

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



**Monday, January 05, 2026  
5:00 P.M.**

**Notice is hereby given of a Workshop and Regular meeting of the Tomball City Council, to be held on Monday, January 05, 2026 at 5:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.**

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): **+1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 818 4836 7806 Passcode: 054986.** The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*
- C. General Discussion
  - 1. Review of and discussion on the progress of the Tomball Archive and History Center (TAHC).
  - 2. Discussion and direction on possible Charter Amendments and proposed ballot language for a 2026 Special Election.
  - 3. Discussion on Ordinance No. 2025-22, Repealing and Replacing Article I In General, Article II City Council Division 1, and Article III Division 5 Code of Ethics of Chapter 2, Administration, of the Code of Ordinances, Designated;

Providing for Severability, Making Findings of Fact; Providing for a Penalty Clause; and Providing for Other Related Matters – Previously Presented as Code of Ethics.

D. Proposed Future Agenda Items *[The following items are provided for informational purposes for City Council and public review. Any item may be pulled for separate discussion at Council's request.]*

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

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

E. Recess/Reconvene at 6p.m.

F. Invocation ley by Pastor Craig Gilbert, Rose Hill Methodist Church

G. Pledges to U.S. and Texas Flags

H. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

I. Reports and Announcements

1. Announcements

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

- J. Old Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*
- K. New Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*
1. Approve Minutes of December 15, 2025, Workshop/Regular City Council meeting.
2. Approve a Professional Services Agreement with Oller Engineering, Inc. for the design of the relocation of utilities along FM 2920, Project Number 2014-10031, for a not-to-exceed amount of \$765,541, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project is included in the adopted FY 2026-2030 Capital Improvement Plan, and the contract costs will be reimbursed by the TEDC as approved in Resolution No. 2025-14.
- L. New Business
1. Consideration of and action on the first reading of Ordinance No. 2026-04, amending Chapter 42 of the Code of Ordinances of the City of Tomball, Texas regarding the City's Tourism Advisory Committee; providing for severability; and providing an effective date.
- M. 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 29th day of December 2025 by 5:00 p.m., and remained posted for at least three consecutive business days preceding the scheduled time of said meeting.

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Thomas Harris III, TRMC

**City Secretary** This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1019 for further information.



# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** January 5, 2026

**Topic:**

Review of and discussion on the progress of the Tomball Archive and History Center (TAHC).

**Background:**

Established in Fiscal Year 2023-24, the Tomball Archive and History Center preserves, protects, and facilitates access to historical municipal records generated by the City of Tomball as well as special collections donated by the greater Tomball area. These areas include Rosehill, Decker's Prairie, Hufsmith and Willow communities. The Center is a joint project funded by the City of Tomball through the City Secretary's office, with in-kind services provided by Lonestar College and Harris County Public Library.

The TAHC serves the City of Tomball, its citizens, community area members, and researchers as a repository of historical municipal records and special collections to encourage the discovery of our local history and heritage within the state of Texas.

TAHC's mission is to preserve, protect, and share the historical municipal records of the City of Tomball as well as special collections from the surrounding communities documented in our collecting areas to support ongoing historic preservation.

To accomplish this mission, the Tomball Archive and History Center will:

- Identify, acquire, and maintain the permanent records of the City of Tomball in accordance with established retention schedules and archival standards.
- Collect and steward special collections, manuscripts, photographs, and other materials that reflect the social, cultural, and historical development of the greater Tomball area.
- Implement and maintain procedures for secure, long-term preservation and management of physical and digital materials in accordance with professional standards and legal requirements.
- Provide equitable access to physical and digital archival materials through research appointments, reference materials, and online resources.
- Collaborate with partners to support the discovery of collections and showcase local history within the community.

**Origination:** City Secretary Office

**Recommendation:** Review of and discussion on the progress of the Tomball Archive and History Center (TAHC).

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

Thomas Harris III, City Secretary,  
Shannon Bennett, Assistant City  
Secretary, and Allison LaRoca,  
\_\_\_\_\_

**FUNDING (IF APPLICABLE)**

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

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

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

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

# Tomball Archive and History Center

Quarterly Report – January, 5, 2026

October – December 2025

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## Executive Summary

During this quarter, significant progress was made toward establishing the foundational structure of the Archive. Efforts focused on developing core policies, preparing the physical environment, as well as assessing existing municipal records and donated collections. This work has laid the administrative, physical, and procedural groundwork necessary for future accessioning, processing, and preservation.

## Accomplishments

1. Set up and organized the physical archive stacks including shelving adjustments, unpacking supplies, and testing equipment.
2. Created foundational policies to govern archival work.
3. Began developing multiple operational workflows, forms, and resources related to the digitization, processing, inventorying, digital file management of collections.
4. Initiated first communications with donors of special collections.
5. Began work to identify and purchase software license for a digital archival management system.
6. Accessioned and inventoried first collections!

## Identified Challenges

1. Recurring delays in procedure creation and equipment set up due to responsiveness of campus support groups.
2. Ambiguity and uncertainty surrounding governance and staff expectations due to lack of a clearly defined working agreement between the City and Harris County Public Library.

## Next Quarter Goals

1. Finalize a working agreement with the County that 1) clearly defines the roles of both City and County staff; 2) establishes a shared commitment for supporting the Center's work.
2. Select and configure the digital archival management system.
3. Identify additional community partners for outreach and engagement.

## Administrative and Strategic Foundations

### Governance & Partnerships

Preliminary discussions related to policies and procedures with County staff highlighted the need for a formal agreement that outlines responsibilities, shared resources, and reporting expectations. A proposal was drafted recommending the potential separation of duties and shared responsibilities of both City and County partners including the recommendation of the formation of a joint advisory committee to support strategic direction, ensure accountability, and promote coordinated service delivery. This committee could help guide collection priorities, policy review, and community engagement going forward.

#### *Tasks Completed*

1. Updated Mission, Vision, and Values document with reflecting the current strategic direction of the Center.
2. Drafted proposed Scope of Work outlining clear duties and responsibilities of City and Library staff.
3. Completed proposal for a future Joint Advisory Committee to aid in the governance of the Center.

#### *Challenges*

1. Lack of formal agreement (and transparency on status) with Harris County Public Library creates ambiguity in working relationship with HCPL and Lonestar staff.

### Policy & Procedure Development

A suite of foundational policies was drafted to establish standards for future archival operations. Work began on establishing and documenting workflows and procedures to guide processing and preservation work. Together, these documents create a coherent framework that supports responsible stewardship, consistent decision-making, and transparent service to the public. Additional procedures were identified as next-phase priorities such as digitizing audiovisual materials and researcher request procedures.

#### *Tasks Completed*

1. Completed initial drafts of the following policies 1) Acquisition and Collection Development; 2) Access and Use; 3) Accessioning and Deaccessioning; 4) Gifts and Donations; and 5) Preservation
2. Completed drafts of the following procedures: 1) Processing workflow; 2) Accessing procedure; 3) Inventorying and Labeling Collections; 2) Mirroring External Hard Drive; 3) Digitizing objects using DigiStation scanners; and 4) Setting up Overhead Mount and Camera for Large-Format Digitization and Capture.

#### *Challenges*

1. Lack of formal agreement (and transparency on status) with Harris County Public Library creates ambiguity in working relationship with HCPL and Lonestar staff as well as in use of DigiStation equipment.

## Infrastructure & Capacity Building

### Physical & Environmental Setup

Substantial work was completed to prepare the facility for archival storage and long-term preservation activities. A major focus was on environmental stability: climate monitoring equipment was identified, justified, and installed in stacks to initiate continuous tracking of temperature and humidity in storage areas. Preliminary assessments of shelving, space allocation, and material flow were conducted to support efficient future operations.

#### *Tasks Completed*

1. Purchase of additional supplies and equipment for managing the space and collections. Including equipment options for large-format digitization.
2. Establish shelf inventory and identification for space management.
3. Climate monitoring notice and justification to LSC.
4. Unpacked and set up Fire TV, external hard drive, remote temperature monitor.
5. Unpacked and tested camera, mount, and lighting equipment for large format digitization needs.

#### *Challenges*

1. Delays in response and approvals with campus stakeholders have stalled the completion of climate monitoring, increasing potential risks to collections.
2. Delays in response and support from campus stakeholders have stalled the installation of necessary drivers and software to complete workstation setup.

### Systems & Tools

Early planning began to select an archival management system capable of supporting accessioning, description, and public access. Research and progress have been made to plan collection- and item-level metadata needs. Preliminary workflow concepts and templates have been outlined to ensure alignment with best practices and scalability as collections grow. These decisions will support consistent documentation and efficient processing once materials begin entering the archive.

#### *Tasks Completed*

1. Began conversations with Lucidea regarding capabilities and cost of Archivera as an AMS solution for the Center.
2. Established and documented the process for storing digital files, administrative records, and mirroring external hard drives.
3. Created a prototype book cradle and successfully tested the overhead camera mount for digitization.

#### *Challenges*

No direct challenges were identified related to the progress of work in this area outside of general resource constraints (i.e., time, staffing, etc.).

## Collection Assessment & Planning

### Existing Records Survey

Initial review of existing municipal records and donated collections highlighted the breadth of formats and volumes that will eventually require transfer, assessment, and preservation. Formats include bound ledgers, large-format maps/plans, various photographic prints, dishware, scrapbooks, and vinyl banners. Planning and notes have begun regarding potential preservation concerns, storage needs, and prioritization for processing. This survey lays the groundwork for a phased processing strategy and ensures the archive is prepared to manage the records responsibly.

