
4

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was
found to be inadequate for the best photographic
reproduction because of illegibility, carbon or
photo copy, discolored paper, etc. All omissions,
additions and changes were present at the time
the instrument was filed and recorded.

FRONTIER SURVEYORS, INC.
990 VILLAGE SQUARE, SUITE 6-200
TOMBALL, TEXAS 77375
(281) 351-7155
JOS. NO. 20030203



SCHEME 4
01/20/2020



JESSE PRUITT SURVEY, A-629
HARRIS COUNTY, TEXAS
THEIS LANE
800'-0" DEPT. 10' 10" WIDE
VOL. 108A, PG. 253 & 516, 516, PG. 25A, N.C.M.B.



CHERRY STREET
F.C. NO. 000233, N.C.M.B.
(60' PUBLIC RIGHT-OF-WAY)

SURVEYING CERTIFICATION
I, John D. Blum, being duly sworn, depose and say that I am a duly licensed Professional Land Surveyor in the State of Texas, and that I am the author of the foregoing plat, and that the same is a true and correct copy of the original plat as shown to me by the person who presented it for recording.

John D. Blum
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5075



SCALE: 1"=50'	DATE: 08-26-14
WORKSHEET:	
BOOK: N/A	
OWNER: E.B.A.	
APPROVED BY: E.B.A.	
PROJECT NO.: 2023-14	

LOUIS SMULDERS	BOUNDARY AND IMPROVEMENT SURVEY
0000 THEIS ROAD TOMBALL, TEXAS 77373	ALL THAT CERTAIN 1,899 ACRES (82,729 SQUARE FOOT) TRACT OR PARCEL OF LAND SITUATED IN THE JESSE PRUITT SURVEY, A-629, HARRIS COUNTY, TEXAS. (SEE ATTACHED METES AND BOUNDS DESCRIPTION)

PICKERING & ASSOCIATES
PROFESSIONAL LAND SURVEYORS, LLC
Firm Registration No. 10165200
7702 Pin Oak Street
Meadowcreek, Texas 77316
Phone: (936) 447-4703
Mobile: (281) 804-0785
pickering@doctmail.com
Copyright 2014

METES AND BOUNDS DESCRIPTION

ALL THAT CERTAIN 1.899 ACRE (82,729 SQUARE FOOT) TRACT OR PARCEL OF LAND SITUATED IN THE JESSE PRUITT SURVEY, A-629, HARRIS COUNTY, TEXAS AND BEING ALL OF RESERVE "A" OF PINE MEADOWS, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 555232 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS; SAID 1.899 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WITH CAP STAMPED "PICKERING 5879" SET FOR THE NORTHEAST CORNER OF SAID RESERVE "A" AND THE HEREIN DESCRIBED TRACT, SAID CORNER MARKING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF THEIS LANE (WIDTH VARIES) AND THE WEST RIGHT-OF-WAY LINE OF CHERRY STREET (80 FEET WIDE);

THENCE, S 02°27'37" E-253.44 FEET (CALLED S 02°27'37" E-253.53 FEET) ALONG THE EAST LINE OF SAID RESERVE "A" AND THE WEST RIGHT-OF-WAY LINE OF SAID CHERRY STREET TO A 5/8 INCH IRON ROD FOUND MARKING THE SOUTHEAST CORNER OF RESERVE "A" AND THE HEREIN DESCRIBED TRACT;

THENCE, S 87°42'38" W-327.63 FEET (CALLED S 87°42'38" W-328.67 FEET) TO A 5/8 INCH IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF RESERVE "A" AND THE HEREIN DESCRIBED TRACT;

THENCE, N 02°20'06" W-252.01 FEET (CALLED N 02°17'22" W-252.10 FEET) TO A 5/8 INCH IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF THEIS LANE AND MARKING THE NORTHWEST CORNER OF RESERVE "A" AND THE HEREIN DESCRIBED TRACT;

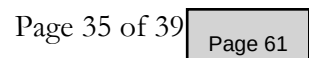
THENCE, N 87°27'39" E-327.07 FEET (CALLED N 87°27'39" E-327.92 FEET) ALONG THE SOUTH RIGHT-OF-WAY LINE OF THEIS LANE TO THE POINT OF BEGINNING AND CONTAINING 1.899 ACRES (82,729 SQUARE FEET) OF LAND, MORE OR LESS.

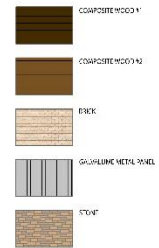
Roger D. Pickering

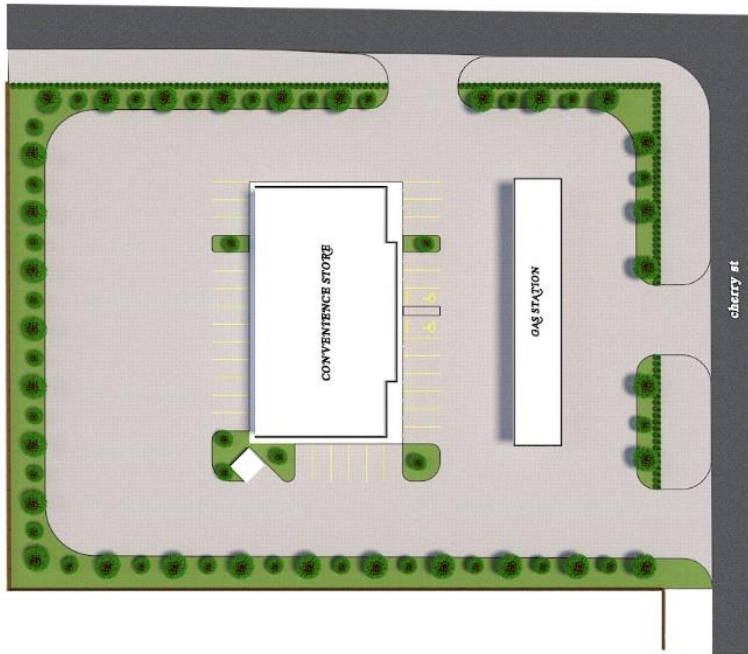
ROGER D. PICKERING, R.P.L.S.
TEXAS REGISTRATION NO. 5879

PICKERING & ASSOCIATES
7702 PIN OAK STREET
MONTGOMERY, TEXAS 77316









ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 3547
HOUSTON, TEXAS 77253-3547
TEL: 713-274-8000



**2020 Property Tax Statement
Web Statement**

Statement Date:	September 22, 2021
Account Number	125-256-003-0038

Additional city sales tax reduced your city ad valorem tax by: \$231.26



MARITIA LP
30 E RIVERCREST DR
HOUSTON TX 77042-2514

Taxing Jurisdiction	Exemptions	Taxable Value	Rate per \$100	Taxes
Harris County	0	124,473	0.391160	\$486.89
Harris County Flood Control Dist	0	124,473	0.031420	\$39.11
Port of Houston Authority	0	124,473	0.009910	\$12.34
Harris County Hospital District	0	124,473	0.166710	\$207.51
Harris County Dept. of Education	0	124,473	0.004993	\$6.21
Lone Star College System	0	124,473	0.107800	\$134.18
City of Tomball	0	124,473	0.337862	\$420.55
Emergency Service Dist #8 (EMS)	0	124,473	0.097000	\$120.74

Property Description
THEIS RD 77375 RES A BLK 3 PINE MEADOWS 1.9050 AC

Appraised Values	
Land - Market Value	124,473
Impr - Market Value	0
Total Market Value	124,473
Less Capped Mkt Value	0
Appraised Value	124,473

Exemptions/Deferrals

Page: 1 of 1

Total 2020 Taxes Due By January 31, 2021:	\$1,427.53
Payments Applied To 2020 Taxes	\$1,427.53
Total Current Taxes Due (Including Penalties)	\$0.00
Prior Year(s) Delinquent Taxes Due (If Any)	\$0.00
Total Amount Due For July 2021	\$0.00

Penalties for Paying Late	Rate	Current Taxes	Delinquent Taxes	Total
By February 28, 2021	7%	\$0.00	\$0.00	\$0.00
By March 31, 2021	9%	\$0.00	\$0.00	\$0.00
By April 30, 2021	11%	\$0.00	\$0.00	\$0.00
By May 31, 2021	13%	\$0.00	\$0.00	\$0.00
By June 30, 2021	15%	\$0.00	\$0.00	\$0.00

Tax Bill Increase (Decrease) from 2015 to 2020: Appraised Value 0%, Taxable Value 0%, Tax Rate -3%, Tax Bill -3%.

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.



PAYMENT COUPON

MARITIA LP
30 E RIVERCREST DR
HOUSTON TX 77042-2514

Make check payable to:

ANN HARRIS BENNETT
TAX ASSESSOR-COLLECTOR
P.O. BOX 4622
HOUSTON, TEXAS 77210-4622

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

Account Number
125-256-003-0038
Amount Enclosed
\$ _____

Web Statement - Date Printed: 09-22-2021

12525600300380 2020 000000000 000000000 000000000 000000000

2,638,313-1

TAX STATEMENT 2020 +**STATEMENT DATE: 09/22/2021****LEGAL: RES A BLK 3****ACCOUNT: 1252560030038****PINE MEADOWS****OWNER: MARITIA LP****PIDN: 1252560030038****PARCEL ADDRESS: 0000000 THEIS RD****ACRES: 1.905****EXEMPTION CODES:**

LAND VALUE	APPRAISED VALUE				
124,473	124,473				
TAXING ENTITIES	EXEMPTION AMOUNT	TAXABLE VALUE	TAX RATE PER \$100	BASE TAX	PENALTY & INTEREST
TOMBALL ISD	C	124,473	1.290000	0.00	0.00
			SUBTOTAL	0.00	0.00
			PRIOR YEARS	0.00	
TOTAL AMOUNT DUE				0.00	

This top portion and your canceled check will serve as your receipt.

^ Detach on perforation and return this portion with your check payable to:

Kristi Williams
PO Box 276
Tomball, TX 77377-0276
(281)357-3100

DELINQUENT DATE: 02/01/2021**ACCOUNT: 1252560030038 2020 +**

MARITIA LP
30 E RIVERCREST DR
HOUSTON, TX 77042-2514

TOTAL AMOUNT DUE
\$0.00

^^ AMOUNT DUE ON RECEIPT ^^**OWNER: MARITIA LP****PIDN: 1252560030038**

IF PAID IN	AMOUNT DUE
OCT	0.00
NOV	0.00
DEC	0.00
JAN	0.00
FEB	0.00
MAR	0.00

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
OCTOBER 11, 2021
&
CITY COUNCIL
OCTOBER 18, 2021**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, October 11, 2021, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, October 18, 2021, 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 P21-352: Request by Creek Road and CTC Residential to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 18 acres of land legally described as Tracts 1B & 2C Abstract 311 C GOODRICH, from the Commercial District to the Planned Development (PD-18) District. The property is generally located at the northwest corner of the intersection of FM 2920 and Tomball Cemetery Road, within the City of Tomball, Harris County, Texas.

Zoning Case P21-369: Request by Louis Smulders to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.9 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the General Retail District. The property is generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas.

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 Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Community Development Coordinator, Kim Chandler, at (281) 290-1405 or at kchandler@tomballtx.gov.

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

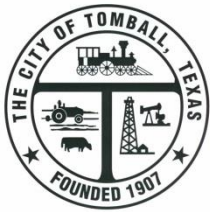
I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **7th** day of **October 2021** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kim Chandler

Kim Chandler

Community Development Coordinator

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



Notice of Public Hearing

YOU ARE INVITED TO ATTEND the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

CASE NUMBER: P21-369

APPLICANT/OWNER: Louis Smulders

LOCATION: Generally located at the southwest corner of Theis Lane and South Cherry Street, within the City of Tomball, Harris County, Texas

PROPOSAL: To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 2 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the General Retail District.

CONTACT: Kim Chandler

PHONE: (281) 290-1405

E-MAIL: kichandler@tomballtx.gov

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.



**Planning & Zoning Commission
Public Hearing:
Monday, October 11, 2021 6:00 PM**

**City Council Public Hearing:
*Monday, October 18, 2021 6:00 PM**

**The Public Hearings will be held in the
City Council Chambers, City Hall
401 Market Street, Tomball, Texas**

*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:
City of Tomball
Attn: Kim Chandler
501 James Street
Tomball, TX 77375

Name:

BRENDA WELLS

(please print)

Address:

12710 PINE WOODS ST.

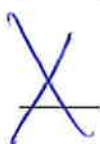
TOMBALL, TX 77375

Signature:

Brenda Wells

Date:

10-1-2021



I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P21-369**. (Please state reasons below)

I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P21-369**. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, October 11, 2021 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, October 18, 2021 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

THIS CORNER PROPERTY SHOULD HAVE BEEN
INCLUDED WITH FAMILY HOMES WHEN
PINE MEADOWS SUBDIVISION WAS ESTABLISHED

You may also comment via email to kchandler@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Kim Chandler @ 281-290-1405.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Kim Chandler
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

HIGHTOWER INVESTMENTS LTD - William G. HIGHTOWER

6115 THEALL Rd.

Houston TX 77066

Signature:

Date:

William G. Hightower

10/01/2021



I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P21-369**. (Please state reasons below)

I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P21-369**. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, October 11, 2021 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, October 18, 2021 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

WE NEED RETAIL SPACE IN THIS AREA

Will be GOOD FOR FUTURE GROWTH SURROUNDING

You may also comment via email to kchandler@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Kim Chandler @ 281-290-1405.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: November 1, 2021

Topic:

Approve Request by Houston Repertoire Ballet for \$16,500.00 for December 2021 “Nutcracker” Performance

Background:

The grant amount budgeted is \$14,000, however due to lost revenue from lost sponsors and cancelled fund raisers the HRB grant application requested \$19,800. TAC board recommendation is to grant \$16,500, the last amount previously approved. This year’s performance will not be accompanied by the orchestra and as a result have reduced ticket prices.

The recommended amount is over the budgeted grant amount, however this does met the criteria for the ARP funds.

Origination: David Esquivel

Recommendation:

Approve the grant request as recommended by TAC

Party(ies) responsible for placing this item on agenda: Doris Speer, City Secretary

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: #240-240-6359

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

Signed	<u>Doris Speer</u>	<u>10-27-2021</u>	Approved by	<u>Robert Hauck</u>	
	Staff Member	Date		City Manager	Date

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT HOTEL OCCUPANCY TAX GRANT PROCESS	NUMBER: 22	EFFECTIVE DATE: October 5, 2009	PAGE 1 OF 2
	REVISED: October 5, 2009	APPROVED BY CITY MANAGER: October 5, 2009	
	SUPERSEDES: January 19, 2009	APPROVED BY CITY COUNCIL: October 5, 2009	

Guidelines for Expenditures, Requests for Funding, and Reporting

Hotel Occupancy Tax

Chapter 351.002 of the Local Government Code authorizes a municipality, by ordinance, to impose a tax on a person who pays for the right to use or temporarily take possession of a room located in a hotel/motel that is ordinarily used for sleeping. The tax is imposed on the cost of the room itself and is not imposed on the cost of any food served or on any other services provided by the hotel/motel.

The revenue derived from the municipal occupancy tax may only be used to promote tourism and the convention and hotel industry in the community. For a city the size of Tomball and located in a county the size of Harris County, that use is limited to the following:

1. the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers or both;
2. the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
3. advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
4. the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms;
5. historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums:
 - a. at or in the immediate vicinity of convention center facilities or visitor information centers; or
 - b. located elsewhere in the municipality or its vicinity that would be frequented by tourists and convention delegates;
6. day-to-day operations, supplies, salaries, office rental, travel expenses, and other administrative costs only if those administrative costs are incurred directly in the promotion and servicing of those authorized expenditures listed in 1-5 above.

Tourists are defined in Chapter 351 as an individual who travels from the individual's residence to a different municipality, county, state, or country for pleasure, recreation, education, or culture. *Tourism* is defined as the guidance or management of tourists.

**CITY OF TOMBALL
ADMINISTRATIVE POLICIES, RULES AND PROCEDURES**

SUBJECT HOTEL OCCUPANCY TAX GRANT PROCESS	NUMBER: 22	EFFECTIVE DATE: October 5, 2009	PAGE 2 OF 2
	REVISED: October 5, 2009	APPROVED BY CITY MANAGER: October 5, 2009	
	SUPERSEDES: January 19, 2009	APPROVED BY CITY COUNCIL: October 5, 2009	

Requests for Hotel Occupancy Tax Funding

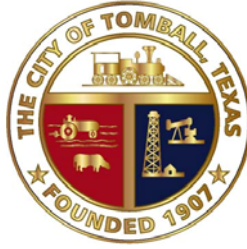
Any organization requesting the use of City of Tomball Municipal Hotel Occupancy Tax funds for an event that qualifies as an authorized use of funds as listed above must complete the “**Application for Use of Hotel Occupancy Tax**” a minimum of 45 days prior to the date of the event. All requests for funding must be approved by the City of Tomball City Council. Only one project may be requested per application. Applications for annual events must be submitted each year. Funding approved in one year does not guarantee funding in subsequent years.

Approved funding will be paid to the requesting organization on a reimbursement basis and will not be paid in advance. The reimbursement paid to the organization will be based on the lesser of the actual costs or the amount originally approved.

Reporting

Subsequent to the event/purpose for which occupancy tax funding was approved, the organization receiving the funds shall submit a full accounting of the event/purpose and specifically highlight the costs to be reimbursed by the hotel occupancy tax. In addition to the financial accounting of the event/purpose, the report shall also include a narrative describing how the event/purpose directly enhanced or promoted tourism and the convention and hotel industry in Tomball as well as the projected number of tourists or convention delegates coming to Tomball as a result of the event/purpose and the basis for the projection. If the event/purpose is one that is ongoing throughout the year, the financial and narrative report shall be updated and submitted on a quarterly basis. Reports shall be submitted to:

Director of Finance
City of Tomball
501 James Street
Tomball, TX 77375
281.290.1417



CITY OF TOMBALL
APPLICATION FOR USE OF HOTEL OCCUPANCY TAX
(Must be submitted no less than 45 days prior to the event)

Applications may be mailed or hand delivered to:

Director of Finance
City of Tomball
501 James Street
Tomball, TX 77375

Applicant Organization: Houston Repertoire Ballet

Organization Director: Victoria Vittum, Artistic Director and Founder

Project or Event for which funding is requested: The Nutcracker performance series

Date of Event: December 1-5, 2021 (8 performances, 2 dress rehearsals)

Description of project or event for which funding is requested: _____

HRB's "The Nutcracker" is a classic holiday ballet enjoyed by all ages at affordable prices (\$15 - \$23) bringing approximately 3,500 patrons and artists annually to Tomball's easily accessible venue. The performance series features professional guest artists, elaborate costumes and sets along with exquisite dancing in a professionally staged performance drawing an audience from Houston and neighboring communities, and includes 3 free school performances for all TISD's 3rd graders.

Location of project or event: _____

Tomball High School Theatre, Leonard Chambers Fine Arts Wing

330 Quinn Road Tomball, TX 77375

GRANT AMOUNTS:

Amount Requested for Current Fiscal Year:	<u>2021</u>	<u>\$ 19,800</u>
Amount Received for Previous Fiscal Year:	<u>2019</u>	<u>\$ 16,500</u>
% increase requested over last year's grant:	<u> </u> %	

****No amount was requested or granted in Fiscal Year 2020.**

Organization Budget Summary for Previous Fiscal Year 2019

	City Funds	Other Funds	Total
Personnel	\$2,104 stage manager/crew/lighting	\$14,280 artistic staff	\$16,384
Contracted Services	\$780 security	\$29,600 orchestra \$10,500 guest artists	\$40,880
Travel		\$2,040 guest artists	\$2,040
Rental Expense	\$13,617 Tomball ISD	\$5,910 studio \$687 trucks	\$20,214
Depreciation/Mortgage	N/A		
Advertising		\$6,880 programs, fliers, pr, adv., etc.	\$6,880
Insurance		\$4,523 insurance	\$4,523
Other Expenses	\$250 flowers	\$1,566 costumes/props/set, \$501 food \$8,096 boutique, \$9,122 ticket sales fees	\$19,535
Volunteer Time	N/A		
Donated Goods/Services	N/A		
Total	\$16,751	\$93,705	\$110,456

Grants to an organization will not exceed 35% of the organization's adopted budget for the fiscal year shown above.

*** The amount of Tomball exceeded 2019 grant amount of \$16,500

FUNDS FROM SOURCES OTHER THAN THE CITY OF TOMBALL

Government

Amount of Funds

Local
County
State
Federal

\$2,250 Texas Commission on the Arts (2020)

Other Investors/Contributors

Individual
Corporate
Foundations

\$1,440 (board members/annual campaign, 2020)
\$1,360 (2020)

Fees

Admissions
Applications
Vendors
Tuition

\$69,843 (2019)

Concessions

\$16,453 (boutique, silent auction, 2019)

Memberships

Subscriptions

Other

Total

\$ 91,346 (LOSS of \$19,110)

Where applicable, revenue from the 2019 performances was used. 2020 numbers were used for revenue not directly from the performance. Those are more predictive of 2021 revenue.

How many people do you expect will visit Tomball from out-of-town as a result of this project or event?

Explain the basis for your answer to the preceding question: HRB anticipates more than 3,200 patrons to attend

The Nutcracker, in addition to the more than 160 artists. This is based on historical 95% attendance data as well as zip code data. In 2018,
just 12.1% of the audience was from Tomball, with more than half (54.6%) coming from Houston and Cypress (combined). This
demonstrates the draw *The Nutcracker* exerts as a holiday tradition which in turn increases revenue in the Tomball area.

Are attendees for this event or users of this project expected to stay overnight in Tomball hotels or motels? If

you answer to this question is Yes, state the basis for your answer: Yes. The long days associated with 2 days of dress rehearsals

and 8 performances (including 3 free performances for Tomball ISD 3rd graders) mandates that some of HRB's company members stay in the area throughout the
week/weekend (some members live as far as Bryan, College Station, Waller, etc.). Feedback from HRB families following 2018 Nutcracker indicated that rooms from
multiple hotels were rented in Tomball that week. In addition, HRB patrons and members shop and dine in Tomball through *the Nutcracker* performance series.

Organization Contact Name, Title, Address and Phone Number: _____

Ann Nguyen Moore, HRB Board Member

13410 Greenwood Manor Drive; Cypress, TX 77429

+1 832 746 4000, ann.n.moore@gmail.com

Contact's Signature: _____

Date: _____



VALIDATION OF APPLICATION

The signatory declares that he/she is an authorized official of the applicant, is authorized to make this application, and certifies that the information in this application is true and correct to the best of his/her knowledge. Signatory further declares that applicant, if previously funded by the City of Tomball, has successfully fulfilled all prior Grant contract obligations.

(please see signed original document delivered in person)

Signature of Authorizing Official

Date

Kelly Behrens

Typed Name

HRB Board President

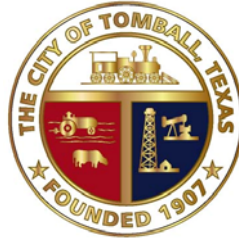
Title within Organization

832-439-9931

Telephone

kelly@airinnovationsllc.com

Email address



NARRATIVE QUESTIONS

Please look at the criteria in the grant guidelines when you answer the following questions. **Be specific and give examples.** Answers to individual questions should be as brief as possible and should in no case exceed one page.

1. Describe the history and purpose of the organization.
2. Describe how any grant funds will be used.
3. List the programs and activities for the grant year.
4. Show evidence of growth in community support prior to the grant year. Include the number of performances, exhibitions, audience sizes, services or enrollment. Be sure to include specific information as to the percent of activities taking place within the City of Tomball.
5. How does your project/event qualify for use of Municipal Hotel Occupancy Tax funds as defined in the Hotel Occupancy Tax Guidelines?
6. How do you publicize your activities? How do you evaluate these efforts and what have you done to increase the effectiveness of your marketing efforts?
7. Explain the public benefits to the City of Tomball that will result from your organization's efforts.
8. What is your organization doing to bring visitors to Tomball, to stay in local hotels and otherwise support the hospitality industry?



OTHER REQUIRED DOCUMENTATION

The following information is required to process the grant application:

1. Articles of Incorporation, if applicable
2. Constitution and/or By-Laws
3. If your organization's budget exceeds \$100,000 (exclusive of in-kind) attach a copy of the last independent audit of financial records. If no audit was completed, explain why.
4. Schedule of Board of Directors meetings for the period of October 1 of the current year through September 30 of the following year. Board of Directors meetings must occur at least once per quarter.
5. Resumes of principal staff and artists or relevant job descriptions.
6. Depending on the nature of the project or event for which grant funding is requested, the organization will obtain a Certificate of Insurance for liability coverage as outlined in the attached Exhibit A. The City of Tomball requires each grantee having an event in the City aimed to attract both residents and tourists to have liability insurance to protect the public for acts by the grantee. This mandated coverage does not cover the grantee or any of its members. We encourage the grantee to acquire insurance to cover itself and its members as it deems fit. Please see your insurance agent for the local government endorsement. The cost of the local government endorsement may be included as part of your budget to be considered for a grant.

OPTIONAL SUPPORTING DOCUMENTATION

This should be additional material that you wish to attach that further explains the activities of your organization such as:

1. Long Range Plan – 3-5 years
2. One labeled videotape of performance(s), exhibits, workshops, capital project and /or other activities for which City of Tomball grant funds will be utilized.
3. Programs, publicity, articles, reviews, etc.
4. Letters of support from patrons or other organizations in the community.

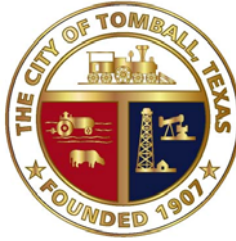


EXHIBIT A

Organization shall procure and maintain for the duration of the grant agreement, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the services performed or to be performed hereunder by the Organization its agents, representatives, employees, volunteers, officers, directors or sub-contractors.

The organization shall maintain insurance with limits not less than \$500,000 per occurrence, \$1,000,000 aggregate and will be as broad as ISO Form Number GL 0002 (Ed 1/72) covering Comprehensive General Liability and ISO Form Number GL 0404 covering Broad Form Comprehensive General Liability, or ISO Commercial General Liability coverage ("occurrence for CG 0001). Coverage will include: A) Premises – Operations; B) Broad Form Contractual Liability, C) Broad Form Property Damage and D) Personal Injury.

The policy will be endorsed to contain the following provisions: The City, its officials, employees, volunteers, Boards and Commissions are to be added as "Additional Insured" in respect to liability arising out of any activities performed by or on behalf of the Organization. The policy shall contain no special limitations to the scope of coverage afforded to the City. The Organization's insurance shall be primary and any insurance or self-insurance shall be in excess of the Organization's insurance and shall not contribute with it. Certificate must include a waiver of subrogation as regards to the workers compensation policy. If your organization has no employees, and therefore does not carry workers compensation insurance, you must provide to the City of Tomball a letter stating that you have no employees and therefore do not carry workers compensation insurance.

Insurance shall be placed with insurers with an A.M. Best rating of no less than A:VI or a Standard & Poor rating of A or better.

The Organization shall furnish the City with a certificate of insurance which shows the coverage provided. The insurance policy will be endorsed to state that coverage shall not be suspended, voided, canceled, non-renewed, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

NARRATIVE QUESTIONS

1. Describe the history and purpose of the organization.

The Houston Repertoire Ballet (HRB) is a non-profit 501(c)(3) dance organization. The youth ballet was conceptualized in 1994 and received non-profit status in 1995. HRB's establishment arose from the need and desire to provide Northwest Harris County communities with the highest quality of dance education and performance experiences. HRB has grown to become the premier pre-professional ballet company in the area, requiring discipline and commitment from the dancers. Each season, it provides two major productions and a choreography production with recital. In both the 2020-2021 and 2021-2022 seasons, the company accepted 49 dancers who train and rehearse 15-20 hours weekly.

HRB's production of *The Nutcracker* in Tomball began in 1998, with a single show featuring only the second act. It has since flourished into a performance series featuring three abbreviated and five full shows including both acts, with the eighth performance added December 2018, featuring the Cypress Philharmonic's 39 piece orchestra at Tomball High School's Theatre. The annual series provides an affordable and accessible professionally staged production with beautiful sets, elaborate costumes, and talented dancers and musicians to Tomball residents, and simultaneously drawing in non-local patrons, thus supporting the community and enriching the residents.

Due to state, local and TISD COVID-19 health protocols, HRB was unable to offer *The Nutcracker* performance series in 2020. Thus, this narrative references the most recent series from 2019. In addition, due to COVID-19 safety precautions, the 2021 performances will not include a live orchestra.

The official mission of Houston Repertoire Ballet is as follows:

"HRB is dedicated to the pursuit of excellence in the art of classical ballet, providing a program of the highest quality to local dancers through professional instruction, education and performance experience. To ensure quality, acceptance into the company is limited and by invitation only. The company gives talented, dedicated dancers the serious training needed for them to enter the professional world of dance, while providing cultural education and community service to surrounding cities."

2. Describe how any grant funds will be used.

The funds provided by the City of Tomball's Hotel Occupancy Tax are earmarked for the Tomball community, either by direct spending or via enrichment. The facility rental expenses, which is budgeted at approximately \$15,000 for the 2021 series, is paid directly to Tomball ISD. In addition to ticketed performances, HRB provides Tomball ISD's third grade students three (3) free performances, which fulfill the arts component of their curriculum and bring the magic of live theatre directly to the students, a first time experience for many. High school special needs students and dance students are also invited, contingent on enrollment numbers. The expenses of these two components alone more than returns Tomball's annual investment.

The stage crew is comprised of Tomball Stage students and director, a lighting director who is a Tomball resident, along with HRB volunteers and an HRB stage manager. The Tomball students are compensated for their work while gaining valuable technical live production experience. In addition, HRB provides two \$750 scholarships annually to support graduating Tomball Stage students. Please note – due to budget restrictions and the cancellation of the 2020 performance series, HRB was unable to provide these scholarships during the 2020-2021 season.

The funds are further distributed to Tomball area vendors for expenses related to security, flowers, production of the Arts & Education booklets distributed to Tomball ISD 3rd grade students at the free school day performances, and refreshments for the dancers, backstage crew and volunteers. In addition, local purchases, including those of meals and snacks, made by production performers and personnel and patrons before and after the shows, benefit Tomball businesses. Food and other items are typically purchased from local Tomball establishments including Chili's, Starbucks, Chik-Fil-A, Pizza Hut, Kroger, Wal-Mart, and Target.

From 2017 to 2019, grant funds were also applied to support the expansion of our Nutcracker Experience, a successful outreach program involving third grade participants from Decker Prairie Elementary school and fourth grade participants from Tomball Elementary and Rosehill Elementary schools. Because of safety precautions related to the COVID-19 pandemic in 2020, and insufficient planning time due to the uncertainty surrounding COVID-19 protocols in 2021, HRB was unable to implement our much-loved program in both the 2020-2021 and 2021-2022 seasons. However, we are eager to resume this program in the 2022-2023, should circumstances allow.

The city of Tomball grant funds are dedicated to the support of the local Tomball economy, while bringing the arts and patrons directly to the Tomball community. Any remaining funds will be directed towards publicity expenses which bring awareness and patrons to the event in Tomball.

3. List the Programs and activities for the grant year.

The Tomball Hotel Occupancy Tax grant funds are fully applied to support the production of *The Nutcracker* in Tomball, enriching its arts community while encouraging the patronage of residents from other areas.

HRB's presence in Tomball will begin at "move-in" at the beginning of the week, followed by dress rehearsals on Wednesday, December 1 and Thursday, December 2, 2021.

On Thursday, December 2, HRB will perform one (1) free show for Tomball ISD third grade students. On Friday, December 3, HRB will perform two (2) additional free shows for Tomball ISD third grade students.

All three performances for Tomball ISD third grade students, which take place during school hours and fulfill the arts component of their curriculum, provide an abbreviated performance that includes an educational talk as well as an informational Arts & Education booklet. Our designers are in the process of redesigning the booklet, and a sample will be provided as soon as possible. The cost of printing the Arts & Education booklets is approximately \$800-\$900.

The evening of Friday, December 3, HRB will perform the season's first full performance of *The Nutcracker*. The following Saturday and Sunday, December 4-5, will include two (2) full length performances.

The lobby is set and decorated for the holidays, including a large Christmas tree, the HRB boutique, a silent auction area, and refreshments provided by Tomball High School's Jr ROTC as their own fundraiser.

HRB's season continues with an April performance series, *Celebration of Dance*, with a season finale, *Choreography Project*, in May. These performances are also held at Tomball High School Theatre. HRB brings the arts to the city of Tomball to delight area residents with affordable and accessible live performances while bringing in outside visitors and additional revenue to the city of Tomball each year.

Arts & Education abbreviated performances for Tomball ISD third graders
(Times are determined by TISD)

Admission: FREE

Thursday, December 2 – 12:15 pm

Friday, December 3 – 9:45 am, 12:15 pm

Full performances

Admission: \$18-23

Friday, December 3 – 7:00 pm

Saturday, December 4 – 2:00 pm, 7:00 pm

Sunday, December 5 – 1:00 pm, 4:30 pm

4. Show evidence of growth in community support prior to the grant year. Include the number of performances, exhibitions, audience sizes, services or enrollment. Be sure to include specific information as to the percent of activities taking place within the City of Tomball.