#### *Tasks Completed*

1. Appraised donated collections for relevance to scope and mission of Center.
2. Preliminarily rehoused and inventoried materials received in preparation for official accession and processing.
3. Identified potential special supply and storage needs for physical objects.

#### *Challenges*

No direct challenges were identified related to the progress of work in this area outside of general resource constraints (i.e., time, staffing, etc.).

### Intake & Accession Planning

Formal accessioning of collections officially began with the receipt of two completed Deeds of Gift from community members. Intake procedures were outlined to standardize future records transfers (municipal) and accessioning (special collections).

#### *Tasks Completed*

1. Accessioning and inventorying of MS 001 Tomball Garden Club collection (6 cu.ft. [6 boxes]; 23.9GB) and MS 002 First Baptist Church Collection (23 cu.ft. [23 boxes]).
2. Established and documented accessioning workflow including creation of collection numbers, control folders, and administrative record.
3. Created templates for donor communications including a Letter to Establish a Collection (Deed of Gift) and a Letter of Thanks for Donations.

#### *Challenges*

1. Mild risk to the documentation of legal custody of collection held by the City as the establishment of an official Deed of Gift for the Center is pending approval by City leadership. Current collections are using a form from LSC-Tomball Community Library based on the Harris County Public Library Deed of Gift form along with documented email communications about the City of Tomball's involvement.



## Community & Stakeholder Engagement

While the key focus this quarter was to establish procedural and foundation documentation, progress was made to build relationships with internal departments and community members. Early conversations helped identify objects of local significance within Public Works. Coordination with the City's Records Specialist has been pivotal in this work. Communications with existing donors have led to the official accession of two special collections in the Archives.

### *Tasks Completed*

1. Met with Public Works Director regarding historical log books and maps to transfer.
2. Established working relationship with Records Specialist to coordinate and establish transfer procedures for City records.

## Biggest Challenge: Establishing a Formal Agreement

Several challenges were noted as the archive moves toward operational readiness within the sections above. Most notably, the absence of a formalized intergovernmental agreement creates limits on clarity and efficiency of work.

Without clearly defined roles, responsibilities, and decision-making authority, routine activities such as policy development, workflow design, and resource allocation are slowed by uncertainty and require repeated clarification.

While a facilities agreement has been established with Lonestar College, more clarity and support are needed surrounding the coordination of IT services, access permissions, and administrative support. These delays have already affected the implementation and configuration of equipment to monitor and process collections.

Establishing a formal agreement will be critical for ensuring partnership and shared stewardship of the archive moving forward.

## Looking Ahead

### Priorities for Next Quarter

Building on the foundational work of this quarter, our primary goal for the next quarter is to move from procedural planning and documentation to operational readiness. Tasks that will help us reach this goal include:

- Complete work agreement with Harris County/Harris County Public Library.
- Complete policies and legal documentation surrounding legal custody and access of records.
- Finalize purchase of a digital repository system for the management and public access of digital records.
- Complete installation and configuration of equipment.

- Process accessioned collections for research, access, and use.
- Deepen community awareness, engagement, and outreach activities.

### Establishing a Joint Advisory Committee

Along with a Scope of Work agreement between City and County stakeholders, it is recommended that a Joint Advisory Committee be established to guide the operations and strategic direction of the Tomball Archive and History Center. Such a body would ensure clear communication, shared accountability, and coordinated decision-making between the City of Tomball and Harris County Public Library.

A formal advisory structure would provide an essential forum for aligning City and County priorities, reviewing policies, and supporting long-term planning. This effort would also strengthen transparency and foster collaboration by providing both partners with a consistent mechanism for oversight, policy development, and evaluation of the Center's performance. Review the attached proposal for more details on the membership and duties of the proposed committee.

## Appendices

### 2025 Accessioning Logs

#### *2025-001: Tomball Garden Club Collection*

- Date Received: 12/12/2025
- Donated By: Tomball Garden Club
- Location: 1.2; Collections> Digitization\_Folders > Tomball Garden Club
- Acquisition Type: Donation
- Deed of Gift/Transfer of Ownership: Yes, Unsigned
- Custodial Note: Digital copies of items were originally gifted April, 5 2024. Original Deed of Gift was reviewed December 12, 2025 by club president and two members of the TGC board. These representatives agreed to gift all physical items to the Archive for preservation.
- Date(s) of Materials: 1959-2007
- Creator(s): unknown
- Extent: 6 boxes (5 document, 1 oversize); 4 cu. ft.
- Type(s) of Materials: Correspondence; Administrative Records (Bylaws, Reports, Minutes, etc.); Photographs; Financial Documents; Digital media (digitized and born digital); Framed objects; Paper;
- Scope and Contents: Newspaper clippings, photographic prints, meeting minutes and rosters. Substantial portion of the collection is scrapbook pages.
- Physical Condition: Fair
- Condition Notes: Acidification of newspaper clippings and other paper documents. brittle scrapbook pages. Many pages have been previously transferred to plastic sleeves. Some have been laminated.
- Potential Restrictions: Needs further assessment
- Restriction Note: Contains family history album of unknown origin. May contain personal information to be restricted. Possibly needs to be separated and/or returned to creator. One bound scrapbook should be digitized and restricted from physical access. Pages are very brittle.

#### *2025-002: First Baptist Church Collections*

- Date Received: 12/18/2025
- Donated By: Steve Byrd, First Baptist Church Tomball
- Location: 1.3; 2.6; LSC-Tomball Community Library storage
- Acquisition Type: Donation
- Deed of Gift/Transfer of Ownership: Yes, signed
- Custodial Note: Originally received by staff in the fall of 2024; Donor agreement filled and returned 12/17/2025
- Date(s) of Materials: 1922-2014
- Creator(s): Leslie Upchurch (verify)

- Extent: roughly 20 boxes
- Type(s) of Materials: Directories; Correspondence; Administrative Records (Bylaws, Reports, Minutes, etc.); Paper; Photographs; Audiovisual (film, video, audio); Garments and textiles; Framed objects; Newsletters
- Scope and Contents: Contains wide variety of objects and materials used for management, operation, fundraising, and ministry of the First Baptist Church in Tomball. Much of the collection was originally purchased for and organized by the church's media library.
- Physical Condition: Fair
- Condition Notes: Most of the collection is generally in good condition; some vinyl records are broken and many are scratched and poorly cared for. At least one box had evidence of pests with damage to a felt banner.
- Potential Restrictions: Needs further assessment
- Restriction Note: Could have copyright restrictions on some of the audio media. Review for financial or personal information to restrict within office documents and member directories.

#### *2025-003: Office of the Mayor Records*

- Date Received: 11/06/2025
- Donated By: Thomas Harris III, City Secretary, City of Tomball
- Location: 1.1
- Acquisition Type: Donation
- Deed of Gift/Transfer of Ownership: No, TBD
- Custodial Note: These items were given to the former city secretary, Tracylynn Garcia, from Mayor Lori Klein Quinn in 2024. Some boxes were collected from the previous mayor, Gretchen Fagan. These boxes and items were stored in the mayor's office until they were given to the city secretary. In 2025, the current city secretary, Thomas Harris III, noted the historical value of the items and requested the boxes be accessioned to the archive. **Items need further review as some may be separated to a new collections for individual mayors based on item creation dates.**
- Date(s) of Materials: TBD-2023
- Creator(s): potentially multiple sources
- Extent: 5 boxes; round metal sign; rolled vinyl banner
- Type(s) of Materials: Administrative Records (Bylaws, Reports, Minutes, etc.); Photographs; Manuals; Framed objects; vinyl banner; dishware
- Scope and Contents: This collection contains various ephemera, photographs, and manuals collected by the Mayor's office.
- Physical Condition: Good
- Potential Restrictions: Needs further assessment

## Collections Inventory

Collection Category	ID #	Collection Name	Scope and Contents	Boxes	Cubic Feet	Dates	Physical Location	Notes
MS	001	Tomball Garden Club Collection	Newspaper clippings, photographic prints, meeting minutes and rosters. Substantial portion of the collection is scrapbook pages.	6	4	1959-2007	1.2	Previously digitized files currently at Collections>Digitization_Folders>Tomball Garden Club; Will need review and processing.
MS	002	First Baptist Church Collection	Contains wide variety of objects and materials used for management, operation, fundraising, and ministry of the First Baptist Church in Tomball. Much of the collection was originally purchased for and organized by the church's media library.	20	10	1922-2014	1.3; 2.6; LSC-TCL	Originally received by staff in the fall of 2024; Donor agreement filled and returned 12/17/2025; Many boxes contain administrative documents in chronological order; others are boxes of related materials by format.

## Lifetime Project Expenses

- FY24: \$16,109.22
- FY25: \$15,089.43
- FY26: \$2,298.19\*

\*Total does not include employee wages.