The Nutcracker Experience - In 2017, HRB and Tomball Elementary School launched an outreach program, The Mother Ginger Experience. The program was developed with Tomball ISD's Fine Arts Director, JD Janda, and supported by the school principal, Chad Schmidt. No prior dance experience was required, and after auditions, a group of boys and girls were selected to participate in the program. Rehearsals, costumes, shoes, and tights were provided free for all participants. The students learned simplified choreography which they performed in one of HRB's two free 2017 *The Nutcracker* Arts & Education performances. Due to the success of the program, and with much enthusiasm and encouragement from JD Janda and the elementary school principals, HRB expanded the outreach program, renamed The Nutcracker Experience, to include Decker Prairie Elementary in 2018. The 2018 program involved nearly 40 students, including nine males, and two participants received full tuition scholarships from an HRB patron to continue their dance training in weekly ballet classes at Ballet Center of Houston. The 2018 participants received 12 weeks of free dance instruction from HRB's highly qualified instructors at their respective elementary school campuses, and all tights, leotards, shoes and costumes were provided free of charge. The 2018 participants performed the roles of "little angels," "little soldiers," or "Mother Ginger's polichinelles." In 2019, the program was expanded further to include Rosehill Elementary fourth grade students, and a total of 70 students from Tomball, Decker Prairie, and Rosehill Elementary Schools participated in the Nutcracker Experience. These students auditioned, without prior dance experience required, at each school campus. Rehearsals with simplified choreography were taught free of charge by highly qualified HRB instructors on a weekly basis with costumes, tights, shoes, leotards and other materials included free of charge. Again, the student participants performed the roles of "little angels," "little soldiers," or "Mother Ginger's polichinelles" in the three free HRB Arts & Education productions provided to Tomball ISD third graders on December 6-7, 2019.

Ticket Sales - In 2019, 95-100% of seats for the five (5) ticketed performances of *The Nutcracker* were sold, with similar expectations for 2021. The seating capacity at the Tomball High School theatre is approximately 3,600 for the 5 ticketed shows (reserve handicapped seats and blocks for videographer). HRB's *The Nutcracker* continues to exceed patrons' expectation as its continued growth supports the need for high quality arts productions in Northwest Harris County, while attracting patrons to Tomball.

Live Orchestra - In 2013, HRB was joined by a live orchestra, the Cypress Philharmonic, for *The Nutcracker* full performances. This has elevated the production to one that would mirror almost any professional company's *Nutcracker* production, and has additionally increased attendance by drawing in a new audience. HRB's ticketed audience has steadily increased from 85% in 2010 with 3 full performances and one abbreviated show, to near capacity with four full shows and one abbreviated show for 2016-2018. In 2015, HRB added a 5th reduced price ticketed performance to meet demand, an abbreviated Arts & Education performance on Friday

evening, which was and continued to be an advanced sell-out success every single year. For 2019, this abbreviated performance included the addition of the Cypress Philharmonic.

COVID-19 implications - However, as it has for countless institutions, particularly non-profit performing art organizations, 2021 presents a quandary due to health concerns and the economic impact of the COVID-19 pandemic. The highly popular components of our program, the Nutcracker Experience and inclusion of the Cypress Philharmonic orchestra in the productions, are temporarily placed on hold. However, as supported by the strong history of the production's popularity, HRB harbors no misgivings regarding its ability to return to full capacity, and continue both the outreach program and inclusion of the live orchestra, as soon as circumstances will allow.

5. How does your project/event qualify for use of Municipal Hotel Occupancy Tax funds as defined in the Hotel Occupancy Tax Guidelines?

HRB's production of *The Nutcracker* in Tomball directly satisfies "The Guidelines for Expenditures, Requests for Funding, and Reporting" published by the City of Tomball City Council on October 5, 2009 in article #4: "the encouragement, promotion, improvement and application of the arts, including....dance... and other arts related to the presentation, performance, execution and exhibition of these major art forms."

6. How do you publicize your activities? How do you evaluate these efforts and what have you done to increase the effectiveness of your marketing efforts?

HRB's extensive marketing campaign includes poster and flyer distribution, print advertisements and press releases, as well as a strong social media presence, promoting name recognition and awareness of *The Nutcracker* in Tomball. The reputation and quality of HRB's *The Nutcracker* has made it a staple of Tomball's holiday season. In addition, HRB's casting of acclaimed guest artists, such as Houston Ballet principal dancers Jared Matthews (an HRB alumnus) and Yuriko Kajiya, provides additional marketing power.

HRB's extensive flyer and poster campaign is supported by a team of dedicated HRB volunteers. Houston area businesses are historically mapped, targeted and tracked to increase effectiveness.

HRB utilizes a publicity liaison to ensure local media sources, neighborhood newsletters and family event locators are targeted and extend notices via the internet and direct email to previous patrons.

As every publicity dollar spent is crucial, HRB evaluates its marketing techniques. Online ticket orders are accompanied by an inquiry regarding the manner in which a patron learned about HRB's *The Nutcracker* in Tomball.

Unique to 2017, due to flooding, Houston Ballet cancelled school performances that are frequented by many public, private and home education groups. Feedback from audience members revealed that the situation produced a draw for HRB's Arts & Education performance and in 2018, the Arts & Education performance sold out more than a week before the performance date. Although the circumstances were unique to 2018, feedback has indicated the effects of the additional exposure were not temporary, and continued to influence ticket sales in the following season.

HRB's publicity campaign brings patrons to Tomball as 88-90% of tickets sold are from outside of Tomball zip codes.

7. Explain the public benefits to the City of Tomball that will result from your organization's efforts.

The City of Tomball will experience increased revenues in areas of shopping, dining, and hotel occupancy directly related to hosting HRB's *The Nutcracker*. The production will also provide cultural enrichment to Tomball residents and the students of Tomball ISD and elevate Tomball's artistic landscape.

With a direct partnership with JD Janda, TISD's Fine Arts Director, HRB will once again present three free matinee programs in 2021 to all TISD's third grade students, and thus fulfilling the arts component of their curriculum. With educational budget cuts as well as constraints on missing curriculum time, it would be impossible to bring the students to a venue outside of Tomball. HRB provides these performances at no cost to TISD, as part of HRB's community engagement, serving others while also allowing its dancers valuable performance experience. Furthermore, HRB offers two \$750 scholarships to Tomball Stage members to apply to their education after high school graduation, building community relationships and providing another investment in Tomball.

Tomball High School's JR ROTC also benefits from HRB's *The Nutcracker* as they serve refreshments during the performances as a fundraiser for their own organization.

8. What is your organization doing to bring visitors to Tomball, to stay in local hotels and otherwise support the hospitality industry?

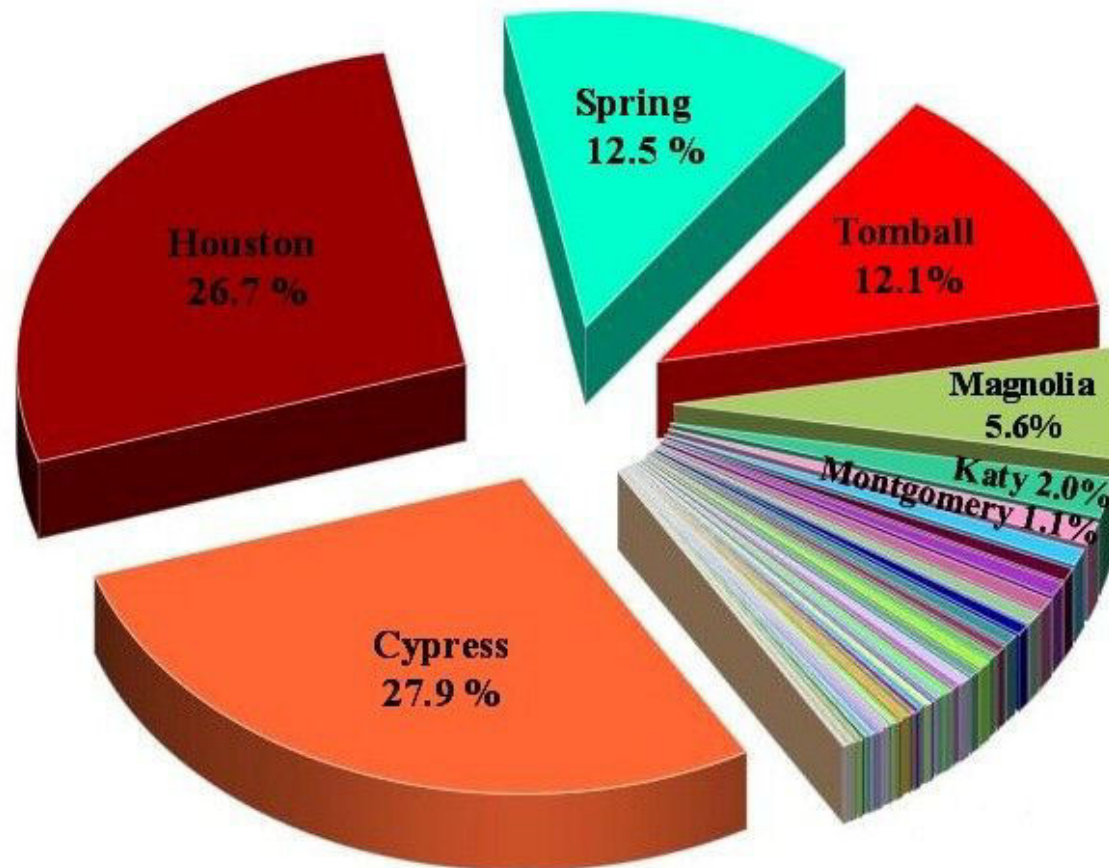
Annually, *The Nutcracker* attracts more than 3,500 patrons and more than 200 artists and volunteers to Tomball during the busy holiday shopping season. Approximately 88-90% of ticketed patrons reside outside the Tomball zip codes. Please see the attached pie chart demonstrating ticket sales for the full length performances and abbreviated Arts & Education performance based on zip code data**. This demonstrates a direct draw of a non-local population into the Tomball vicinity to shop, dine, run errands, and enjoy Tomball. This impact will be felt Wednesday, December 1 – Sunday, December 5, 2021.

The Nutcracker is a unique event to Northwest Houston as it brings a professionally staged live theatre production complete with professional guest artists and, in prior and hopefully future seasons,, a live orchestra, to Northwest Houston. This event elevates Tomball as a destination for patrons to enjoy this holiday classic close to home at an easily accessible and affordable venue. This performance series compliments the city's other enrichment efforts.

Several HRB dancers who reside in Bryan, College Station, Waller, and other distant areas, often choose to stay in Tomball area hotels. Many of the company dancers who are residents of Houston and surrounding areas also choose to stay in Tomball area hotels to avoid multiple commutes throughout a week/weekend of demanding rehearsals and performances. Since 2016, HRB has coordinated with the General Managers of Tomball area hotels to negotiate a discount for patrons and dancers during *Nutcracker* weekend, encouraging their patronage of Tomball specific businesses. These hotels include Holiday Inn, Hampton Inn and Suites, America's Best Value Inn and Suites, Comfort Inn and Suites, and La Quinta. The information is also shared with patrons who call to inquire about area hotels. Please find an attached copy of the email sent to HRB company members in 2019. HRB plans to coordinate with the General Managers of Tomball area hotels to negotiate a discount rate for patrons and dancers in December 2021.

** Please note, the data is from the 2018 performances. HRB migrated to a new ticketing vendor after the 2019-2020 season, and ticketing data from the 2019 performances were unavailable from the previous agent.

Attendance Demographic Nutcracker 2018 December 7-9, 2018 performances



Cypress	Houston	Spring	Tomball	Magnolia	Katy	Montgomery	Splendor
Conroe	Missouri City	Waller	Pinehurst	West Columbia	Hockley	Fulshear	
Lake Jackson	Brenham	College Station	New Braunfels	Kingwood	Rosharon		
Victoria	Kountze	Sugar Land	Baytown	Baton Rouge	Pearland	Hempstead	
Cleveland	Round Rock	Hollywood, FL	Boise, ID	Humble	League City		
Groveton	Livingston	Galveston	Winnfield, LA	Austin	Eagle Lake	Tyler	

Nutcracker 2019 Hotel Discounted Rates offered Dec. 4 – Dec. 9
(Reduced Rate depends upon Room availability)

1. Hampton Inn and Suites
14100 Medical Complex Dr.
Tomball
281.357.1500

<http://hamptoninn.hilton.com/en/hp/groups/personalized/A/AMATBHX-HRB-20191204/index.jhtml>

2. Residence Inn
14303 Medical Complex Dr.
Tomball
832.955.1750

[Houston Repertoire Ballet presents The Nutcracker](#)

3. Holiday Inn Express & Suites
14055 Park Dr.
Tomball
832.639.4900

[Holiday Inn Express - The Nutcracker](#)

4. Comfort Inn & Suites
13636 Michael Road
Tomball
281.290.7070

<http://www.comfortsuites.com/ires/en-US/html/ArrivalInfo?hotel=TXA50&srp=LHRB2&pu=no>

Reservation by Phone only:

1. La Quinta Inn & Suites
14000 Medical Complex Dr.
Tomball
281.516.0400

Call and reference Houston Repertoire Ballet Nutcracker. The 2018 rate was \$99 for double Queen or single King. Discount should be about the same or near that amount.

2. America's Best Value Inn & Suites
24420 Park Road
Tomball
281.255.9030

Manager requests that patrons call and reference "Nutcracker."

Discount: \$62+ tax for Double Queens \$73 + tax for King

3. Tomball-Rosehill RV Park
19611 FM 2920
Tomball
832.728.9905

15% Discount. Owner requests that patrons call and reference Houston Repertoire Ballet Nutcracker

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

1. Article of Incorporation

Houston Repertoire Ballet – *The Nutcracker 2021*

Please refer to the attached 501(c)(3) letter
Houston Repertoire Ballet is classified as a “non-profit organization – dance.”

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 30 2000

HOUSTON REPERTOIRE BALLET
8590 HWY 6N
HOUSTON, TX 77095

Employer Identification Number:
76-0479345
DLN:
17053092751010
Contact Person:
JOHN J MCGEE ID# 31169
Contact Telephone Number:
(877) 829-5500
Our Letter Dated:
May 1997
Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(2).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(2) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(2) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Letter 1050 (DO/CG)

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

2. Constitution or By-Laws

Houston Repertoire Ballet – *The Nutcracker 2021*

Please refer to the attached Houston Repertoire Ballet by-laws.

BY-LAWS
of the
HOUSTON REPERTOIRE BALLET

Article 1 – Name

The name of this organization shall be Houston Repertoire Ballet hereafter referred to as HRB.

Article 2 – Location and Agent

The registered office of HRB shall be at the Studio of Dance located at 16668 Champions Forest Drive, Houston, Texas, 77379. Any current officer of the Board of Directors may act as registered agent for HRB.

Article 3 – Purpose

HRB is a company organized exclusively for providing a program of the highest quality to local dancers in the art of classical ballet. The program provides training, education, and experience for the company dancers while providing cultural education and community service for the surrounding region consistent with HRB's non-profit and educational purposes under the HRB Articles of Incorporation as approved by the State of Texas on May 31, 1995.

Article 4 – Membership

1. The membership of HRB shall consist of the parents who have paid dues for current HRB dancers and the current members of the Board of Directors. Additional members from the community at large may be accepted by an affirmative vote of the Board.
2. Membership period shall be from the date of joining (or rejoining) until three (3) months following the end of that fiscal year of HRB.
3. Each member shall be entitled to one vote on each matter submitted to a vote of the membership. Parents of HRB dancers are jointly entitled to one vote for each of their dancers currently active in HRB.

Article 5 – Meetings

1. In consultation with the Board, the President shall determine the dates, times, locations, agenda, and formats of meetings. Notice shall be given at least two (2) weeks in advance by postings, mail outs, e-mail, or a combination of such means.
2. The membership shall meet at least one time early in each fiscal year. Up to two (2) days in advance, any member may request in writing to the Board additional items or voting issues to be included on the agenda. In order to achieve a desired or required quorum, a physical "meeting" may be held over a defined period of more than one day.

3. A quorum to transact business at membership meetings shall consist of at least twenty (20) members in good standing. An affirmative vote of greater than fifty percent (50%) of those in attendance is required to approve an action or decision.
4. At any duly called meeting, a member may vote by a proxy executed in writing.
5. An annual vote of the members is required to approve the officers of the Board and a broad performance plan for the year.