Year	Item Description	Category	Date Purchased	Amount
FY26	Lint-free task wipes	Archival Supplies and Tools	11/20/2025	\$ 8.57
FY26	Microfiber cloths	Archival Supplies and Tools	11/20/2025	\$ 7.64
FY26	Alcohol surface wipes	Archival Supplies and Tools	11/20/2025	\$ 20.99
FY26	Tripod with camera adapter	Special Equipment	11/3/2025	\$ 56.02
FY26	Courier Bag	Special Equipment	11/3/2025	\$ 55.44
FY26	Muslin Background	Special Equipment	11/3/2025	\$ 39.71
FY26	Remote Shutter Release Cable	Special Equipment	11/3/2025	\$ 6.37
FY26	Wireless Remote Shutter Release	Special Equipment	11/3/2025	\$ 44.96
FY26	Quick Release Plate	Special Equipment	11/3/2025	\$ 30.60
FY26	Polarizer Lens Filter	Special Equipment	11/3/2025	\$ 44.18
FY26	1TB Memory Cards (2)	Special Equipment	11/3/2025	\$ 258.68
FY26	Super Clamps	Special Equipment	11/3/2025	\$ 29.92
FY26	Sandbags	Special Equipment	11/3/2025	\$ 40.42
FY26	GVM Batteries and Chargers	Special Equipment	11/3/2025	\$ 79.98
FY26	ColorChecker Calibration tool	Special Equipment	11/3/2025	\$ 89.00
FY26	Newer Overhead Camera Mount	Special Equipment	11/3/2025	\$ 64.41
FY26	GVM LED Light Panels	Special Equipment	11/3/2025	\$ 144.30
FY26	Nikon D7500 DSLR Camera with Lens	Special Equipment	11/3/2025	\$ 1,043.90
FY26	Pencil Sharpener	Archival Supplies and Tools	10/27/2025	\$ 12.15
FY26	Stackable File Tray (2)	Archival Supplies and Tools	10/27/2025	\$ 21.94
FY26	Storage Bins and Baskets	Archival Supplies and Tools	10/27/2025	\$ 26.99
FY26	2-inch Artist Tape	Archival Supplies and Tools	10/27/2025	\$ 12.99
FY26	Metal S-Hooks (20)	Archival Supplies and Tools	10/27/2025	\$ 6.93
FY26	Hanging Vinyl Ticket Holders	Archival Supplies and Tools	10/27/2025	\$ 19.29
FY26	Scissors	Archival Supplies and Tools	10/27/2025	\$ 8.99
FY26	Thermometer/Hygrometer	Facilities	10/27/2025	\$ 39.99
FY26	Dusting Brush	Archival Supplies and Tools	10/27/2025	\$ 15.69
FY26	Artifact Tags	Archival Supplies and Tools	10/27/2025	\$ 45.05
FY26	Foil Back Labels	Archival Supplies and Tools	10/27/2025	\$ 23.09
FY25	Business Cards	Other	10/31/2024	\$ 29.20
FY25	Library Cart	Archival Supplies and Tools	10/31/2024	\$ 726.60
FY25	Hand Cart	Archival Supplies and Tools	10/31/2024	\$ 471.90
FY25	Mallet	Archival Supplies and Tools	10/31/2024	\$ 22.81
FY25	Gross Pay	Payroll	7/18/2025	\$ 12,853.00

FY25	Employer Expenses (FICA Medicare)	Payroll	7/18/2025	\$ 985.92
FY24	Gross Pay	Payroll	9/30/2024	\$ 3,713.17
FY24	Employer Expenses (FICA Medicare)	Payroll	9/30/2024	\$ 284.07
FY24	LED Fastfoto Scanner	IT/Tech Needs	8/1/2024	\$ 695.00
FY24	HP Desktop Compuer	IT/Tech Needs	8/1/2024	\$ 1,908.42
FY24	HD Monitor	IT/Tech Needs	8/1/2024	\$ 319.98
FY24	External Hard Drive	IT/Tech Needs	8/1/2024	\$ 499.98
FY24	Webcam	IT/Tech Needs	8/1/2024	\$ 56.40
FY24	Fire TV Monitor	IT/Tech Needs	8/1/2024	\$ 79.99
FY24	Laserjet Printer	IT/Tech Needs	8/1/2024	\$ 529.00
FY24	File Folders, Storage Cart, Gloves	Archival Supplies and Tools	9/1/2024	\$ 3,409.43
FY24	Cutting Mat	Archival Supplies and Tools	9/30/2024	\$ 256.98
FY24	Step Ladder	Archival Supplies and Tools	9/30/2024	\$ 241.65
FY24	Supplies	Archival Supplies and Tools	9/30/2024	\$ 736.90
FY24	Shelves	Special Equipment	9/30/2024	\$ 3,378.25

## Vision, Mission and Values Statement

### *About*

Established in 2023, the Tomball Archive and History Center preserves, protects, and facilitates access to historical municipal records generated by the City of Tomball as well as special collections donated by the greater Tomball area. These areas include Rosehill, Decker's Prairie, Hufsmith and Willow communities.

The Center is a joint project funded by the City of Tomball through the City Secretary's office, with in-kind services provided by LoneStar College and Harris County Public Library.

### *Vision*

The Tomball Archive and History Center serves the City of Tomball, its citizens, community area members, and researchers as a repository of historical municipal records and special collections to encourage the discovery of our local history and heritage within the state of Texas.

### *Values*

#### *Service*

We are committed to providing professional, courteous, and timely assistance to all users. Whether serving municipal departments, researchers, or members of the public, we strive to facilitate meaningful access to records and information that support transparency, understanding, and informed decision-making.

We work together with our partners to ensure that the stories and historical resources of our city and surrounding community are accessible through timely and knowledgeable research assistance.

#### *Preservation and Access*

We safeguard the historical and documentary record of our city and county for future generations. Through responsible stewardship, environmental monitoring, and adherence to archival best practices, we ensure that materials entrusted to our care remain stable, authentic, and accessible over time.

We believe that historical records belong to everyone. We work to make our collections discoverable, inclusive, and understandable by removing barriers to access and supporting equitable use of physical and digital archival resources.

#### *Accountability*

We uphold the principles of public trust by managing records and collections with integrity, transparency, and accuracy. Our policies and procedures reflect our obligation to maintain compliance with records management standards, ethical guidelines, and the legal and fiscal responsibilities of both municipal and county governments.



## Community Engagement and Collaboration

We value the voices, experiences, and histories of our shared community. Through outreach programs, exhibitions, partnerships, and public events, we encourage community participation in preserving and interpreting the shared heritage of our region.

We recognize that the success of the Center depends on cooperation among city and county partners as well as community organizations and individuals. We actively pursue partnerships that expand resources, expertise, and opportunities for preservation and public engagement.

## Mission

To preserve, protect, and share the historical municipal records of the City of Tomball as well as special collections from the surrounding communities documented in our collecting areas to support ongoing historic preservation.

To accomplish this mission, the Tomball Archive and History Center will:

- Identify, acquire, and maintain the permanent records of the City of Tomball in accordance with established retention schedules and archival standards.
- Collect and steward special collections, manuscripts, photographs, and other materials that reflect the social, cultural, and historical development of the greater Tomball area.
- Implement and maintain procedures for secure, long-term preservation and management of physical and digital materials in accordance with professional standards and legal requirements.
- Provide equitable access to physical and digital archival materials through research appointments, reference materials, and online resources.
- Collaborate with partners to support the discovery of collections and showcase local history within the community.

*We welcome all individuals to use the available collections and materials for research or educational needs. Interested individuals must schedule an appointment for access to the Center's collections. All materials are available to the public in a supervised environment, with instructions for handling fragile materials when appropriate.*

## Joint Advisory Committee Proposal

To ensure clear communication, shared accountability, and coordinated decision-making between the City of Tomball and Harris County Public Library, it is recommended that a Joint Advisory Committee be established to guide the operations and strategic direction of the Tomball Archive and History Center.

As a cooperative venture, the Center serves both as the official repository for municipal records and as a community resource for historical research and preservation. A formal advisory structure would provide an essential forum for aligning city and county priorities, reviewing policies, and supporting long-term planning. Such a committee would strengthen transparency and foster collaboration by providing both partners with a consistent mechanism for oversight, policy development, and evaluation of the Center's performance. By supporting this body, both entities would affirm their commitment to ensuring that the Center's mission, collections, and services remain balanced, sustainable, and responsive to public needs at both the city and county level.

### *Committee Composition*

It is proposed that the Joint Advisory Committee consist of six members, appointed equally by the City and the County (three from each entity). Membership may include representatives from:

1. Leadership of City of Tomball,
2. Members of Tomball's City Council,
3. Administration from Harris County Public Library System,
4. Harris County Historical Commission, and
5. Greater Tomball area community stakeholders with expertise in history, archives, or education.

The Historical Archivist will serve as an ex officio, non-voting member, providing reports and professional recommendations. Additional ad hoc members may be invited to participate in discussions related to specific projects or initiatives.

### *Responsibilities*

It is proposed that the Joint Advisory Committee would:

1. Review and recommend policies related to collection development, access, preservation, and public use.
2. Advise on annual goals, budget priorities, and grant or partnership opportunities.
3. Receive and review regular reports from the Historical Archivist on operations, usage statistics, and collection growth.
4. Promote public engagement and advocate for the Center within both city and county communities.
5. Serve as a neutral body to resolve questions or concerns related to intergovernmental coordination and collaborative partnerships.

### *Meetings and Reporting*

It is proposed that the committee would meet quarterly (or more frequently as needed). Meeting agendas and minutes will be jointly maintained by the City and County representatives.

The committee would prepare and disseminate an annual report summarizing activities, recommendations, and performance measures to be submitted to both Tomball's City Council and the Harris County Commissioners Court.

Committee recommendations would be advisory in nature and subject to review and approval by the governing authorities.

## Policies

### *Accessioning and Deaccessioning Policy*

This policy establishes the procedures and standards for accessioning and deaccessioning materials within the Tomball Archive and History Center. The policy ensures that all additions to and removals from the collection are handled responsibly, transparently, and in accordance with professional archival principles, applicable laws, and institutional agreements between the City of Tomball and Harris County.

Established in 2023, the Tomball Archive and History Center preserves, protects, and facilitates access to historical municipal records generated by the City of Tomball as well as special collections donated by the greater Tomball area. These areas include Rosehill, Decker's Prairie, Hufsmith and Willow communities. The Center is a joint project funded by the City of Tomball through the City Secretary's office, with in-kind services provided by LoneStar College and Harris County Public Library.

#### 1. *Definitions*

- **City:** Any reference within this document to “City” is a reference to the City of Tomball as a municipal organization
- **city:** Any reference within this document to “city” is a reference to the regional area within the city limits of Tomball, Texas and the communities that make up the greater Tomball area.
- **Center:** Any reference within this document to “Center” is a reference to the Tomball Archive and History Center.
- **Accession:** The formal process of documenting and recording the acceptance of materials into the Center's permanent collection.
- **Deaccession:** The formal, documented removal of materials from the Center's permanent collection.
- **Transfer of Custody:** The legal process of transferring ownership or stewardship to the Center, accompanied by appropriate documentation (e.g., Donor Agreement or City Records Transfer Request Form).
- **Administrative Record:** The official record containing all administrative, descriptive, and legal documentation related to an accession.

#### 2. *Scope of Accessioned Materials*

This policy applies to all materials acquired or held by the Center, including:

- Municipal government records transferred from City departments, offices, boards, or commissions;
- Historical materials donated by individuals, organizations, or businesses; and
- Any other materials accepted by the Archivist into the custody of the Center for permanent retention.

### 3. *Accessioning Policy*

All accessioned materials must fall within the Center's collecting scope and support its mission. Potential gifts and donations must be appraised using the [Appraisal Form](#) and approved by the Archivist before accessioned into the Center's collections.

#### 3.1 *Eligibility and Criteria*

To be considered for accession:

1. Legal title, right of custody, and/or right of use must be clearly identified, documented, and established;
2. The materials must be in a condition suitable for long-term preservation or can be stabilized with available or attainable resources; and
3. The Center can ensure reasonable public access in accordance with privacy laws and donor agreements.

##### *3.1.1 Reasonable Public Access*

Reasonable public access is defined as the Center's ability to balance requested access to the collections while acknowledging and protecting the security of and integrity of the records. If the condition of materials is such that physical handling could damage or risk deterioration, the Archivist may choose to share digital copies of records or provide proxy research services in which archival staff can assist researchers in information discovery in a controlled, secured manner.

#### 3.2 *Accessioning Procedure*

##### *3.2.1 Documentation of Accession or Transfer*

For municipal records: the Archivist, in coordination with appropriate City Secretary staff, will [evaluate materials for relevance, authenticity, and research value](#) and document their transfer to the Center within a City Records Transfer Request Form.

For gifts, donations and community records: Following the guidelines and procedures noted in the Gifts and Donations Policy, a Donor Agreement must be signed by the donor and the Archivist (or authorized official), establishing transfer of ownership and intellectual property rights before accessioning.

##### *3.2.2 Accession Number and Record Creation*

Each accession will be assigned an accession number once transferred to the Center. The Archivist will then use the [Accession Form](#) to document the following:

- Source of acquisition (donor information)
- Date of accession
- Provenance or creator information

- Description and extent
- Rights and restrictions
- Condition notes

Information from this form will be manually transferred to the Administrative Record for the collection and saved to the collection's control folder. The collection-level data will be saved to the [Collection Inventory](#) for the Center. More detailed guidance on this process is outlined in the Center's Processing Manual.

### 3.2.3 *Inventory and Processing*

Once the collection is formally accessioned, the materials (both physical and digital) will be stored appropriately in the Center with their location noted in the Administrative Record. A basic inventory will be completed upon accession to ensure accountability of materials.

Full arrangement, description, preservation, and access will occur once evaluated for processing and preservation priority at the discretion of the Archivist as resources allow.

## 4. *Deaccessioning Policy*

Accessioned collections and materials remain in the custody of the Tomball Archive and History Center until their integrity, authenticity, or relevance to the Center no longer falls within the scope or capabilities of the Center to preserve, protect, or provide access. The authority to deaccession records from the Center is given by Local Government Code, Chapter 202.004:

Sec. 202.004. ALIENATION OF RECORDS. (a) A local government record may be sold or donated, loaned, transferred, or otherwise passed out of the custody of a local government to any public institution of higher education, public museum, public library, or other public entity with the approval of the local government's records management officer and after the expiration of the record's retention period under the local government's records control schedule.

(b) A local government record may not be sold or donated (except for the purposes of recycling), loaned, transferred, or otherwise passed out of the custody of a local government to any private college or university, private museum or library, private organization of any type, or an individual, except with the consent of the director and librarian and after the expiration of its retention period under the local government's records control schedule.

(c) A records management officer or custodian may temporarily transfer a local government record to a person for the purposes of microfilming, duplication, conversion to electronic media, restoration, or similar records management and preservation procedures.

### 4.1 *Eligibility and Criteria*

Materials may be considered for deaccession when one or more of the following conditions apply:

1. The material falls outside the Center's collecting scope or lacks research or evidential value

2. The material is a duplicate or it exists in another format that better supports preservation or access.
3. The material's condition is such that it cannot be preserved without disproportionate cost or risk to other holdings.
4. Legal or ethical obligations require return or disposal (e.g., donor stipulations, privacy laws, or city retention policies).
5. The material poses a hazard to personnel or other collections.

## 4.2 Deaccessioning Procedure

### 4.2.1 Documentation and Approval

The Archivist will prepare a written justification outlining the reason for deaccession, including references to accession records and any restrictions. A Notice of Deaccession will be documented in the collection folder and in the Deaccession Log.

For municipal records, the City Secretary or designated records officer must approve the disposition in accordance with retention schedules and state law.

### 4.2.2 Disposition of Records

Following approval, materials may be:

- Returned to the original donor (if legally or ethically appropriate);
- Transferred to another qualified archival repository; or
- Destroyed in a secure and documented manner, applicable laws and ethical standards.

The Center will maintain a permanent record of all deaccessioned materials for accountability and institutional memory.

## 5. Revision and Administrative Acknowledgement

This policy will be reviewed every five years or as needed to reflect changes in professional standards, legal requirements, or institutional priorities.

## *Access and Use Policy*

The purpose of this policy is to define the principles and procedures governing public access to, and use of, the collections of the Tomball Archive and History Center. This policy ensures that access is provided in a fair, consistent, and lawful manner that balances transparency, intellectual freedom, and preservation of materials with legal, ethical, and privacy obligations.

Established in 2023, the Tomball Archive and History Center preserves, protects, and facilitates access to historical municipal records generated by the City of Tomball as well as special collections donated by the greater Tomball area. These areas include Rosehill, Decker's Prairie, Hufsmith and Willow communities. The Center is a joint project funded by the City of Tomball through the City Secretary's office, with in-kind services provided by LoneStar College and Harris County Public Library.

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### *2. Scope of Materials and Access*

This policy applies to all collections and materials held by the Center, including permanent municipal records transferred from the City of Tomball as well as historical and cultural materials donated by individuals, families, organizations, and businesses.

Accessible collection materials include physical, digital, and digitized objects as well as related metadata, finding aids, and other administrative information stored by the Center.

### *3. Principles of Access and Use*

The Tomball Archive and History Center serves the City of Tomball employees, departments, boards, and commissions as well as the general public. The Center is committed to providing equitable public access to its holdings in support of research, education, and community engagement.

Access may be restricted to protect personal privacy, proprietary information, or confidential government data. Appropriate access and use will be determined and approved by the Archivist and archival staff in accordance with restrictions maintained by applicable laws and donor agreements as well as measures to protect the long-term access and physical condition of materials.

### *4. Access to Collections*

Archival collections and holdings do not circulate as part of the larger Harris County Public Library collection. A reference area will be made available to researchers within the Tomball Community Library



space when necessary. This area will be monitored by archives staff both to assist researchers as well as to ensure the integrity of records and objects.

Reference inquiries can be made by telephone or email. Researchers must make an appointment with archival staff to access physical collections. Requests may be filled by digitizing records and emailing to a patron.

#### 4.1 Requests for Access

All research requests are logged via a Research Request form. This form is a permanent record stored for accountability and reporting purposes.

##### 4.1.1 *Open Records Act*

All documents and records maintained by the Center including files documenting the acquisition and donation of records and their use are subject to disclosure under the Texas Public Information Act, Texas Government Code, Chapter 522, which gives the public the right to access government records except in cases of confidentiality or privacy issues. Requests for access to active or restricted government records may be referred to the appropriate City department or the City Secretary's Office.

##### 4.1.2 *Restrictions to Access*

Access to private donations to the Center are open to the public except in cases where donors have restricted portions of their records as a condition of their donation in accordance with Section 552.021 of the Public Information Act by Sections 552.120 and 552.121.

The Archivist will make all decisions concerning access to materials in which their physical condition could be compromised or create other risks to the collections, environment, or researchers. Access to may be denied or delayed until a sufficient and secure means of providing access to the materials can be ensured. Restricted materials will be clearly identified in collection descriptions. Access requests will be reviewed on a case-by-case basis by the Archivist.