Article 6 – Board of Directors

1. A Board of Directors shall be maintained with sole authority and responsibility for management and business affairs of HRB.
2. The Board shall be comprised of at least six (6) and no more than twelve (12) Directors.
3. Directors shall be elected or removed by the affirmative vote of a majority of the then current Directors at a duly held meeting of the Board. Directors shall serve for a minimum term of two (2) years which may be extended without limit by a majority vote of the other Board members.
4. Any vote for removal of a Director must be preceded by written notice to all Directors of the scheduled vote. Should a Director resign or be removed, the Board may elect a replacement Director to begin a two (2) year term upon election.
5. A coordinating representative for Board approved committees such as the Partners Guild, the Children's Guild, and special events may attend all Board meetings in a non-voting capacity. With the approval of the presiding officer, any other guests may attend the beginning of any Board meeting to address the Board with proposals or questions to bring comments on behalf of a Director who cannot attend. Such guests will then leave the meeting prior to remaining agenda items that may be discussed and debated privately by the Board to ensure candid discussions.
6. Artistic management of HRB shall be vested solely in the Artistic Director(s) who shall serve as members of the Board of Directors. The Artistic Director(s) may be removed only by a two-thirds (2/3) vote of the entire HRB membership.
7. Regular Board meetings shall be held on a monthly basis. Special meetings of the Board may be called at any time upon the request of the President, the Artistic Director(s), or any two Directors. Notice of such a meeting must be given to each Director at least 24 hours before the meeting.
8. For any Board meeting, at least fifty percent (50%) of the Directors currently on the Board shall constitute a quorum. Unless otherwise specified here, an affirmative vote of greater than fifty percent (50%) of the Directors in attendance shall be sufficient to approve all actions.
9. For any duly called meeting of the Board, a Director may vote by proxy or direct his/her attendance and vote to another Director in writing.
10. No salary, fee, or compensation shall be paid to any Director or member except by resolution of the Board.

Article 7 – Officers of the Board

1. The officers of the Board of Directors of HRB shall consist of a President, a Vice-President, a Secretary, and a Treasurer authorized to conduct business on behalf of HRB. As necessary, officers may designate other HRB members or staff to perform specific duties.

2. Officers of the Board shall be determined by the Board in a manner suitable to the needs of the Board at that time. By the end of July each year, the Board shall determine the slate of officers for the following fiscal year.
3. Should an officer resign or be removed, the President shall be responsible for promptly securing Board approval of a replacement except that a vacancy of the office of President shall be automatically filled by the Vice President.
4. Officers may be removed from office by a vote of the Board at a duly called meeting for which all Directors have been notified.
5. **The President**, or in his/her absence **the Vice President**, shall preside at all meetings of the Board as well as be responsible for maintaining long-term goals and ensuring that Board decisions are implemented. The President shall also establish committees as necessary and steward areas of responsibilities for Board members to ensure the efficient pursuit of activities. Key areas will include Productions, Fund Raising, Publicity, and Volunteers.
6. **The Treasurer** shall have charge of the funds of HRB and ensure the following: detailed records, payment of all fees and bills, preparation monthly reports for the Board, development of an annual budget, filing of tax forms, and audits as directed by the Board.
7. **The Secretary** shall record minutes and maintain files of HRB, give notice to meetings, handle Board correspondence, and keep records of HRB and Board membership.

Article 8 – Special Rules

1. The fiscal year of HRB shall begin on August 1 and end on the following July 31.
2. No Director, officer, or member at large may incur an expense or obligation on behalf of HRB except as authorized by the Board of Directors.
3. Any member is entitled to inspect the books, minutes, or other records of HRB if so requested in writing and if such inspection does not disrupt HRB activities.
4. All officers of the Board and other Directors as well as any other individuals authorized to act on behalf of HRB shall at all times act under the highest standards of personal, business, legal, and ethical conduct when representing HRB. As such, HRB will defend any member from any individual liability from actions taken on behalf of HRB except in any case determined by the Board to be gross negligence or willful misconduct.
5. These by-laws supercede and replace those adopted by HRB on September 20, 1995 and may be amended or replaced by a vote of the Board of Directors.
6. HRB may be dissolved by an affirmative vote of two-thirds (2/3) of the full membership or a unanimous vote of the Board of Directors. Upon dissolution, any HRB assets remaining after payment of all debts shall be contributed to similar non-profit, artistic organizations as determined by the Board of Directors.

THESE BY-LAWS FOR THE HOUSTON REPERTOIRE BALLET ARE APPROVED BY THE
HRB BOARD OF DIRECTORS ON THIS _____ DAY OF _____, 2002 BY:

_____ Name	_____ President
_____ Name	_____ Vice President
_____ Name	_____ Treasurer
_____ Name	_____
_____ Name	_____
_____ Name	_____
_____ Name	_____
_____ Name	_____
_____ Name	_____
_____ Name	_____

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

3. Financial Records

Houston Repertoire Ballet – *The Nutcracker 2021*

Houston Repertoire Ballet's fiscal year mirrors our seasons, which run from August 1 – July 31.
Please refer to the attached copy of HRB's most recent 990 (*not sent electronically).

HRB does not conduct and independent audit of financial records. HRB does not receive government funds which would require such an audit. Additionally, HRB does not have bank loans or lines of credit.

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

4. Board of Directors and Meeting Schedule

Houston Repertoire Ballet – *The Nutcracker 2021*

Please refer to the attached:
2021-2022 Board of Directors
Schedule of Board Meetings

2021-2022 Board of Directors

PRESIDENT

Kelly Behrens
34328 Howell Rd
Waller, TX 77484
832-439-9931
kelly@airinnovationsllc.com

VICE-PRESIDENT

Susan Wheelock
10602 Gt. Plains Ln
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281-477-9270
someonenamedsusan@hotmail.com

PUBLICITY

Ann Moore
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ann.n.moore@gmail.com

SECRETARY

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817-229-9207
shanankf@hotmail.com

PRODUCTION

Jason Althaus
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jalthaus@comcast.net
713-252-3418

TREASURER

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585-421-9642
home.sanderse@gmail.com

PRODUCTION ASSISTANT

Michael Stewart
8519 Star Hollow Ln
Houston, TX 77095
stewart_mj@yahoo.com
713-569-7853

FUNDRAISING/CORPORATE GIVING

Kelly Behrens
34328 Howell Rd
Waller, TX 77484
832-439-9931
kelly@airinnovationsllc.com

ARTISTIC DIRECTOR

Victoria Vittum
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Houston, TX 77008
713-628-6907
victoria@balletcenterofhouston.com

GRANTS

Ann Moore
13420 Greenwood Manor Dr
Cypress, TX 77429
832-746-4000
ann.n.moore@gmail.com

VOLUNTEER COORDINATOR

Andrea Young
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Cypress, TX 77433
832-331-8261
jdaayoung@sbcglobal.net

CHILDREN'S GUILD LIAISON

Susan Wheelock
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Houston, TX 77064
281-477-9270
someonenamedsusan@hotmail.com



8515 JACKRABBIT ROAD | +1 281 940 4721
HOUSTON, TEXAS 77095 | HRBDANCE.ORG

2021-2022 Board of Directors Meeting Dates

2021-2022 Season

For the 2021-2022 season, HRB meetings are typically conducted on the first Monday of each month at 8:00 pm.

Thursday, August 12, 2021
Monday, September 13, 2021
Monday, October 4, 2021
Monday, November 1, 2021
Monday, December 6, 2021
Monday, January 3, 2022
Monday, February 7, 2022
Monday, March 7, 2022
Monday, April 4, 2022
Monday, May 2, 2022
Monday June 2, 2022
Tuesday, July 5, 2022

2022-2023 Season

Monday, August 1, 2022
Tuesday, September 6, 2022

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

**5. Resumes of Principal Staff and Guest Artists
Houston Repertoire Ballet – *The Nutcracker 2021***

Victoria Vittum – Founder and Artistic Director

Victoria Vittum is a nationally recognized teacher and choreographer. She was with the Houston Ballet, under the direction of Ben Stevenson from 1997-2003. There she taught open adult classes, in the upper academy and the company. She has served as Resident Choreographer for the Gwinnett Ballet Theater in Atlanta, Georgia and guest teacher at the Washington School of Ballet. She taught for Margo Marshall School of Ballet and served as resident Choreographer and Associate Artistic Director of City Ballet of Houston from 1981-1993. Ms. Vittum not only directs her own school, Ballet Center of Houston, but also serves as Artistic Director of Houston Repertoire Ballet.

Ms. Vittum received her early training from Julio de Bittencourt and also holds a B.A. Degree in Dance Education from Lamar University. She has choreographed for professional and civic companies throughout the country as well as having her work presented at the Edinburgh Festival in Scotland.

Ms. Vittum has been the recipient of numerous awards such as: two Monticello Choreography Awards, Illinois State University choreography competition Winner, two nominations for the General Electric American Choreographer Plan. Most recently Ms. Vittum was the recipient of a Choreography Fellowship (1998) awarded by the Cultural Arts Council of Houston and the Texas Commission for the Arts for outstanding Choreographic merit and contribution to the City of Houston.

Barbara LeGault – Ballet Mistress

Barbara LeGault is a graduate of Houston's High School for the Performing and Visual Arts. Barbara LeGault trained under Margo Marshall and is formerly with City Ballet of Houston. Since that time she danced many lead roles with the Pittsburgh Ballet Theater and the Louisville Ballet. She was directed by Alun Jones and Helen Starr. In 1979, Jones paid Ms. LeGault the ultimate compliment by creating his Cinderella especially for her. She Also danced with Tennessee Festival Ballet, directed by David and Anna Marie Holmes, and with the Summer Festival Ballet In Lisbon, Portugal. Her repertoire includes appearances in Don Quixote, Swan Lake, The Nutcracker, and Sleeping Beauty.

Other roles to her credit are appearances in the Houston Grand Opera productions, Mefistofeles and Aida. Ms. LeGault has been on the teaching staff of American Academy of Dance, NHDT headquarters, since 1987. She is currently a faculty member of Ballet Center of Houston and the Ballet Mistress for Houston Repertoire Ballet.

Kristy Nilsson – Resident Choreographer/Outreach Program Coordinator

An HRB alumna, Kristy Nilsson began her training at Ballet Center of Houston. She was a Dance Honors Student at Houston's High School for the Performing & Visual Arts and University of Oklahoma, before going on to perform with Charleston Ballet Theatre and Atlanta Ballet. Ms. Nilsson has choreographed more than 100 concert works (including 11 full-length/narrative ballets) which have been performed by 29 companies in 12 states in the U.S. & Canada, and has won choreographic recognition from Regional Dance America, the Southeastern Regional Ballet Association and Dance Canvas. Her works for Houston Repertoire Ballet include two narrative ballets: *A Midsummer Night's Dream* and *The Racketty-Packetty House*, and two contemporary ballets: *Rhapsody in Blue* and *The Unkindest Year*. "Miss Kristy" has been a full-time ballet & modern dance instructor since 2001 and enjoys teaching all ages from Pre-Ballet for preschool-aged children through Pre-Professional dancers and adults. Kristy is happily married to dance photographer Scott Nilsson, a former dancer, and is delighted to be on faculty at Ballet Center of Houston, teaching alongside some of the very instructors who shaped her career and love for dance.

Joseph Modlin – Guest Artist

In 1993, Joseph Modlin, an Indiana native, began training in classical and modern dance performance at Ball State University and performed with Anderson Young Ballet Theatre, both under the direction of Ms. LouAnn Young. Joe moved to Houston in 1997, and began a performance and teaching career that has spanned 19 years, seven professional companies, and continues extending to flourish in the Houston community and nationally.

Mr. Modlin has performed/worked with Hope Stone, Inc., Houston Repertoire Ballet, Chrysalis Dance Company, Houston Dance Theater, Allegro Ballet, Freneticore, and Woodlands Dance Company. He has been invited to work as a guest artist with independent choreographers and performance artists such as Leslie Scates, Erin Reck, Amy Ell, Karen Stokes, Lindsey McGill, Toni Valle, and Sara Draper.

Matthew Rusk, St. Louis Ballet – Guest Artist

Born in Tucson, Arizona, Matthew Rusk received his formative training at Houston Ballet and the High School for the Performing and Visual Arts, where he graduated with honors in dance. He also spent summers at School of American Ballet, American Ballet Theatre, and the Royal Ballet School. He is an alumnus of Indiana University, where he earned a Bachelor of Science in Ballet with an Outside Field in Psychology. While at IU, he was the recipient of the Premier Young Artist Award and the Ken C. Whitener Fund for Ballet Excellence, and performed principal roles in George Balanchine's *Emeralds*, *Four Temperaments*, *Divertimento No. 15*, and *Swan Lake*, and Marius Petipa's *La Bayadere (Kingdom of the Shades)*. Professionally he joined Cincinnati Ballet in 2015 before transferring to Saint Louis Ballet in 2016, where he is currently in his sixth season. His repertory at SLB includes Romeo (*Romeo and Juliet*), Cavalier and Snow King (*The Nutcracker*), Bluebird (*Sleeping Beauty*), and principal roles in Balanchine's *Who*

Cares?, Twyla Tharp's *Nine Sinatra Songs*, and Gerald Arpino's *Reflections*. He has also guest performed with Nevada Ballet Theatre, appearing in Christopher Wheeldon's *Carousel* and Septime Webre's *Alice in Wonderland*.

Leah Slavens Haggard, freelance – Guest Artist

Leah Slavens Haggard began her ballet training at the Ballet Center of Houston under the direction of Victoria Vittum and continued at the Pacific Northwest Ballet School as a Professional Division student. Leah went on to dance professionally with The Grand Rapids Ballet, Utah Regional Ballet, and The Suzanne Farrell Ballet where she has performed in Kent Stowell's *Swan Lake*, and George Balanchine's *Walpurgisnacht*, *Stars and Stripes*, *Gounod Symphony*, *Dances Concertantes*, and *Serenade* among many other ballets and original works. Most recently as a freelance performer, she has been able to perform with Ballet Memphis, Aspen Santa Fe Ballet, Indiana Ballet Theater, and Deos Contemporary Ballet. Leah is also a certified holistic nutrition health coach and human nutrition master's student, who works with dancers and students on dancer nutrition and wellness education.

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Other Required Documentation

6. Certificate of Insurance

Houston Repertoire Ballet – *The Nutcracker 2021*

Please refer to the attached Certificate of Insurance.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/16/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Denise Wardwell(1960318) 810 Highway 6 S Ste 230 Houston TX 77079-4027		CONTACT NAME: PHONE (A/C, NO, EXT): 281-589-1348 FAX (A/C, NO): 281-497-7482 E-MAIL ADDRESS: dwardwell@farmersagent.com	
		INSURER(S) AFFORDING COVERAGE	
INSURED HOUSTON REPERTOIRE BALLET 8515 JACKRABBIT RD STE A HOUSTON TX 77095		INSURER A: Truck Insurance Exchange 21709 INSURER B: Farmers Insurance Exchange 21652 INSURER C: Mid Century Insurance Company 21687 INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAME ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDTL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	☒ COMMERCIAL GENERAL LIABILITY	Y	N	606264688	02/23/2021	02/23/2022	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea Occurrence) \$ 75,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	☒ POLICY ☐ PROJECT ☐ LOC						PRODUCTS - COMP/OP AGG \$ 1,000,000
	OTHER:						\$
C	AUTOMOBILE LIABILITY		N	606264688	02/23/2021	02/23/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	☒ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED ☐ RETENTION \$ ☐						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		N/A				PER STATUTE ☐ OTHER ☐ \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
8515 JACKRABBIT RD STE F, HOUSTON, TX 77095

CERTIFICATE HOLDER TOMBALL ISD 1110 BAKER DR TOMBALL TX 77375	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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**The City of Tomball
Hotel Occupancy Tax Grant Application**

Optional Supporting Documentation

1. Long Term Plan

Houston Repertoire Ballet – *The Nutcracker 2021*

Please refer to the attached:

HRB's Long Term Plan

The Nutcracker Experience (2019)

Copy of 2019 Letter to 3rd and 4th grade students and parents

Copy of 2019 Audition Application

HRB Alumnus

HRB 2021 Accomplishments

Houston Repertoire Ballet

Long Term Plan

Houston Repertoire Ballet will continue its mission of providing high quality dance training for company members and exceptional performance series for northwest Houston communities.

HRB is thankful for the support from, and its reputation in, the Tomball community, as it continues to enrich the artistic element of Tomball and attract residents of other communities to enjoy the arts in Tomball.

HRB adopts a conservative fiscal position and balances investments in costumes, sets and choreography with affordable ticket prices, without sacrificing quality. These goals are made possible through volunteer support and community grants and giving.