##### 4.1.3 *Researcher Registration and Agreement*

All researchers who physically access the archives will complete a Researcher Registration Form and show identification before given access to materials. Researchers will be given an identification number to track requests and access. This information will be used by the Center in statistical reports.

##### 4.1.4 *Reference Area Rules*

As part of researcher registration, researchers sign a statement that they have read and understand the Regulations for Use for the Tomball Archive and History Center. This agreement stipulates that researchers and visitors must:

- Handle materials with care and comply with staff instructions;
- Use only pencils and approved materials in research areas;
- Not alter, mark, or remove archival materials from the designated research space; and
- Obtain permission before photographing, scanning, or otherwise reproducing materials.

## 5. *Use of Materials and Collections*

The Center makes materials available for research and educational use in compliance with U.S. copyright law (Title 17, U.S. Code). Donors of private collections may retain copyright unless transfer of rights is specified in the Donor Agreement. Researchers are responsible for determining copyright status and for obtaining permissions to publish or distribute copyrighted materials.

### 5.1 Reproductions and Publications

The Center may provide digitized copies of materials to researchers or other members of the public for use. These reproductions are created in a manner to not compromise preservation of objects or violate legal restrictions. Permission to reproduce does not constitute transfer of copyright or other intellectual property rights.

Researchers are responsible for obtaining copyright clearance and citing the Center and donor (if specified in the Donor Agreement) as the source when reproductions are used in publications, exhibitions, or digital media.

### 5.2 Handling and Security of Collections

Access to storage and processing areas is restricted to authorized staff and visitors. Materials and collections identified in research requests will be retrieved and re-shelved by archival staff.

#### 5.2.1 *Digital and online access*

Digital materials will be accessed or shared through approved, secure systems. Online access may be subject to the same restrictions as physical materials. Researchers and users are expected to respect copyright and privacy limitations when using digital content published via the Center's digital repository.

### 5.3 Privacy and Data Protection

The Center safeguards personal information contained in its records and provided to researchers. Records containing sensitive data may be redacted, restricted, or anonymized in compliance with applicable privacy laws and ethical guidelines.

### 5.4 Citation of Records

Citation information for collections and materials is included in the finding aid. Researchers should reference the relevant editorial style guide for their publication for specific format requirements.

#### 5.4.1 *Municipal Records*

The following items are generally necessary for a proper citation:

- Identification of Item: Use the name of record or item
- Author: Use the name of the office, department, board, etc.
- Year: Use the Created Date for the record. If not listed, use the created date for the larger collection record.
- Publishing Institution/Agency: City of Tomball

- Repository Name: Tomball Archive and History Center
- Repository Location: Tomball, Texas, United States

#### 5.4.2 Archival Collections

Depending on the document type or item the citation information should be referenced from the following descriptive elements in the record:

- Identification of Item: Use the name of record or item, if available. Otherwise use a brief description of the item.
- Author: Use the Creator name associated with the item in the record.
- Year: Use the Created Date for the record. If not listed, use the created date for the larger collection record.
- Repository Name: Tomball Archive and History Center
- Repository Name: Tomball, Texas, United States

#### 6. *Revision and Administrative Acknowledgement*

This policy will be reviewed every five years or as needed to reflect changes in professional standards, legal requirements, or institutional priorities.

## *Acquisition and Collection Development Policy*

This policy establishes guidelines for the identification, evaluation, and acquisition of records by the Tomball Archive and History Center to aid in the systematic growth of collections that document the historical, administrative, and cultural record of the City of Tomball and the surrounding community.

Established in 2023, the Tomball Archive and History Center preserves, protects, and facilitates access to historical municipal records generated by the City of Tomball as well as special collections donated by the greater Tomball area. These areas include Rosehill, Decker's Prairie, Hufsmith and Willow communities. The Center is a joint project funded by the City of Tomball through the City Secretary's office, with in-kind services provided by Lonestar College and Harris County Public Library.

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- **Center:** Any reference within this document to “Center” is a reference to the Tomball Archive and History Center.

### *2. Scope of Collections and Materials*

In accordance with its mission and vision, the Tomball Archive and History Center will acquire and preserve records that:

- Document the history, development, and operations of the City of Tomball and its municipal departments.
- Document the history and growth the city of Tomball and the greater northwest Harris County area through the lives, activities, and contributions of residents, organizations, and businesses.
- Support research, education, and community engagement with the local historical record.

#### *2.1. Accepted Formats*

The Center accepts materials in various formats, including textual documents, photographs, maps, audiovisual media, born-digital materials, and selected artifacts directly related to the archival mission.

#### *2.2 Principles of Appraisal*

All acquisitions must fall within the collecting scope and further the mission of the Center as well as be in a condition suitable for preservation. If identified materials are in need of preservation, their care and stabilization must be realistically achievable with the available or attainable resources of the Center in accordance with the Center's [Preservation Policy](#). The Center will **not** accession materials [without a formal transfer of ownership or Donor Agreement](#) that is clearly established and documented.

### *3. Acquisition Procedures*

All proposed acquisitions will be reviewed by the Archivist to determine their alignment with the scope and capabilities of the Center. The Center acquires materials through the following means:

- **Transfer:** Permanent transfer of City of Tomball records in accordance with records management and retention schedules.
- **Donation:** Gifts from individuals, families, organizations, and businesses relevant to the city and community's history.
- **Deposit or Loan:** Temporary custody agreements for materials requiring evaluation or short-term exhibition, subject to formal deposit or loan documentation.
- **Purchase:** Rare or unique items may be purchased when they strongly support the mission and cannot be otherwise acquired.

### 3.1. City Records

The Center is the repository for the permanent records of the City of Tomball and its municipal departments, offices, boards, and commissions. Acquisitions of municipal records must follow the approved records transfer procedures in coordination with the City Secretary's Office. The Center will acquire and accession records that have been identified and designated as permanent archival records that have enduring historical, artefactual, legal, or intellectual value.

The Center will also seek out and acquire relevant records and materials with historical value outside of the records management process from former and current elected officials or employees.

### 3.2. Community Records and Special Collections

The Center may acquire and accession records and materials from private donors, community organizations, and business from the greater northwest Harris County area. All private donations must be accompanied by a valid donor agreement or transfer of custody to the Center.

## 4. Maintenance of Collections

All accessioned collections will be arranged and described according to archival principles using established archival descriptive standards. This process ensures appropriate and relevant context related to the creation and use of the records is included within the archival record. The Center reserves the right to reappraise and deaccession materials within the collection as appropriate and in accordance with the Center's [Accessioning and Deaccessioning Policy](#).

### 4.1 Arrangement Classification

All records and materials accessioned to the archives will be processed in accordance with procedures and guidelines outlined in the Center's Processing Manual. All materials in the Center archives are classified as:

- **Municipal Records (MR):** Any collection of materials created by an internal department, board, or commission directly affiliated with the City of Tomball.
- **Manuscript Collections (MS):** Any collection of materials created by an individual (or family), private business, or community group in relation to their work as an important figure or stakeholder of either the City of Tomball as a municipal entity or the regional community.

- **Artifacts:** Objects or items that may be received or stored separate from its associated collection or fonds, but remain intellectually and administratively within the original transfer, donation, or accession.

The Archivist will determine additional collections classifications as needed and document them in the relevant documentation. All collections and artifacts will be identified with an associated identification number that reflects its classification.

## 4.2 Arrangement and Description Procedures

### 4.2.1 Administrative Records

Every record group or manuscript collection will have an administrative record which documents the stewardship, assessment, and context of the materials. This record will include the following:

- Correspondence between donor and archival staff;
- Notes on provenance;
- Scope and contents;
- Processing notes;
- Conservation or preservation notes;
- Research or reference materials related to the collection; and/or
- Other records of permanent value to the management of the collection or materials.

### 4.2.2 Description and Processing Procedures

The Center will follow the [MPLP \(More Product, Less Process\)](#) standard for processing collections as much as possible. Following accession, archival staff will develop a [processing plan](#) outlining notes on condition, scope, restriction needs, and preservation recommendations. This plan will be approved by the Archivist before processing begins. As a result of processing, two levels of description are created for each record in the Center's archival holdings: a database entry and finding aid. The database entry ensures the collection is included in the official inventory of holdings. The finding aid ensures the context of the collection's creation as well as its administrative record are accessible in one place for researcher access. All finding aids will follow [Encoded Archival Description \(EAD\)](#) standard requirements.

Description of collections will proceed from the general to the specific unless otherwise designated and approved by the Archivist. More detailed arrangement and description of materials is outlined in the Center's Processing Manual.

## 5. Ownership and Access

All acquisitions become the property of the City of Tomball (and its partners) under the stewardship of the Tomball Archive and History Center unless otherwise specified in the donor agreement. Following the guidance and requirements set forth in the [Access and Use Policy](#), the Center will maintain public access to its holdings, subject to privacy laws, donor restrictions, and preservation concerns.

## 6. *Revision and Administrative Acknowledgement*

This policy will be reviewed every five years or as needed to reflect changes in professional standards, legal requirements, or institutional priorities.

### *Gifts and Donations Policy*

The purpose of this policy is to establish guidelines for the acceptance, documentation, and stewardship of gifts and donations to the Tomball Archive and History Center. The policy ensures that all donations are managed in a consistent, ethical, and transparent manner that supports the Center’s mission to preserve and share the history of the City of Tomball and the surrounding community.

Established in 2023, the Tomball Archive and History Center preserves, protects, and facilitates access to historical municipal records generated by the City of Tomball as well as special collections donated by the greater Tomball area. These areas include Rosehill, Decker's Prairie, Hufsmith and Willow communities. The Center is a joint project funded by the City of Tomball through the City Secretary’s office, with in-kind services provided by Lonestar College and Harris County Public Library.

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#### *2. Scope of Gifts and Donations*

This policy applies to all materials and financial contributions offered to the Center, including but not limited to:

- Archival and historical materials (documents, photographs, audiovisual items, maps, artifacts, and digital files);
- Monetary gifts intended to support collection care, preservation, or programming; and
- In-kind donations of supplies or services that directly benefit archival operations.

All gifts and donations of records and historical materials to the Center must align with the principles and guidelines set in the [Acquisition and Collection Development Policy](#). Financial or in-kind donations must align with City and County policies.

#### *3. Eligibility*

Gifts and donations must meet all requirements established in the Scope of Collections and Materials documented in the Acquisition and Collection Development Policy.

The Archivist will review and approve all proposed gifts or donations to ensure they meet the criteria for acceptance and fall within the Center’s collecting scope. The City of Tomball retains final authority for accepting donations that carry financial implications or legal obligations.



#### 4. *Review and Appraisal*

Once a collection of materials is identified as a potential gift or donation to the Center, the following workflow will be initiated:

1. Record request and donor information
2. Appraise materials for relevance to scope
3. Acquire Donor Agreement
4. Accession materials into the Archives

##### 4.1 *Record request and donor information*

The name, email, phone number, and other relevant contact information must be documented and stored with each record of gift or donation. For materials that are accessioned into the archives, this information will be retained for Center use is subject to disclosure under the Public Information Act, Texas Government Code Chapter 552.

##### 4.2 *Appraisal of Scope*

Each potential gift or donation of materials will be appraised using [the Appraisal Form](#). This form is used to document and evaluate materials still in the custody of creators or donors. City records **do not** need to be appraised in this manner but should be evaluated according to the Archival Values Checklist and approved for transfer by appropriate records management staff in the City Secretary's office before accessioning.

###### 4.2.1 *Restrictions or Conditions*

The Center reserves the right to decline any donation that does not align with its mission, duplicates existing holdings, or poses preservation or legal challenges. The Archivist will make every effort to find an appropriate repository for those records with historic value that do not conform to the Center's mission.

The Center does not provide monetary appraisals of donations for tax purposes; donors seeking tax deductions are responsible for obtaining independent appraisals in compliance with IRS regulations.

##### 4.3 *Donor Agreement*

All accepted gifts **must** be accompanied by a signed Donor Agreement that formally transfers ownership and defines any restrictions to use and access. Copies of the Donor Agreement will be retained in both the donor file and the accession record.

The Donor Agreement will specify:

- Donor's name and contact information;
- Description of materials donated;
- Acknowledgement of transfer of ownership of rights and/or custody of objects;
- Conditions or restrictions (if any); and
- Signatures of both the donor and the Archivist or other authorized city representative.

#### 4.3.1 *Conditional Loans and Temporary Custody*

Conditional or long-term loans will be accepted only under exceptional circumstances and must be documented through a formal agreement specifying terms, duration, and responsibilities.

#### 4.3.2 *Access and Restrictions*

Once accessioned, all materials are subject to the policies and guidelines of the Centers's [Access and Use Policy](#). The donor may specify supplemental restrictions or terms of use within the Donor Agreement with the approval of the Archivist.

#### 4.4 *Accession Procedure*

Once approved for accession, the collection will be subject to the guidelines and requirements outlined in the Center's Accessioning and Deaccessioning policy. Upon delivery of materials to the Center, the collection will be scheduled for processing. The Center reserves the right to deaccession materials in accordance with established policy and ethical standards.

### 5. *Use and Stewardship of Donated Materials*

All donated materials become the property of the City of Tomball and will be managed according to Center policies governing accessioning, preservation, description, access, and deaccessioning with regard to additional specifications noted within the Donor Agreement.

All collections will be arranged and described according to archival principles using established archival descriptive standards. The Center reserves the right to digitize, reproduce, exhibit, or loan materials for research or educational purposes.

### 6. *Monetary and In-Kind Donations*

Monetary donations will be accepted through approved City of Tomball procedures and designated for archival or historical purposes as specified by the donor and approved by the City. In-kind donations of supplies or services must directly support TAHC programs, operations, or preservation initiatives and will be evaluated for appropriateness and utility.

### 7. *Donor Relations and Recognition*

The Center will provide donors with an official letter acknowledging the gift and its significance to the community's historical record. Additional acknowledgments or communications will be conducted as appropriate at the discretion of the Archivist or the City of Tomball.

Donor privacy will be respected in accordance with applicable laws and the donor's expressed preferences.

### 8. *Revision and Administrative Acknowledgement*

This policy will be reviewed every five years or as needed to reflect changes in professional standards, legal requirements, or institutional priorities.

## *Preservation Policy*

The purpose of this policy is to establish a framework for the preservation and care of the Tomball Archive and History Center’s collections. The policy ensures that materials entrusted to the Center are protected for long-term access and use through consistent, professional preservation practices that balance resource limitations with preservation priorities. The City assumes financial responsibility for the technical support and maintenance of materials required by this policy.

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### *2. Scope of Materials*

In accordance with its mission and vision, the Center will prioritize and foster the long-term preservation of physical and digital materials created or received by the Center, including: permanent municipal records transferred from the City of Tomball; historical and cultural collections donated by individuals, families, organizations, and businesses; and metadata, descriptive documentation, and digital surrogates created as part of access or preservation efforts.

### *3. Principles of Preservation*

The goal of the Center is to preserve and provide long-term access to its holdings following professional archival standards and principles. All collections will be evaluated at accession to understand the current accessibility of materials with the need for future access and use. The Archivist will monitor and appraise the condition of materials over the course of the life cycle and stewardship of items for changing needs.

Preservation strategies will be implemented within available resources and adjusted as resources expand. When feasible, the Center will collaborate with other professionals and organizations to enhance preservation through shared resources, training, and expertise. Digitization will be used as a tool to enhance access while protecting fragile originals.

#### 4. *Environment and Storage Guidelines*

The Tomball Archive and History Center is currently housed in room 214 of the East Hall on the Lonestar Community College campus in Tomball, Texas. In collaboration with campus facilities and associated Harris County employees, archival staff work to sustain a consistent environment to promote long-term preservation of collections. Every effort is made to maintain an ambient temperature between 60 – 70 degrees Fahrenheit and humidity levels between 40 – 60 percent relative humidity.

##### 4.1 *Housings for Records*

Accessioned records are housed in archival quality acid- and lignin-free folders and boxes whenever possible. All materials used in records processing conform to accepted professional archival standards.

##### 4.2 *Pest and Disaster Management*

The Center takes all precautions to reduce the incidence of biological infestations of collections. No food or drink is allowed in the reference or processing areas designated by the Center or the Tomball Community Library. The Archivist will evaluate all materials for pest infestations or other biological concerns at accession and determine any needs for immediate remediation and care.

The Archivist may consult or utilize an outside vendor or service to care for materials or collections of high research or informational value, as necessary. Preservation or conservation needs that fall outside of the scope and means of the Center may result in a collection being deaccessioned from the collection.

##### 4.2.1 *Disaster and Emergency Management*

The Center will maintain a Disaster Preparedness and Response Plan in accordance with the Lonestar College campus to safeguard collections from fire, water, mold, or other emergencies. Archival staff and volunteers will receive training in emergency response and recovery procedures, as appropriate. Vital records and high-priority objects will be identified and prioritized for salvage and protection. The Archivist will review and approve the transfer or separation of records to other secure facilities as appropriate or necessary.

#### 5. *Preservation Priority Tiers*

The Center employs a tiered approach to prioritize preservation and access of materials based on historical and research value, current and future use, and condition or integrity of objects. These tiers are as follows:

- Tier 1: Core Preservation Priority
- Tier 2: Moderate Preservation Priority
- Tier 3: Access-Focused Materials

##### 5.1 *Tier 1 Core Preservation Priority*

This priority is given to unique, irreplaceable, or legally mandated materials of enduring historical or administrative value.

### 5.1.1 Scope of Collections

The following collections and records will be considered a Tier 1 priority for preservation and care:

- All permanent, municipal records;
- Founding City documents, original photographs, and manuscripts relevant to the mission of the Center; or
- Rare or fragile items of exceptional research or evidential significance.

### 5.1.2 Preservation Guidelines

Collections and materials identified as Tier 1 priority will receive the highest level of environmental and handling control. Under the direction of the Archivist, these materials will be prioritized for stabilization, reformatting, and/or digitization as resources allow. Physical access to objects may be minimized to reduce risk and damage from handling. The Archivist will regularly assess and document the condition of these materials.

## 5.2 Tier 2 Moderate Preservation Priority

This priority is given to materials with historical or research value that support interpretation, education, or public engagement but have accessible surrogates or copies.

### 5.2.1 Scope of Collections

The following collections and records may be considered a Tier 2 priority for preservation and care:

- local history collections;
- community organization records; and
- frequently used or requested objects (e.g., photographs).