In 2017, HRB initiated an outreach program, directly collaborating with the Tomball Independent School District (TISD) on the implementation of The Mother Ginger Experience. The program offered Tomball Elementary students, identified by Tomball Fine Arts Director JD Janda, twelve weeks of dance instruction and rehearsals, culminating in the participation in the two free 2017 *The Nutcracker* Arts & Education performances for TISD 3rd graders. All tights, leotards, shoes and costumes were provided free of charge to all TISD participants. One participant received a full-tuition scholarship, provided by an HRB patron, to continue weekly dance classes at Ballet Center of Houston for the remainder of the school year.

In 2018, the program was renamed The Nutcracker Experience, and was expanded to include students from Tomball and Decker-Prairie Elementary schools. The 2018 program involved nearly 40 participants, including nine boys, and two participants received full tuition scholarships from an HRB patron to continue their dance training in weekly ballet classes at Ballet Center of Houston. The 2018 participants received 12 weeks of free dance instruction from HRB's highly qualified instructors at their respective elementary school campuses, and all tights, leotards, shoes and costumes were provided free of charge. The 2018 participants performed the roles of "little angels," "little soldiers," or "Mother Ginger's polichinelles." In 2019, the program was expanded further to include Rosehill Elementary fourth grade students, and a total of 70 students from Tomball, Decker Prairie, and Rosehill Elementary Schools participated in the "Nutcracker Experience." These students auditioned, without prior dance experience required, at each school campus. Rehearsals with simplified choreography were taught free of charge by highly qualified HRB instructors on a weekly basis with costumes, tights, shoes, leotards and other materials included free of charge. Again, the student participants performed the roles of "little angels," "little soldiers," or "Mother Ginger's polichinelles" in the three free HRB Arts & Education productions provided to Tomball ISD third graders on December 6-7, 2019. Unfortunately, COVID-19 restrictions surrounding facility use required the temporary cessation of The Nutcracker Experience during the 2021-2022 season. HRB plans to return to the program in its full capacity, possibly with additional elements and elementary schools, in the 2022-2023 season.

In 2019, HRB expanded the role of the Cypress Philharmonic orchestra, which had previously been restricted to Saturday and Sunday performances of *The Nutcracker*, to include the Friday night performance. Unfortunately, COVID-19 restrictions have rendered the inclusion of a live orchestra infeasible for the 2021 performances, but we anticipate the full participation of the Cypress Philharmonic at the five full performances in the 2022 *The Nutcracker* series.

During the 2020-2021 season, HRB implemented new funding campaigns, including a House of Pies fundraiser, to supplement its income. Due to the success of the ventures and the enthusiasm of its volunteers, HRB plans to continue these fundraisers and research out additional options. Furthermore, in the current 2021-2022 season, HRB has redesigned its Corporate and Small Business Sponsorship campaign material and benefits, with the goal of expanding its outreach to local business entities. These projects will expand our ability to balance outstanding performance series with affordable ticket prices.



Houston Repertoire Ballet

8515-F Jackrabbit Road
281-940-4721

Houston, TX 77095
Mail@hrbdance.org

Dear 3rd and 4th Grade Parents and Students:

Houston Repertoire Ballet (HRB) is pleased to announce the continuation of its outreach program with Tomball ISD. Each year, Houston Repertoire Ballet presents "The Nutcracker" at Tomball High School Theatre. For many years now, the productions have included all of Tomball ISD's third-grade students which are bussed in to see the performance. In 2017, HRB launched an outreach program giving students of Tomball Elementary opportunity to participate by performing with HRB to an audience of 1,500 of their peers. During the 2018 season, HRB added Decker-Prairie Elementary student participants to this program. During the upcoming 2019 season, HRB would like to also include Rosehill Elementary student participants in the program. HRB plans to come to each respective school campus to hold auditions for any interested students. All rehearsals will be held at the HRB Studios located at 8515 Jackrabbit Rd. Houston, TX 77095. It is important for rehearsals to occur at HRB studios to give student participants a better education regarding the essence and discipline involved with the true art of dance. In addition, each student will have opportunity to see the company dancers rehearse, and partway through the process will actually rehearse with the artists of HRB. THIS IS A FREE PROGRAM TO INTRODUCE CHILDREN TO THE ARTS. You can contact us at Mail@hrbdance.org if you have questions.

Following auditions, parents will need to provide their own transportation or carpools for their children to the HRB location on Saturdays between 2:30pm and 4:30pm. Children must be on time for each rehearsal, and must be picked up promptly after their dance class and rehearsal ends. HRB will be looking for boys and girls to participate as Angels, Soldiers and Mother Ginger Children. No prior dance training is required - just an eagerness to work hard and try something new. If your student is in the 4th grade, then they may have already seen our production and may have even participated with us during the 2018 season. HRB has offered full scholarships to student participants the past two years that show exceptional natural ability and talent to continue ballet education in a formal classroom setting.

Audition Schedule:

Decker-Prairie Elementary: Monday September 9, 2019 4:00-4:45pm
@ Decker-Prairie in the Music Room
Tomball Elementary: Tuesday September 10, 2019 4:00-4:45pm
@ Tomball Elementary in the Music Room
Rosehill Elementary: Wednesday September 11, 2019 4:00-4:45pm
@ Rosehill Elementary in the Music Room

Students chosen to participate in this program will be notified via email. Participants must attend all rehearsals, arrive on time and be picked up on time. Participants continually arriving late or being picked up late will be expelled from the program.

Tentative Rehearsal Schedule:

Saturday September 21 - Saturday November 23
2:30-3:30pm Mother Ginger
3:30-4:30pm Angels and Bakers
Shoe and costume fittings will either before or after rehearsal TBA

There will be NO REHEARSAL on Saturday November 30 due to the Thanksgiving Holiday.

Dress Rehearsal: Tuesday December 3, 2019 5:00pm @ Tomball High School theatre.
Performances: Thursday December 5 @ 12:15pm
Friday December 6 @ 9:45am and 12:15pm
Dancers will participate in 1-3 of these performances.

HRB's Director of Outreach programs, Kristy Nilsson, will be running the rehearsals as well as Artistic Director Victoria Vittum, teaching all the children their parts. Ms. Nilsson is HRB Resident Choreographer and a former professional dancer with the Atlanta Ballet and Charleston Ballet Theatre. she is a member of the faculty of Ballet Center of Houston as well as Houston High School for the Performing and Visual Arts. She has had 18 years of experience teaching children dance.

We hope to see many of you at the auditions. Shorts, tee-shirt and tennis shoes are acceptable to wear for the audition. Remember, there is no cost to get involved! Come have a blast with Houston Repertoire Ballet. More information will be given at the first rehearsal, dancer and parent meeting. See you at the audition!



Houston Repertoire Ballet

8515-F Jackrabbit Road
281-940-4721

Houston, TX 77095
Mail@hrrbdance.org

Audition Form

Student Name: _____
(please print clearly)

Audition Number _____

School: _____

Parent Name: _____

Email: _____
(please print clearly)

Phone number: _____

You give your permission for your student to attend the audition

Parent Signature: _____

HRB ALUMNI *in the* DANCE INDUSTRY

2020	DIANA BASALDUA SAVANNAH GONZALEZ JUSTIN PIDGEON	Bulter University - Dance Program* Belhaven University - Dance Program* Kirov Academy, Washington, DC*
2019	MARISSA ESCALENTE HANNAH PIDGEON QUINN PRICE	Milwaukee Ballet Pre-professional Trainee program* Louisville Ballet Pre-professional Trainee program* Joffrey Dallas Trainee program*
2018	FINN ADAMS KAITLYN BLAKE ANDREW MEDINA DAVID VECSEI REILLY WIGGINS	Houston Ballet Professional Division, Estonian National Ballet* Belhaven University - Dance Program* United Ballet Theatre, FL* Houston Ballet Professional Division; Artist in residence HRB* Sam Houston State University - Dance Program*
2017	JULIA GUNDZIK ANDREINA HURTADO KYLIA PATTON	Washington Ballet Trainee Program; Cincinnati Ballet Trainee* University of Texas - Dance Program* University of Texas - Dance Program*
2016	KENDALL JACKSON	Belhaven University - Dance Program*
2015	EMMA BIONDILLO KAITLYN JONES CHELSEA KNIPP	Sam Houston State University - Dance Minor, Kinesiology Major; BCH Faculty* University of Texas - BFA Dance Tulane University Ballet/Psychology Major; New Orleans Ballet Assoc Faculty*; New Orleans Ballet Theatre*
	MALLORY PRUITT REBECCA WEBB SARAH WHITE	Brigham Young University - Dance Program* University of Utah - Dance/Choreography Program; Choreographer* Belhaven University - Dance Program*
2014	ANDREW VECSEI	Houston Ballet - Corps de Ballet*
2013	JESSICA LOHR CLAIRE WHITE	Ballet Magnificat!; Ballet 5:8 Chicago* Texas Ballet Theater; Nashville Ballet; Alabama Ballet; BCH Faculty; Uptown Dance Company, Houston*
2011	KRISTEN NEWSOM LEAH SLAVENS HAGGARD	Sam Houston State University, BFA; BCH Faculty The Suzanne Farrell Ballet; Grand Rapids Ballet; freelance ballerina*
2010	MELISSA DOOLEY KAITLIN MOUTON AMARIS SHARRAT	Pittsburg Ballet Theatre, Alabama Ballet David Taylor Dance Theater Nevada Ballet; Ballet Nebraska; American Midwest Ballet, NE*
2009	REAGAN HAND NICOLE PLUNKETT KATE SIMPSON SHAW	Ballet Magnificat!; Ballet Brazos Faculty* University of Texas - Dance Major Louisville Ballet, Charleston Ballet Theater
2008	AMY SKIPTON	University of Texas - Dance/Physical Therapy Major
2007	MORGAN BUCHANAN EMILY DYSON ALLISON WARDWELL	Colorado Ballet - Soloist* University of Oklahoma-BFA Dance Pedagogy; Dance Kaleidoscope, Indiana* University of Texas - Dance Major
2006	EVELYN MONZALVO	Disney Productions*
2005	ERIN GOODMAN ELDER	University of Kansas Dance Company
2003	DAVID ARMENDARIZ	David Taylor Dance Theater, Havana Nights
2002	EMILY RUPP	Dallas Contemporary Ballet - Director
2001	DOROTHY CARTER KELLY COLEMAN JARED MATTHEWS	Dayton Ballet Carolina Ballet, Harid Conservatory American Ballet Theatre; Houston Ballet, Principal; Estonian National Ballet Assistant Artistic Director*
	AMANDA POWELL	Carnival Cruise Lines*
2000	CATHERINE BUSCH SILKWOOD ELIZABETH KELLER	Chara Dance Company, BCH Faculty Miami City Ballet, Ballet Idaho, Idaho Regional Ballet Associate Artistic Director*
	PATRICIA MONZALVO ANYLSLEY STEPHENSON VICTORIA WADSWORTH SIMO	Universal Studios & Disney Productions Pointe Park College, Pittsburg, PA, BFA-Jazz Texas Ballet Theater, Ballet and Pilates by Victoria - owner*
1999	BERI BROWN KASHA LIGGETT	Disney Character Performer*; BCH Faculty* Southern Methodist University-Dance/Business Major; Pacific Northwest Ballet School
1998	DESIREE RAUSCH	Pussy Cat Dolls; Back-up dancer for Michael Jackson; Sandra Organ Dance Company; LD Dance Company*
1997	KRISTY DAWSON NILSSON	Atlanta Ballet; Charleston Ballet Choreographer & Teacher; BCH Faculty & HRB Resident Choreographer*

HRB COMPANY MEMBER

2021 SUMMER INTENSIVE ACCOMPLISHMENTS

NAIYA BYRNE	Louisville Ballet
SARA BILLS	Ballet Chicago, Nutmeg Ballet Conservatory*
AMELIA DICLAUDIO	Interlochen Center for the Arts (partial scholarship)*
WILLIAM CALEB EMORY	Houston Ballet Academy, Joffrey Chicago*, YAGP (high scores)
BEVERLY EMORY	Joffrey Chicago*, Oklahoma Ballet
LILY HAN	Louisville Ballet, Texas A&M University Summer Intensive*
CAROLINA HAUGER	Ballet Austin, Bolshoi Ballet*, Boston Ballet, Ellison Ballet, The Washington School of Ballet
KATELYN HURST	Ballet Austin, Joffrey NYC*(accepted to 12 Joffrey national & international schools)
DANIKA MCNEES	Louisville Ballet*
MAI-LINH MOORE	Ballet Austin*
CHANTAL NOBLE	Houston Ballet Academy*, Louisville Ballet
KATHERINE OLIVER	Ballet Arizona*, Ballet West, The Washington School of Ballet
HORTENSE PELLETAN	ABT, International Ballet Masterclasses in Prague*, Louisville Ballet, Royal Ballet
ISABELLA SCAVONE	Houston Ballet Academy*
EVANGELINE SEEK	Bolshoi Ballet, Ballet Magnificat! (full scholarship), Houston Ballet Academy*, Louisville Ballet, Tulsa Ballet
KESSA VORDERBURGGEN	Bolshoi Ballet, Ellison Ballet*
ALLISON WHEELOCK	Charlotte Ballet*, Louisville Ballet
ANNA YOUNG	Ballet Magnificat!*

All dancers were accepted by audition. * Denotes summer program planning to attend.

**The City of Tomball
Hotel Occupancy Tax Grant Application**

**Optional Supporting Documentation
2. *The Nutcracker* 2019 – Performance Video
Houston Repertoire Ballet – *The Nutcracker* 2021**

HRB's 2018 performance of *The Nutcracker* can be accessed at the following link:

<https://youtu.be/C47arqSpggg>

**The City of Tomball
Hotel Occupancy Tax Grant Application**

Optional Supporting Documentation

3. Publicity and Programs

Houston Repertoire Ballet – *The Nutcracker 2021*

Please find attached the following:

2019 *The Nutcracker* Calendar Listing

2019 Media Mentions

2019 Poster and flyers (resized for application)

2019 Program (separate attachment)

◆◆ CALENDAR LISTING ◆◆ CALENDAR LISTING ◆◆

For More Information:

Eileen Ansel Conery

Eileen.conery@att.net

713-856-8780/832-816-8780

HOUSTON REPERTOIRE BALLET'S 21ST ANNUAL PERFORMANCE OF THE HOLIDAY CLASSIC *THE NUTCRACKER*

LIVE MUSIC BY THE CYPRESS PHILHARMONIC FOR SELL-OUT PERFORMANCES DECEMBER 6, 7, & 8

WHO: Houston Repertoire Ballet (HRB), Houston's premier pre-professional ballet company, celebrates its 24th season, beginning with its 21st annual performance series of *The Nutcracker*, featuring professional guest artist Jared Matthews as the Cavalier, and Joseph Modlin as Herr Drosselmeyer, with the Cypress Philharmonic directed by Glynneth Lanthier.

WHAT: *The Nutcracker's* brilliant blend of beautiful costumes, lavish sets, and fresh choreography creates a magical storybook world enjoyed by children and adults alike. With a cast of more than 100 HRB dancers and area children, and musical performance by the Cypress Philharmonic, HRB's masterful production is the highlight of the holidays!

WHEN/WHERE: Friday, December 6 at 7 pm – *abbreviated Arts & Education performance is perfect for young children – tickets for this performance are only \$15.*
Saturday, December 7 at 2 pm & 7 pm
Sunday, December 8 at 1 pm & 4:30 pm

Tomball High School Theatre

30330 Quinn Road

Tomball, Texas 77375

TICKETS: Cost is \$25 for adults, \$20 for students & seniors.
For ticket information, call 281-940-HRB1 (4721) or visit www.hrbdance.org.

OUTREACH: HRB has received a generous grant from Texas Commission on the Arts, enabling HRB to expand its outreach mission to children currently attending two Title-1 schools. Students from each campus will participate, free of charge (including class attire, costumes, and other supplies), in one-hour ballet classes on Saturdays, and will receive dance instruction in the "Nutcracker Experience." These children will have the opportunity to participate as dancers in three HRB Nutcracker Arts & Education school performances, for an audience of their peers comprising more than 1,500 Tomball ISD third graders.

HRB dancers are committed to sharing the arts with the community. Community engagement events include costumed appearances at various nursing homes, group events, and at Arts & Education performances. HRB brings three matinee performances to Tomball ISD third grade students, fulfilling the arts component of their curriculum. To request an outreach event for your organization, call 281-940-HRB1 (4721).

GUEST BIOS: *Jared Matthews – Assistant Artistic Director, Estonia National Ballet*

Jared Matthews, an HRB alumnus, was born in Houston and received his early ballet training with Ballet Center of Houston under the guidance of Victoria Vittum and Gilbert Rome. He was awarded a full scholarship to study at North Carolina School of the Arts summer program, as well as the School of American Ballet and American Ballet Theatre. While attending American Ballet Theatre's Summer Intensive Program in 2001 as a Coca Cola Scholarship winner, he was invited to join ABT's Studio Company. Mr. Matthews joined American Ballet Theatre (ABT) as an apprentice in 2002 and was appointed a Soloist in August 2007. Most recently, he joined Estonia National Ballet as assistant artistic director.

His repertoire while at ABT includes Franz in Coppélia; Lankendem in Le Corsaire; a Step-sister's Escort in Cinderella; Espada in Don Quixote; Lysander in The Dream; the Turning Boy in Études; Albrecht, Hilarion and the peasant pas de deux in Giselle; Gaston in Lady of the Camellias; Rakitin in A Month in the Country; Camille in The Merry Widow, and many others. During his time at the Houston Ballet, he created the leading roles in C. to C. (Close to Chuck), Glow-Stop, One of Three, and Thirteen Diversions. Mr. Matthews distinguished himself in several roles, including Solor in Stanton Welch's La Bayadère; Romeo and Mercutio in Romeo and Juliet; the male lead in Paquita; the Prince in Ben Stevenson's The Nutcracker; and Lysander in John Neumeier's A Midsummer Night's Dream. His repertoire highlights also include Albrecht and Hilarion in Giselle, Camille in The Merry Widow, Lensky in Onegin, as well as numerous other ballet classics.

As a guest artist, Mr. Matthews has appeared with the Royal Winnipeg Ballet and with both the Noriko Hara Ballet and the Kamakura Ballet Company in Japan. He has toured as a guest artist with Les Ballet GranDiva. He also has appeared in the 2008 Hopes and Prize Gala in Japan. In America, he has danced with Rochester City Ballet, Civic Ballet of Chicago, Houston Repertoire Ballet, New England Dance Ensemble, West Virginia Dance Festival and the 2007 and 2008 Chicago Dancing Festival. Mr. Matthews appeared on So You Think You Can Dance, performing the pas de deux from Don Quixote. Mr. Matthews has taught technique and partnering classes for the David Howard Foundation's A Month of Sundays program, West Virginia Dance Festival, at workshops in Yokohama, Japan and at local dance studios in the United States.

Mr. Matthews joined Houston Ballet as a first soloist in 2014. Mr. Matthews was promoted to the rank of principal dancer after a well-received performance as Lucentio in John Cranko's production of The Taming of the Shrew on Saturday, June 20, 2015. After retiring from the Houston Ballet at the end of the 2018/2019 season, he took on his latest role as assistant artistic director of Estonia National Ballet.

Joseph Modlin

In 1993, Joseph Modlin, an Indiana native, began training in classical and modern dance performance at Ball State University and performed with Anderson Young Ballet Theatre, both under the direction of Ms. LouAnn Young. Joe moved to Houston in 1997, and began a performance and teaching career that has spanned 20 years, seven professional companies, and continues extending to flourish in the Houston community, as well as nationally. Joe has performed/worked with Hope Stone, Inc., Houston Repertoire Ballet, Chrysalis Dance Company, Houston Dance Theater, Allegro Ballet, Freneticore, and Woodlands Dance Company. He has been invited to work as a guest artist with independent choreographers and performance artists, such as Leslie Scates, Erin Reck, Amy Ell, Karen Stokes, Lindsey McGill, Toni Valle, and Sara Draper.

ABOUT HRB: The Houston Repertoire Ballet (HRB) is a non-profit 501(c)(3), founded by Victoria Vittum and Gilbert Rome, both nationally acclaimed teachers and choreographers who served as its co-artistic directors. Today, Ms. Vittum oversees training and programming with an equal eye to serving the needs of the community. Since 1995, HRB has contributed to the cultural fabric of Harris and Montgomery Counties by providing excellent dance training to the area's young ballet stars and dance educators of tomorrow, while also presenting high-quality productions at affordable prices. *The Nutcracker* in December, and the *Celebration of Dance* in April introduce area children and their families to the world of classical and contemporary ballet. HRB closes its season in May with the *Choreography Project*, a free-admission program initiated to discover, mentor, and give artistic voice to our choreographers of tomorrow. Today, HRB is considered the premier pre-professional ballet company in the Houston region, and is recognized for sharing its gifts with the community and beyond. Many of HRB's dancers advance to professional ballet companies throughout the country. HRB graduates have danced with New York City Ballet, American Ballet Theatre, Miami City Ballet, Pacific Northwest Ballet, Atlanta Ballet, Pittsburgh Ballet Theatre, Houston Ballet, and other prestigious companies.

MISSION: HRB's mission is dedicated to providing the finest classical ballet instruction, education, and performance experience to local gifted students, and preparing them for a professional career in the world of dance. HRB is committed to serving the suburban Houston region with high-quality theatre productions that educate, engage, and entertain residents of all ages and perpetuate their appreciation of dance as an art form.

*Major funding provided by the City of Tomball and Texas Commission on the Arts.
Sponsored by Air Innovations LLC and Vintage Wellness.*

#

Houston Repertoire Ballet's *The Nutcracker*
2019 Media Coverage

Houston Chronicle:

<https://www.chron.com/neighborhood/tomball/events/article/Houston-Repertoire-Ballet-prepares-for-21st-14866770.php>

Houston Chronicle:

<https://www.houstonchronicle.com/entertainment/theater/article/What-s-on-Houston-stages-this-week-14875913.php>

Culturemap:

<https://houston.culturemap.com/eventdetail/houston-repertoire-ballet-presents-the-nutcracker/>

Click2Houston.com

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Celebrates-its-21th-Nutcracker-Season/5558264/2019-12-07T19>

Click2Houston.com

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Celebrates-its-21th-Nutcracker-Season/5558264/2019-12-08T14>

Click2Houston.com

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Celebrates-its-21th-Nutcracker-Season/5558264/2019-12-08T19>

Click2Houston.com

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Celebrates-its-21th-Nutcracker-Season/5558264/2019-12-09T13>

Click2Houston.com

<https://www.click2houston.com/community-calendar#/details/Houston-Repertoire-Ballet-Celebrates-its-21th-Nutcracker-Season/5558264/2019-12-09T16>

Tomball ISD:

<https://www.tomballisd.net/apps/news/article/1127924>

The Dance Dish:

<https://thedancedish.org/houston-repertoire-ballets-holiday-classic-nutcracker/>

Klein ISD:

<https://news.kleinisd.net/2019/11/25/klein-isd-students-featured-in-the-houston-repertoire-ballets-21st-annual-performance-of-tchaikovskys-the-nutcracker/>

Spring ISD:

<https://news.springisd.org/2019/11/a-springwoods-village-middle-school-student-to-dance-in-the-houston-repertoire-ballets-the-nutcracker/>

Woodtrace Community:

<https://woodtracecommunity.com/news/tomball-high-school-dancer-cast-houston-repertoire-ballet%E2%80%99s-nutcracker>

Mommy Poppins:

<https://mommypoppins.com/houston-kids/event/indoor/houston-repertoire-ballet-presents-the-nutcracker>

Kids Out and About:

<https://houston.kidsoutandabout.com/content/houston-repertoire-ballet-presents-its-21st-annual-nutcracker-performance>

Katy Magazine:

<https://www.katymagazineonline.com/post/katy-students-perform-in-the-nutcracker>

Guide Star:

<https://www.guidestar.org/profile/76-0479345>

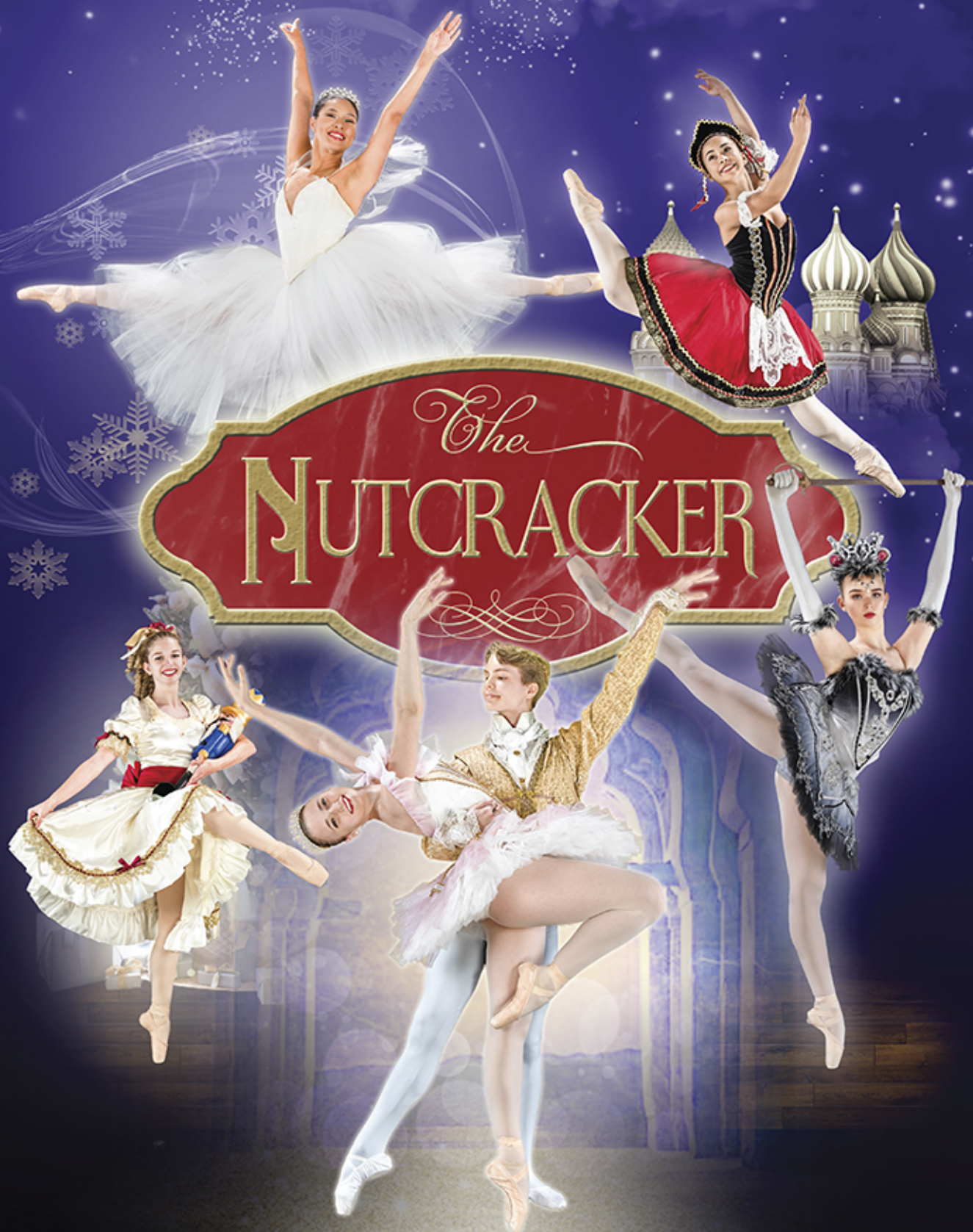
Community Impact:

<https://communityimpact.com/houston/bay-area/event-calendar/20/10/21/get-ready-for-the-holidays-with-these-5-the-nutcracker-themed-events-in-league-city/>

Tomball Community News:

<https://wildwoodcommunities.com/news?page=6>

HOUSTON REPERTOIRE BALLET



GILBERT ROME, FOUNDER | VICTORIA VITUM, ARTISTIC DIRECTOR
WITH THE CYPRESS PHILHARMONIC ORCHESTRA - GLENN LANTHIER, MUSIC DIRECTOR
THS THEATRE
30330 QUINN ROAD | TOMBALL, TEXAS **DECEMBER 6-8, 2019** TICKETS: HRBDANCE.ORG OR 281.940.4721
RESERVED SEATING: ADULTS \$25 | STUDENTS/SENIORS \$20 | ARTS & EDUCATION \$15

PHOTOS © SCOTT NILSSON, PHOTOGRAPHER

MAJOR FUNDING PROVIDED BY THE CITY OF TOMBALL AND TEXAS COMMISSIONS ON THE ARTS
THANK YOU TO OUR SEASON SPONSORS: AIR INNOVATIONS LLC | DANCE TRENDS | GREGG ENGLE - REALTOR | VINTAGE WELLNESS



HOUSTON
REPERTOIRE
BALLET



The Nutcracker

GILBERT ROME, FOUNDER | VICTORIA VITUM, ARTISTIC DIRECTOR
WITH THE CYPRESS PHILHARMONIC ORCHESTRA - GLYNNE LANTHIER, MUSIC DIRECTOR

DECEMBER 6-8, 2019

THS THEATRE | 30330 QUINN ROAD | TOMBALL, TEXAS

TICKETS: HRBDANCE.ORG OR 281.940.4721

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PHOTO © SCOTT NILSSON, PHOTOGRAPHER

MAJOR FUNDING PROVIDED BY THE CITY OF TOMBALL AND TEXAS COMMISSIONS ON THE ARTS
SEASON SPONSORS: AIR INNOVATIONS LLC | DANCE TRENDS | GREGG ENGLE - REALTOR | VINTAGE WELLNESS



HOUSTON
REPERTOIRE
BALLET



The Nutcracker

GILBERT ROME, FOUNDER | VICTORIA VITTUM, ARTISTIC DIRECTOR
WITH THE CYPRESS PHILHARMONIC ORCHESTRA - GLYNNE LANTHIER, MUSIC DIRECTOR

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PHOTO © SCOTT NILSSON, PHOTOGRAPHER

MAJOR FUNDING PROVIDED BY THE CITY OF TOMBALL AND TEXAS COMMISSIONS ON THE ARTS
SEASON SPONSORS: AIR INNOVATIONS LLC | DANCE TRENDS | GREGG ENGLE - REALTOR | VINTAGE WELLNESS

The City of Tomball Hotel Occupancy Tax Grant Application

Optional Supporting Documentation

4. Letters of Support

Houston Repertoire Ballet – *The Nutcracker* 2021

Please find attached letters of support from:

1. JD Janda, Director of Fine Arts Tomball ISD
2. Chad Schmidt, Principal Tomball Elementary
3. Lauren Anderson, Houston Ballet Program Manager of Education and Community Engagement and dancer with Houston Ballet from 1983 – 2006
4. Gilbert Rome, cofounder and former co-director of Houston Repertoire Ballet

Please find attached a testimonial from:

Jared Matthews, Assistant Director of the Estonian National Ballet, Former Houston Ballet Principal Dancer and Houston Repertoire Ballet alumnus, 2001.

Jared wrote this testimonial performed as the Cavalier in HRB's *The Nutcracker*, 2017-2019.



JD JANDA, DIRECTOR OF FINE ARTS
281-357-3100 EXT. 2047
JOHNJANDA@TOMBALLISD.NET

June 25, 2018

To Whom it May Concern:

My name is JD Janda and I am the Director of Fine Arts for the Tomball Independent School District. I am proud to oversee the Art, Dance, Music, and Theater Departments in our school district. I am writing to endorse the **Houston Repertoire Ballet** and its Artistic Director Victoria Vittum in the effort to secure grant funding.

The Houston Repertoire Ballet is a wonderful partner for our school district! The extremely talented dancers from HRB are not only outstanding artists, they are great people with a huge heart for the students of our district. At no cost to us, the HRB performs scenes from Tchaikovsky's *The Nutcracker* for all Tomball ISD third graders every December. Students that have little or no opportunity for exposure to the magic of music and dance in a professional setting are presented with this amazing experience. Being an audience member at a professional production is a once-in-a-lifetime opportunity for many of our students from economically challenged households. That exposure to the ballet art form teaches our students about beauty, movement and imagination like no other academic course could ever do. In 2017, over 1500 third grade students were able to enjoy the holiday masterpiece in two performances in the Tomball High School Auditorium. As Tomball ISD continues to grow, the 2018 event will expand to three performances spread over two days. Having seen many performances of *The Nutcracker* by several talented ballet companies, I can say with confidence that the Houston Repertoire Ballet performs at the highest artistic level with an air of professionalism that is remarkable. Again, these performances are completely free of charge for our always tight Tomball ISD budget.

Additionally, Artistic Director Victoria Vittum has created artistic opportunities for dozens of students at some of our Title 1 campuses. A professional dance teacher provided ballet lessons to students at Tomball Elementary School in the fall of 2017. The program was held at the school, once a week for twelve weeks and culminated in performances in *The Nutcracker*. Further, a talented and deserving student is now receiving a full scholarship to studio dance lessons based on the relationship created at TES. This pilot project was such a success at the one campus, that it will be expanded to three campuses for the coming school year. Joining Tomball Elementary will be students from Decker Prairie Elementary and Tomball Intermediate School. HRB will provide another performance opportunity for our students at its Spring Dance Recital. There is no way that these Tomball ISD students would have ever been able to have this experience if it were not for the incredible generosity and support of the Houston Repertoire Ballet.