### 5.2.2 Preservation Guidelines

Collections and materials identified as a Tier 2 priority will be housed and stored according to accepted archival standards within the means of the Center. To encourage and support access and use, the Archivist will prioritize the digitization or creation of surrogates of materials to support long-term accessibility of original objects. Moderate access and use of original materials will be allowed under the supervision of archival staff. The Archivist and archival staff will monitor the condition of materials and reassess needs every 3-5 years.

## 5.3 Tier 3 Access-Focused Materials

This priority is given to items primarily retained for reference, display, or educational use; duplicates or low-risk materials.

### 5.3.1 Scope of Collections

The following collections and records may be considered a Tier 3 priority for preservation and care:

- copies;
- printed reference files; or
- items with limited unique informational content.

### 5.3.2 Preservation Guidelines

Collections and materials identified as a Tier 3 priority will be housed and stored according to accepted archival standards within the means of the Center. These materials and records will be made available for regular access, handling, or exhibition. The Archivist will determine and approve the need for replacement or reprinting if damage or deterioration occurs. Digitization of materials will be determined based on user need.

## 6. Care and Preservation of Digital Collections

Digitized materials and born-digital materials require ongoing technical maintenance to ensure long-term accessibility. The Center will employ best practices in digital asset management and archival standards to ensure the ongoing integrity and accessibility of digital files. Ensuring integrity of the record includes the management of the data within the file, the file as an object, the provenance of its creation, and the metadata used in its record.

### 6.1 Digital Storage Management

Digital files will be stored on secure, redundant systems (onsite and cloud-based) to mitigate risk of loss. Along with cloud-based storage for the access of digital records, the Center will use external hard drives backup and store preservation and working copies of files. One hard drive is used in the creation and access of files by archival staff. The other is a mirrored backup to mitigate loss or damage to files.

### 6.2 File and Format Management

Archival staff will ensure that files are accessioned, created, and stored in the proper formats for long-term preservation. When feasible, files may be reformatted to open, non-proprietary formats to ensure accessibility without the need of proprietary software. In accordance with standard archival practice, at least three copies of digitized files will be stored for relevant collections.

- A preservation file is the highest quality copy of an object for long-term preservation. It is created once, stored, and no longer handled. It is used ONLY in the event that a primary access copy becomes corrupted or altered. The Archivist will create a new primary access copy using the preservation file.

- A primary access copy is a working copy of the preservation file and is the source of all other copies.
- An access copy is a copy of the primary access copy at a lower resolution and an accessible file format for viewing, printing, web publishing, etc.

### 6.3 Integrity Checks and Obsolescence

Digital files and objects will undergo fixity checks to ensure the data integrity of the file. An initial fixity will be established at accession or creation by generating a checksum for the file that is logged with the collection record. Fixity checks will be performed at a regular interval determined by the Archivists. Checks may occur outside of this regular cycle if determined necessary by the Archivist.

The Archivist will review files annually to ensure that the Center has the proper technology (i.e., software or tech equipment) required to open and access files. Any files at risk of loss of access due to obsolescence will be reformatted to an acceptable file type, if possible. If unable to reformat files to an accessible file type, the Archivist may decide to deaccession materials from the collection.

### 7. *Revision and Administrative Acknowledgement*

This policy will be reviewed every five years or as needed to reflect changes in professional standards, legal requirements, or institutional priorities.

## Procedures

### *Processing Checklist*

#### **Choose an unprocessed collection**

1. Select a collection to process.
2. Get approval from head archivist to process.

#### **Review all accession and administrative records of the collection**

1. Review all available administrative records for the collection.
2. Determine if there is a recent inventory.
3. Search all inventories in TAHC Control Folders for collection #, collection title, creator name.
4. Note locations of all materials and update of the location information in the administrative record.
5. Photocopy, print or save any documents that you want to consult throughout the project.
6. Create a project folder to keep everything together for the duration of the project.
7. Setup project files in the digital control folder.

#### **Conduct an initial assessment and appraisal of the collection**

1. Locate and pull all collection materials from all locations.
2. Create a box-level inventory noting record types, materials of significance, preliminary appraisal decisions, preservation needs, and scope of collection.
3. Note any restriction concerns.
4. Determine appropriate housing and storage location for all materials.
5. Upload box-level inventory archival description to the project folder.

#### **Create a processing plan for the collection**

1. Write preliminary Biographical Sketch and Scope & Content Note.
2. Outline initial arrangement of collection.
3. Determine an initial Processing Tier-level for each record series.
4. Detail course of action and procedures for arrangement and rehousing of collection.
5. Estimate supplies and preservation activities necessary for processing the collection.
6. Provide a timeline for completion of physical processing.
7. Get approval by a head archivist.

#### **Begin physically processing the collection according to the plan**

1. Group materials according to the arrangement in the processing plan.
2. Rehouse materials into archival folders and boxes.
3. Separate materials to appropriate storage sections and containers depending on size or material type. Insert separation sheets (if necessary).
4. Label folders to describe the materials within.
5. Make note of restricted materials, labeling folders and boxes.



6. Make preservation decisions depending on the condition of individual items.
7. Take preservation actions as you go or flag to do all at the end.
8. Finalize box and folder numbers and other container identifications.
9. Create folder-level inventory (or appropriate level of description), matching folder labels.
10. Assign identifiers to all inventoried items.
11. Place foil-back labels on all boxes.
12. Calculate final extent in cubic feet and boxes.

### **Digitize materials included in a collection (optional)**

1. Identify items for digitization and create digitization plan, if not already created.
2. Get approval from a head archivist.
3. Submit items to the digital processing log.
4. Accession items to the digital collection drive (external hard drive).
5. Create an inventory list of all files transferred.
6. Process files and create access files, if possible.
7. Saving files to the appropriate project folders on the digital collection drive.
8. Update collection documentation with the appropriate inventory and location information.

### **Process born-digital materials (optional)**

1. Submit digital items in the digital processing log.
2. Accession items to digital collection drive (DCD)
3. Make a list of all files transferred from all items
4. Process and create access files if possible.
5. Save items to the appropriate project folder(s) on the digital collection drive.

### **Finalize Description and Arrangement**

1. Finalize narrative describing the person or institution's history, collection, and types of materials in collection.
2. Transfer all description information into TAHC Finding Aid template.

**Update collection control folders and administrative records**

1. Update location information in accession records.
2. Link Physical Storage of all Shelf# locations to Collection-level archival descriptions.
3. Update master inventories in TAHC Control Folders.
4. Update Box inventory database.
5. Put collection and admin materials back in control folders.
6. Print Accession Record and replace in control folder
7. Print Finding aid and place it in the control folder.
8. Deaccession materials.

**Shelve Materials**

1. Place all boxes, containers, and items of the collection on the appropriate shelves and in the appropriate sections.

**Clean the processing area**

1. Store empty boxes, if archival-grade, with collection information marked out, so the boxes can be reused for other collections.
2. Place all reuseable archival supplies in the appropriate place in the supply section.
3. De-construct non-archival boxes and set aside for disposal.
4. Discard materials that were set aside for disposal.

## *Accessioning Physical Records and Collections*

### **1. Record in Accession Log**

Each accession must be documented with a complete [Accessioning Form](#). This process allows us to record the contextual and administrative information necessary for long-term preservation. This form includes:

1. Intake Data – administrative information documenting the receipt of items and the assignment of an Accession Number (see below).
2. Custodial History and Provenance – contextual information regarding the history of ownership and details of its donation.
3. Description – preliminary description of the collection to aid in developing a processing plan.
4. Condition and Access – preliminary description of the collection to document preservation or restriction needs.

#### *1.1 Assign an Accession Number*

Accessions are tracked and grouped annually. Each accession is given a unique, sequential identifier that reflects the order in which it was received in the year it was received. For each accession, begin with the 4-digit year and then assign a 3-digit number reflecting its order received separated by a '-'.

Reference the Accession Log to identify the next sequential number to use.

Example: 2025-001

### **2. Create a collection in the TAHC Collection Database**

If accession is a new accrual for an existing collection, you will **not** need to create a new collection. Locate the existing collection folder and update the Administrative Record with information on the new accession. Note any updates to the dates, boxes, locations, etc.

If accession is of a new collection, assign a collection number to the collection (if new) and add the collection to the Collection Inventory List once accessioning is complete and materials have been received,

Each collection is first categorized by type and then assigned a unique, sequential number.

#### *2.1 Assign a Collection Category*

- MR (Municipal Record) - For city records collections transferred from an internal municipal department, board, commission, etc.
- MS (Manuscripts and Papers) - For special collections created or gathered by individuals or groups.

#### *2.2 Assign a Collection Number*

Before assigning an identification number, reference the Collection Inventory List for the next sequential collection number for the relevant collection category:

Example: MS 001

### 2.3 Create a Collection Control Folder(s)

Collection records are housed in the TAHC Collection Database stored (and mirrored) on the two external hard drives. A print copy of the administrative record and relevant custodial information is stored in a physical folder in the desk in E213.

1. Navigate to the Collections folder and open the directory for the appropriate collection category.
2. Once in the correct directory, create a new folder for the new collection. Name the folder with the ID number and shortened Collection Name separated by an '\_'. The Collection name should be formatted appropriately for file management using '-' in place of spaces.

Example: 001\_Tomball-Garden-Club-Collection

The physical control folder should be labeled with the name of the collection, accession number, collection number, and date received. If any information is added to the folder at a later date, a second date can be appended to reflect this.