The collaboration and partnership we have created in Tomball is something of immeasurable value to our community. HRB is absolutely deserving of your strong consideration for a **grant and students in Tomball ISD** will continue to be artistically enriched by these talented and dedicated performers.

Respectfully -

JD Janda, Director of Fine Arts
Tomball ISD

June 20, 2018

To Whom IT May Concern:

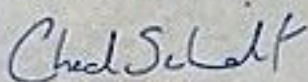
Tomball Elementary partnered with the Houston Repertoire Ballet in 2017 to provide an incredible opportunity to be a part of the Nutcracker presentation provided to all third grade students in Tomball ISD.

The experience was outstanding as we had 12 third grade students participate and are truly excited about the chance to continue and increase the participation.

The work with the staff was incredible and students were provided excellent instruction and practice. The learning positively impacted the self-esteem of the students and provided a chance to perform.

We cannot express the value of the experience and are truly looking forward to a long-term partnership to continue this amazing work. There is incredible power in providing as many experiences as possible in the arts with students at elementary ages as they learn to express their creativity and discover their talents.

Thank you for your support.


Chad Schmidt
Principal



June 22, 2018

To Whom It May Concern:

My name is Lauren Anderson. I was a dancer with the Houston Ballet from 1983 – 2006. I am currently Program Manager of the Education and Community Engagement department of the Houston Ballet. I met Victoria Vittum when she came to teach ballet at Houston Ballet in 1998. I have known her for many many years.

I have been a guest artist with Houston Repertoire Ballet, for which she is the Artistic Director. I know the quality of her work as she has produced many dancers that have attended Houston Ballet summer programs or have become members of the company and other ballet companies across the nation.

As a person that leads the outreach program at the Houston Ballet, I know firsthand the importance this experience brings to so many underserved children, particularly in the title one schools. I highly support Ms. Vittum and Houston Repertoire Ballet in their efforts to expand the outreach program for the Tomball ISD.

Please feel free to contact me at any time.

Sincerely,

Lauren Anderson

Program Manager

Education and Community Engagement

landerson@houstonballet.org

713-535-3286

City of Tomball
501 James Street
Tomball, TX 77375

Gilbert Rome
424 West Solidelle
Chalmette, LA 70043

Dear Members:

I have had the opportunity and pleasure of working with Victoria Vittum for forty years. During this time, I recognized her ability as an instructor, choreographer and her ability to stage classical and modern ballets. Over this period, the Inner City Program was formed under the direction of Margo Marshall (City Ballet of Houston). Vicky auditioned hundreds of inner city children rehearsing them, as well as the company dancers.

During our tenure with City Ballet of Houston, Vicky and I developed a friendship and a respect for each other's work. In 1994, we decided it was time for us to join forces and form Houston Repertoire Ballet. In 1996, we received our non-profit designation and the mission of the organization was established. After a career spanning fifty years, I retired in 2005 but have continued to act in an advisory capacity. It gives me great pleasure to have played a part in creating HRB and in knowing that since my retirement, the company has continued to grow artistically as well as in size and in its mission.

The company has become an asset in its community of Tomball and North Houston. HRB's annual Nutcracker has joined with the Cypress Philharmonic for its Nutcracker season. Its performances to sold out houses in Tomball have allowed HRB to develop its spring concert season and an outreach program.

Many Houston Repertoire Ballet dancers have subsequently joined New York City Ballet, Houston Ballet, Joffrey Ballet, Colorado Ballet, and many others.

Houston Repertoire Ballet's having your support would be instrumentally significant in growing its mission. Thank you for your time in making this consideration.

Yours very truly,

Gilbert Rome
cofounder and former co-director of Houston Repertoire Ballet
former member of National Ballet of Canada, Opera House Frankfurt Germany, Opera House Cologne, Germany, Houston Ballet, HSPVA, co-director of City Ballet of Houston

P.S.: To name a few produced by HRB -
Mr. Jared Matthews, Principal Dancer with Houston Ballet
Elizabeth Keller, Miami City Ballet
Trey MacIntyre, Dance Project and principal with Idaho Ballet
Morgan Buchanan, soloist with Colorado Ballet' Amaris Sharratt, Nebraska Ballet
Janie Taylor, New York City Ballet
Davida Haas, Houston Ballet and Joffrey Ballet

I have danced with American Ballet Theatre in New York for thirteen years achieving the rank of Soloist. I am currently in my third year as a Principal Dancer with Houston Ballet. Throughout my career I have traveled the world performing in many famous opera houses and theaters. I would not be where I am today without Victoria Vittum and Houston Repertoire Ballet.

Victoria creates an environment where hard work and discipline is the foundation for success. Her eye for detail and solid classical ballet background provide students the opportunity to truly learn and understand the art form. I spent all of my pre professional training with Victoria and HRB. They gave me everything I needed to prepare for a professional career in dance. Under Victoria's guidance I was slowly and methodically challenged year after year in order to further my development. Step by step she taught me classical ballet. Performing with HRB gave me the experience of being on stage in front of an audience and showing all that we had worked on in the studio. These experiences were crucial to me as a young dancer.

Victoria and HRB continue their mission of training young classical dancers. I am proud to call myself an alumnus, and I am forever grateful for all they have given me.

Jared Matthews
Principal Dancer
Houston Ballet

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: November 1, 2021

Topic:

Appoint/Reappoint members to Position 2, 5, and 8 of the Tourism Advisory Committee Board, expiring December 5, 2021

Background:

All Board Members whose terms were expiring were contacted: Ted Mielke, Chris McCall, and Raymond Francois. Affirmative responses were received from R. Francois and Ted Mielke, who are committed to continuing to serve on the board. No response was received from Mr. McCall.

In addition, an application was received from Kailey Moore who has expressed to serve on the board. She is eligible to serve on the board as a Tomball Business owner.

The Tourism Advisory Committee recommends the appointment of Ted Mielke to Position 2, currently held by Chris McCall, due to Mr. McCall's lack of participation/response. TAC recommends the appointment of Kailey Moore to Position 5 (business owner), currently held by Ted Mielke; Mrs. Moore owns HTeaO. Finally, TAC recommends reappointment of Raymond Francois to Position 8, hotel representative.

Attendance records for 2019-2021 are provided for Council consideration.

Origination: City Secretary Office

Recommendation:

Appointment of Ted Mielke to Position 2 and Kailey Moore to Position 3; re-appointment of Raymond Francois to Position 8.

Party(ies) responsible for placing this item on agenda: Tracylynn Garcia, Asst 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	<u>Tracylynn Garcia</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

TAC Board Attendance 2019-2021

June 25, 2019

Present:	Paige Cassel	Absent:	Steve Hughes
	Rodney Hutson		Jeffie Cappadonna
	Melanie Sutton		Mary Harvey
	Ted Meilke		
	Raymond Francois		
	Holly Cook		

August 13, 2019

Present:	Paige Cassel	Absent:	Steve Hughes
	Rodney Hutson		Jeffie Cappadonna
	Melanie Sutton		Mary Harvey
	Ted Meilke		
	Raymond Francois		
	Holly Cook		

February 11, 2020

Present:	Paige Cassel	Absent:	Steve Hughes
	Rodney Hutson		Ted Mielke
	Melanie Sutton		
	Jeffie Cappadonna		
	Raymond Francois		
	Holly Cook		
	Chris McCall		

October 27, 2020

Present: Paige Cassel
Rodney Hutson
Melanie Sutton
Ted Meilke
Raymond Francois
Holly Cook

Absent: Steve Hughes
Jeffie Cappadonna
Chris McCall

April 27, 2021

Present: Paige Cassel
Rodney Hutson
Melanie Sutton
Ted Meilke
Raymond Francois
Holly Cook
Jeffie Cappadonna
Chris McCall

Absent: Steve Hughes

October 26, 2021

Present: Paige Cassel
Melanie Sutton
Ted Meilke
Raymond Francois
Holly Cook
Jeffie Cappadonna

Absent: Steve Hughes
Rodney Hutson
Chris McCall



CITY OF TOMBALL

2014 APPLICATION FOR THE TOURISM ADVISORY COMMITTEE

As an Applicant for the **Tourism Advisory Committee**, your application will be available to the public. All appointments are made by the Tomball City Council. Incumbents whose terms expire are automatically considered for reappointment unless they indicate non-interest or have been appointed to two (2) consecutive terms. A member who is absent for more than 25% of called meetings in any twelve consecutive months or absent from more than two consecutive meetings, for other than medical reasons, will be automatically removed from service. Applicant must be a citizen of the United States and must reside within the city limits of Tomball unless otherwise stated in the position announcement. 2014 applications expire on December 31, 2016; a new application will be required in 2017.

Please Type or Print Clearly:

Date: 9/21/2021

Name: Kailey Moore

Phone: 432 413 6617
(Home)

Address: 11915 Lakewood Trl, 77377

Phone: _____
(Work)

Email: _____

I have lived in Tomball 4 years.

I am ___ am not ___ a U.S. Citizen

I am applying as (please check all that apply):

- ☒ a Tomball Resident, residing within the city limits of Tomball
an Owner, Officer or Director of a business, other than a hotel or motel,
with offices within the city limits of Tomball
☐ an Employee or Officer of a hotel or motel located in the
city limits of Tomball

Occupation: HTeo Owner / Operator, Event Planner with Page by Paige Events

Professional and/or Community Activities: Chamber Member, Rotary Club, Member
of Real Life Church

Additional Pertinent Information/References: Reference: Dyanna McCoy

Applications for the Tourism Advisory Committee will be kept on file in the City Secretary's office (281-290-1002) for two years.

I AM INTERESTED IN SERVING ON THE TOURISM ADVISORY COMMITTEE.



Signature of Applicant

Please return this application to:

City Secretary
City of Tomball
401 Market Street
Tomball, TX 77375
dspeer@ci.tomball.tx.us
fax: 281-351-6256



Board Member Election on Disclosure

An elected/appointed Board Member may choose whether or not to allow public access to the information in the custody of the City relating to the Board Member's home address, home telephone number, cellular and pager numbers (if not paid for by City), emergency contact information, personal email address, and information that reveals whether the person has family members.

Each Board Member shall state his/her choice in writing to the City Secretary's Office. If a Board Member elects not to allow public access to this information, the information is protected by Sections 552.024 and 552.117 of the Public Information Act and rulings of the Texas Attorney General. If a Board Member fails to report his/her choice, the information may be subject to public access.

If during the course of their term a Board Member wishes to close or open public access to the information, the individual may request in writing to the City Secretary's Office to close or open access as the case may be. A Board Member may request to close or open public access to the information by submitting a written request to the City Secretary's Office. Only the City Secretary's Office is allowed to disclose the information listed above.

(Please strike through any information that you do not wish to be made accessible to the public)

Please complete the information below and return
to the City Secretary's Office within fourteen days of receipt.

☒ I **DO** elect public access to my: (please indicate items you would like available, if any)

☒ home address

☐ home telephone number

☐ personal email address

☐ cell or pager numbers not paid for by the City

☒ emergency contact information

☐ information that reveals whether I have family members.

☐ I **DO NOT** elect public access to my home address, home telephone number, cell or pager numbers, emergency contact information, or any information that reveals whether I have family members.

Board Member's Signature

Date

Board Member's Printed Name

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: 11/01/2021

Topic: Approve purchase of 25 new portable radios and accessories for Police department to complete the third and final year of radio update.

Approve Northwest Communications, Inc Estimate #19356 for \$58,0275.00 purchase of 25 Portable radios with required accessories.

Background:

The Tomball Police Department is in its third and final year of a major radio system upgrade, and these are the handheld radios issued to police officers to keep them safely connected to dispatch and each other while on shift.

The purchase includes 25 Kenwood Viking 6000 Series Public Safety Portable radios, 25 rapid chargers, 25 speaker mics, 25 leather cases, 25 leather belt loops. Quote includes \$12,500 credit for trade in of old public safety radios, and includes over-the-air programming of new radios.

Origination: Requested by Captain Brandon Patin to complete the third and final year of radio update.

Recommendation:

Approve Northwest Communications, INC Estimate # 19356 for \$58,075.00 to purchase 25 new handheld radios, chargers, speaker mics, leather holders and leather belt loops. This price includes over-the-air programming, and a trade-in allowance of \$12,500.00 (\$500.00 per eligible Public Safety radio traded in x 25).

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

FUNDING (IF APPLICABLE)

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

Yes: ☒ No: ☐ If yes, specify Account Number: #100-121-6404 (\$46,075)
#230-122-6101 (\$12,000)

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

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

NORTHWEST COMMUNICATIONS, INC.

10818 Barely Lane, Suite B

Houston, TX 77070-5909

Phone: 281-890-4724

www.nwradio.us

Estimate

Date	Estimate #
3/23/2021	19356

Customer
Tomball PD 400 Fannin St Tomball, TX 77375 Attn: Accts Payable

Ship To
Tomball PD 400 Fannin St Tomball, TX 77375 Attn: Brandon Patin

NOT AN INVOICE

Rep
KT

Quantity	Description	Rate	Total
25	I. Kenwood Viking 6000 Series Public Safety Portable VP6430 M2 7/800 MHz Portable w/ KNB-L2M 2600mAh Battery, KRA-32K 1/2 wave Antenna + Phase 2 TDMA* + P25 CAI + P25 Authentication + Radio Packet Data / Enhanced Data + TrueVoice Noise Cancellation + Multi Key DES + ARC4 (ADP Compatible) + 3 Year Warranty (Standard)	2,636.00	65,900.00T
25	KSC-32 Kenwood Rapid Charger		0.00T
25	OTAP (Over-the-Air Programming)		0.00T
25	KMC-70M Speaker mic, 3PF Keys, Black, VP-T	106.00	2,650.00T
25	R50843LP2001 LEATHER CASE POLICE, L2 MODEL, D SWIVEL, VP6000 Top grain leather with high abrasion resistant finish, stainless steel rivets and nickel-plated brass snaps	56.00	1,400.00T
25	R50840000L20 BELT LOOP LEATHER, 2", VP6000	25.00	625.00T
	Trade-In Allowance (\$500 per eligible Public Safety radio traded in) *Trade in & TDMA offers are limited to promotional dates.	-12,500.00	-12,500.00

Please contact Kevin Teeter with any questions.

Subtotal	\$58,075.00
-----------------	-------------

Sales Tax (0.0%)	\$0.00
-------------------------	--------

Total	\$58,075.00
--------------	-------------

****This estimate will expire in 30 days from the date
stated above.**

City Council Meeting Agenda Item Data Sheet

Meeting Date: November 1, 2021

Topic:

Approve Changes to Spirit of Texas Bank Entity Signer

Background:

Finance Director Ronald Glenn Windsor is currently a signer on the City's Spirit of Texas account. With Glenn's pending retirement, the City needs to replace Mr. Windsor as a signer. Spirit of Texas Bank requires City Council approval of the change in signers.

Origination:

Recommendation:

Replace retiring Finance Director, Ronald Glenn Windsor, with current Assistant City Manager, Jessica Rogers, as signer on Spirit of Texas account.

Party(ies) responsible for placing this item on agenda: Jessica Rogers, Assistant City Manager

FUNDING (IF APPLICABLE)

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

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

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

Signed	Jessica Rogers	10/27/2021	Approved by	
	Staff Member	Date		
			City Manager	Date



ENTITY SIGNER CIF REQUEST

Please return with a copy of Primary Identification.

NAME (As appears on primary identification. Middle Name may be abbreviated or omitted. Suffixes (i.e. Jr, Sr, III must be included).

☐ U.S. MAILING ADDRESS/CITY, STATE & ZIP

☐ PHYSICAL ADDRESS/CITY, STATE & ZIP (if different from mailing address)

☐ DATE OF BIRTH _____

☐ TELEPHONE NUMBER: HOME _____ WORK _____ CELL _____

☐ PRIMARY IDENTIFICATION (Valid Primary ID Types DL, ID, MID, TX LTC, USPP)

TYPE _____ # _____ PLACE OF ISSUANCE _____ EXPIRES _____

INFORMATION COMPLETED BY: _____ DATE: _____

Internal Use Only:

INPUT IN SYSTEM BY: _____ DATE: _____

CIF NUMBER ASSIGNED _____ RISK RATING ASSIGNED _____

SYSTEM INPUT REVIEWED BY: _____ DATE: _____

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: 11-01-21

Topic:

Approve Special Event Permit and In kind services for the Rotary event “The Big Show”

Background:

The Big Show was originally to be held at the Depot in the fall of 2020 but because of COVID restrictions with Harris County, the event was moved to Montgomery County. It was postponed from the 2020 to Saturday, October 23rd. For various reasons, the event was not able to be held at the venue that the Rotary had planned. The Rotary approached the City on Monday October 18th about possibly having the event at the depot. Because of the timing of the request, the special event permit could not be placed on the agenda for approval but Mr. Clark did explain the situation during public comments at the Oct 18th meeting. I assumed the consensus was to move forward with the event. This item is to formally approve the event permit along with what level of in kind services are to be provided.

The staff met with the Rotary club representatives and hammered out the details needed. The event was very similar to the last Big Show that was held at the Depot in 2019. Main Street Crossing provided the beer and wine license and food trucks were available. PD, PW, FD and EMS worked the event and it was a success.

Origination: City Manager

Recommendation:

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

FUNDING (IF APPLICABLE)

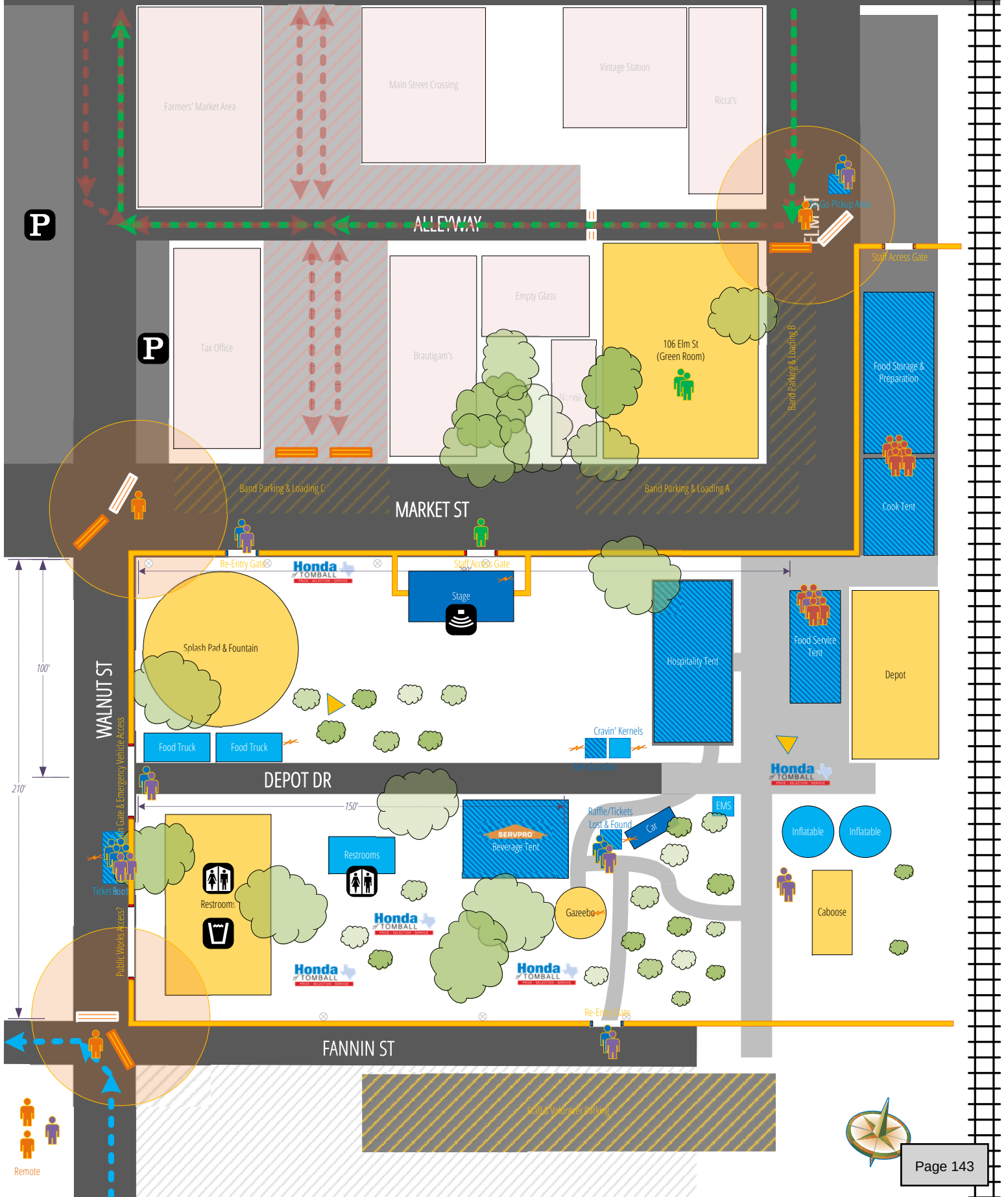
Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: #all of them

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

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

MAIN ST (FM 2920)



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **AUG 09 2012**

TOMBALL ROTARY FOUNDATION
C/O DEBORAH PETTY
450 GEARS STE 800
HOUSTON, TX 77067

Employer Identification Number:
27-4719115
DLN:
17053177311022
Contact Person:
ROGER W VANCE ID# 31173
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
June 31
Public Charity Status:
509(a)(2)
Form 990 Required:
Yes
Effective Date of Exemption:
January 13, 2011
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

TOMBALL ROTARY FOUNDATION

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in cursive script that reads "Holly O. Paz".

Holly O. Paz
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PC



SPECIAL EVENT GUIDELINES & APPLICATION

CITY OF TOMBALL, TEXAS

Effective Date: 6/8/2021

INTRODUCTION: Any organized activity or event and open to the general public that involves the use of, or having an impact upon, public property, facilities, public parks, sidewalks, or street areas in the City of Tomball require prior approval and must meet certain requirements for consideration.

PROCEDURES: Several procedures and guidelines must be followed before any non-city staged event may take place. Those include, but are not limited to, the following:

1. A completed Special Event application must be submitted to the Tomball Department of Marketing & Tourism at least 180 days prior to any proposed festival or event. Tomball City Council approval is required if event meets one of the following criteria: sale of alcohol, street closures or contains a request for in-kind donations from the City of Tomball.
2. A written proposal must accompany the application. The proposal should include the overall event concept, a detailed site map, a list of planned activities, hours of operation, proposed vendors, food and beverage, entertainment and any other relevant aspects of the event.
3. If a charity is involved, or is the beneficiary of funds raised, information about the charity needs to be included as a part of the application process, as well as proof of non-profit status. If requesting in-kind services, preference will be given to organizations providing donations to agencies within the city limits of Tomball.
4. A fee equal to the actual cost of city services to host the event will be required of for-profit event planners to be paid no less than ten business days before the event. Non-profit organizations may request city services as an in-kind donation.
5. A meeting will be scheduled with the Tomball Events Team (representatives of Tomball Police, Fire, Public Works, Marketing and Northwest EMS) to discuss the merits and feasibility of the proposed event. The applicant is required to be at this meeting to answer questions regarding the application. Failure to attend will result in the event being cancelled by the City of Tomball.
6. If approved by the Tomball Events Team, the proposed event will be presented to City Council for final approval. The applicant is required to be at this meeting to answer questions regarding the application if necessary.
7. Ten days prior to the event, proof of general liability insurance (\$1,000,000 minimum) must be provided by the event organizer naming the City of Tomball as additional insured.
8. Event coordinators must provide their own volunteers or staff; oversee food and beverage permits, vendors, site clean-up and other aspects of staging a festival/special event.
9. Failure to comply with the guidelines listed above will preclude applicant from staging future events.

For additional information, or to submit an event application, please contact:

Larrissa Roberts

401 Market Street

Tomball, Texas 77375

281-290-1036 | Email - lroberts@tomballtx.gov



SPECIAL EVENT APPLICATION

CITY OF TOMBALL, TEXAS | 401 Market Street | Tomball, Texas 77375 | 281-351-5484

An application to stage an event within the City of Tomball shall be filed with the Community Events Coordinator at least 180 days prior to the event. This application is not to be construed as authorizing or agreeing to any event until formally approved by Tomball City Council.

Date: 10/20/21 _____ Is this event Co-City sponsored? Yes ___ No X___

Request for permission to use a public venue for the following type of event (please check one):

Festival ___ Community Event ___ Arts & Crafts Event ___ Music Event X Other (specify) _____

1. Event title: Big Show at the Depot
2. Sponsoring entity: Rotary Club of Tomball
3. Is this organization based in Tomball: Yes X No ___
4. Is this organization *non-profit* X or *for-profit* ___ *Attach 501 (c) (3) tax exemption if applicable
5. Contact: Caley Baillio/Russel Blue Phone: 832-205-0207/281-755-9978
6. Contact address: 620 W Main St Tomball, TX 77375
7. Contact email: caley@sftomball.com
8. Event date: 10/23/21
9. Event times: Start 3:00pm Finish 9:30 PM Set-up 8:00am Breakdown 10:00pm
10. Is this event for charity? Yes X No ___
11. If yes, what charity? Tomball Rotary Foundation Tax ID 27-4719115
12. If yes, what percentage of net proceeds will be donated to the charity? 100%
13. On-site contact: Caley Baillio Mobile Phone: 832-205-0207
14. Estimated number of attendees: 2000
15. Detailed site map in attached: Yes X No ___
16. Is this event open to the public: Yes X No ___
17. Admission fee: \$100 for 2 people (Gold Ticket) or Single \$50 Free ___
18. Time at which event staff will begin to arrive: 8:00 am
19. The applicant will defend and hold harmless the City of Tomball from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such application including attorney fees and expenses.
Initial CB
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured.
Initial CB
21. Name of insurance carrier: Lexington Insurance Company
22. Organization has secured date with the Public Works Dept. and has paid deposit. Date Secured

Signature: Caley Baillio

FOR OFFICIAL USE - Fee required: Yes ___ No ___ Amount Due: \$ _____

The Big Show Hours (ICS 214)

Police Department

Name	Rank	Hours	Wage	Reg wage	OT wage
Jeff Bert	Chief of Police	12	Exempt	66.26	
Brandon Patin	Captain	8	Exempt	46.40	
Ricky Doerre	Captain	7	Exempt	55.17	
Shon Davis	Lieutenant	8			65.274231
Danny Arriaga	Lieutenant	7	Straight Time	51.10	
Bryan Hill	Lieutenant	7			69.253990
Chris Burns	Sergeant	4.5	Straight Time	39.29	
Chris Burns	Sergeant	2.5			61.541971
Ken Cole	Sergeant	12			55.096154
Jamy Brock	Officer	8			50.748750
Ted Keen	Officer	7	Straight Time	33.58	
Erin McNeill	Officer	7			47.907692
James Hartley	Officer	7			46.200000
Amber Beltran	Planning Section Chief	3	Straight Time	25.05	
Total PD Hours:		84			

Police wages

Public Works

Name	Rank	Hours	Wage		
Bobby Franklin	Foreman Lead	8			30.808990
Vincent Mendez	Service Person	9			41.722212
Mark Hoffmeister	Streets	9			25.770000
Pedro Rodriguez	Cleaning Restroom	8			28.267356
Phoenix Thrasher	Depot / Cleaning Restroom	8			24.930000
Kevin Rucker	Streets	8			32.330769
Rogelio Silva	Streets	8	Straight Time	11.00	
Total PW Hours:		58			

Public Works wages

Fire Department

Name	Rank	Hours	Wage		
Matthew Capozzelli	Lieutenant	8	On-Duty	24.57	
Nathaniel Doe	Driver / Operator	8	On-Duty	22.91	
Curtis Lewandowski	Firefighter	8	On-Duty	17.89	
Total FD Hours:		24			

Fire wages

Total wages

Total

795.12

371.20

386.19

522.19

357.70

484.78

176.81

153.85

661.15

405.99

235.06

335.35

323.40

75.15

5,283.95

246.47

375.50

231.93

226.14

199.44

258.65

88.00

1,626.13

196.56

183.28

143.12

522.96

7,433.04



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/20/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita	
	PHONE (A/C, No., Ext): 1-833-3ROTARY	FAX (A/C, No): 630-285-4062
	E-MAIL ADDRESS: rotary@ajg.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Lexington Insurance Company	19437
INSURED All Active US Rotary Clubs & Districts Rotary Club of Tomball ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 899307648

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		015375594	7/1/2021	7/1/2022	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			015375594	7/1/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$	Y		015375142	7/1/2021	7/1/2022	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N / A	NOT APPLICABLE			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

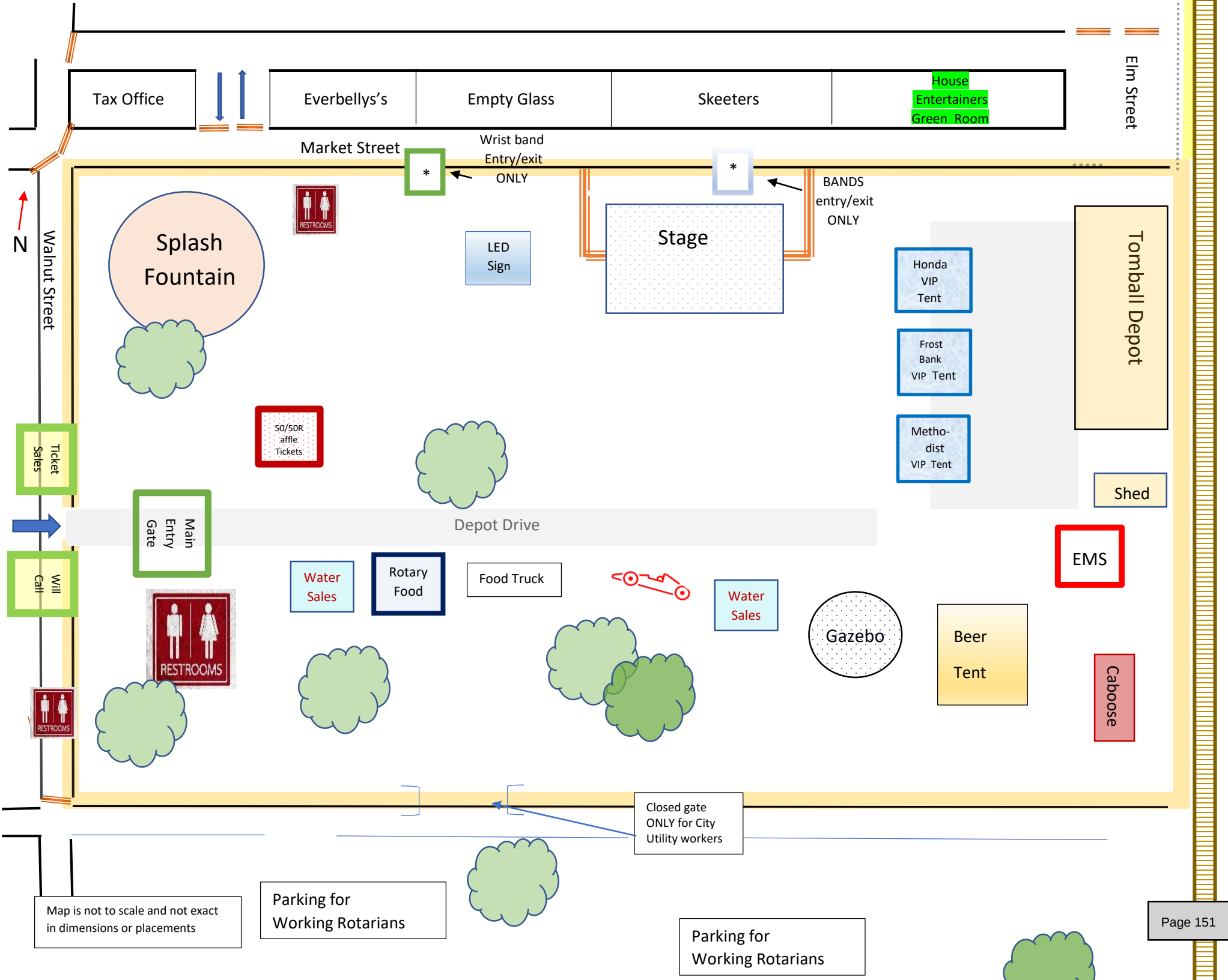
City of Tomball
401 Market St
Tomball, TX 77375

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cynthia L. LaMonte



City Council Meeting Agenda Item Data Sheet

Meeting Date: November 1, 2021

Topic:

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

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

Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – City Manager, Finance Director, Director of Public Works

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?

Yes: _____ No: _____ If yes, specify Account Number: # _____

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

Signed	<u>Doris Speer</u>	<u>10-25-2021</u>	Approved by	_____
	Staff Member	Date		City Manager Date