Folder label example:

(Collection Number) M# 00#	Collection Name	(Accession Number) YYYY-00#
		Received: MM/YYYY

#### 2.3.1 Control Folder Contents

Digital control folders house the following files (created/updated at various stages of processing and management):

1. Administrative Record
2. Donor Agreement (signed)
3. Donation Correspondence/Evidence
4. Inventory File(s) - Box-level required with accession; File- and/or Item-level as processed
5. Processing Plan
6. Preservation/Digitization Plan

Physical control folders house only a copy of the Administrative Record, Donor Agreement (signed) and any relevant Donation Correspondence.

### 3. Place collection in the Archive stacks

Materials should be housed in archival-grade boxes and labeled. Materials that do not fit inside a 1 cubic foot box, should be relocated to the appropriate location and inventoried. Note all locations for the collection in the Administrative Record, listing bay and shelf number individually.

#### Example Box Label (Unprocessed)

Collection Name	Accession #
-----------------	-------------

Box #	
Location #	
UNPROCESSED	Received: MM/YYYY

4. Send a Letter of Acknowledgement to the donor

More process TBD. Reference the [Letter of Thanks](#) template.

5. Create Box-Level inventory and queue for processing.

See Processing Manual > Initial Assessment. Save a copy of the inventory and processing plan in both the digital and physical control folders.

### Appraisal Form

(The following is adapted from an online MS Forms link.)

This form should be used to appraise and evaluate collections/materials that have not yet been formally accessioned to the Archives. These include materials still in the custody of creators or donors or materials that have accumulated in the Archives without documentation or record. **City records do not need to be appraised in this manner but should be evaluated according to the Archival Values Checklist before accessioning.**

#### Contact Information

- Name:
- Preferred Contact  
(Email, phone, physical address, or all of the above.)
- Appraised By:
- Appraisal Date:

#### Collection Information

- Name or Title of Collection  
(May be adjusted during processing)
- Description of materials and subject matter:  
(include document and object types, formats, etc.)

#### Evaluation and Recommendation

- Institutional Relevance:  
Does the collection have a direct relationship to the operational and administrative work of the following? (Answer Yes, No, or Unknown for each)
  - City of Tomball and its departments, governing boards, or commissions.
  - Previous and current elected or appointed officials.
  - Previous or current projects, events, or other noteworthy activities.
- Enduing and Historical Value:  
Do the items within the collection hold relevant significance to or serve as a vital source of information for the following? (Answer Yes, No, or Unknown for each)
  - Settling and development of the community (pre-founding).
  - Founding and establishment of the City.
  - Growth and development of the City
  - Growth and development of the surrounding community.
- Does the collection contain rare or unique source materials of value to researchers?  
(This could be related to institution-specific subjects and priorities as well as broader subjects)
- Has the Archive received special funding, approvals, or requests to aid in the preservation of the collection?  
(For collections outside of the Center's prioritized mission and scope)

- Additional notes, concerns, or consideration.
- Recommended Action:
  - Accession
  - Transfer Custody
  - Disposal
  - Destruction

## Accessioning Form

This form should be used to document our knowledge about a grouping of archival materials upon their arrival to the Archives. This form is part of the larger processing workflow and will set the stage for stabilization, processing, and preservation of the items. **Information from this form will be manually transferred to the Admin Record template and saved to the collection's control folder as well as saved to the Collection Inventory for the Center.**

### Intake Data

- Received by (Staff)
- Date Received
- Donated By (Name, Organization and Contact)
- Location (Shelf, Section and/or digital folder path)
- Accession No (YYYY-###)

### Custodial History and Provenance

- Acquisition Type
  - Donation
  - Transfer
  - Deposit
  - Purchase
  - Other
- Deed of Gift/Transfer of Ownership
 

(A deed of gift letter should be sent to the contact information on file to legally transfer custody of collection for accessioning to the Archives. If no Deed of Gift is available or no contact information is known, any communications or known history of ownership should be documented and saved to the collection's control folder and noted in the Admin Record.)

  - Yes, signed
  - Yes, unsigned
  - No
- Receipt of Purchase
 

(An official document noting the point of sale, itemized list of purchases, and date should be saved in the collection's control folder and noted in the Admin Record.)

  - Yes
  - No
- Office/Division Name
 

(For records originating from City Records)
- Records Identification Numbers
 

(Any ID numbers used in the retention and use of records. Could include Agency Item Number, Record Series Item Number, etc.)
- Are there any related materials in the Archives custody?



- Yes
- No
- Unknown
- List Collection ID, Title, Location for related (if new) or existing collections (if accrual)
- Custodial Note  
(Information on collection or material ownership.)
- Is there an existing or intelligible file system?
  - Alphabetic
  - Chronological
  - Numerical
  - Topical (Subject)
  - No, not arranged
  - Other
- Are materials foldered?
  - Yes
  - Part
  - No
- Are folders labeled?
  - Yes
  - No

### Description

- Title  
(if part of an existing record series, note here)
- Date(s) of Materials
- Creator(s)
- Extent  
(List exact number and size of containers received.)
- Type(s) of Materials
  - Newspaper
  - Directories
  - Correspondence
  - Administrative records (Bylaws, Reports, Minutes, etc.)
  - Manuals
  - Paper
  - Photographs
  - Financial Documents
  - Audiovisual (film, video, audio)
  - Digital media (digitized and born-digital)
  - Garments and textiles

- Framed objects
  - Other
- Scope and Contents

#### Condition and Access

- Physical Condition
  - Excellent
  - Good
  - Fair
  - Poor
- Condition Notes
- Potential Restrictions?
  - All
  - Part
  - None
  - Needs further assessment
- Restriction Note  
(Include all applicable laws and statutes (i.e., Texas Public Information Act)).

# City Council Meeting Agenda Item Data Sheet

Meeting Date: January 05, 2026

**Topic:**

Discussion and direction on possible Charter Amendments and proposed ballot language for a 2026 Special Election.

**Background:**

The City of Tomball's Charter serves as the foundational governing document for its home-rule municipality. A periodic review ensures alignment with current legal standards, operational needs, and community values. The City's last Charter amendment occurred May 4, 2024; and 16 of 17 propositions passed. Council may see the need to evaluate potential amendments and proposed ballot language for a possible Charter Election in 2026.

**Origination:**

**Recommendation:**

Council have discussion and provide direction on possible Charter Amendments and proposed ballot language for a 2026 Special Election.

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

**FUNDING (IF APPLICABLE)**

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

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

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

Signed	_____	Approved by	_____
	Staff Member		City Manager
	Date		Date

CITY OF TOMBALL  
HARRIS COUNTY, TX

**ORDINANCE NO. 2026-XX**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS CALLING A SPECIAL ELECTION TO BE HELD ON MAY 2, 2026, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS PROPOSITIONS TO AMEND THE CITY OF TOMBALL CHARTER REGARDING: (A) AMENDING SECTION 6.13 TO CHANGE QUORUM REQUIREMENTS; (B) AMENDING SECTIONS 7.10 AND 7.11 TO UPDATE WHICH DEPARTMENT HAS THE RESPONSIBILITY FOR ENGINEERING; (C) AMENDING SECTION 6.14 TO REDUCE THE NUMBER OF REQUIRED READINGS OF ORDINANCES TO ONE; (D) AMENDING SECTIONS 7.02, 7.05, 7.10, AND 7.11 TO REMOVE THE REQUIREMENT FOR COUNCIL APPROVAL OF CERTAIN CITY MANAGER APPOINTED POSITIONS; PROVIDING FOR BALLOTS; DESIGNATING THE TIME AND PLACE FOR HOLDING SUCH ELECTIONS; PROVIDING FOR NOTICES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City Council (the “Council”) of the City of Tomball, Texas (the “City”) desires to order a special election to submit proposed amendments to the City Charter to the voters in accordance with Section 9.004 of the Texas Local Government Code; and

**WHEREAS**, Section 3.005 of the Texas Election Code requires that special elections be ordered not later than the 78th day before the date of the election; now, therefore

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

**Section 1.** The findings contained in the preamble of this Ordinance are hereby found to be true and correct and are hereby adopted as part of the Ordinance.

**Section 2.** In accordance with the general laws and the Constitution of the State of Texas, a Special Municipal Election is hereby called and ordered for Saturday, May 2, 2026, the same being the first Saturday in May, at which the election of the following propositions for proposed amendments to the City Charter of the City of Tomball shall be submitted to the qualified voters of the City for their action thereon. The proposed amendments to the Charter are set forth below, a separate number begin assigned to each subject on which an amendment is proposed for convenience in reference. In the election, the registered voters of the City shall decide by voting “Yes” or “No” whether they are in favor of the following propositions:

**Proposition A**

*Amending Sections 6.13 of the City of Tomball Charter providing for a change to quorum requirements:.*

**SHALL THE CITY OF TOMBALL CHARTER BE AMENDED BY AMENDING ARTICLE VI, COUNCIL, SECTION 6.13, RULES OF PROCEDURE, BY CHANGING A QUORUM BEING DEFINED AS FOUR (4) COUNCIL MEMBERS, ONE OF WHOM MAY BE THE MAYOR, TO THREE (3) COUNCILMEMBERS?**

☐ YES

☐ NO

In the event of approval of this proposition, Section 6.13 of the City of Tomball Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

**“SECTION 6.13 – RULES OF PROCEDURE**

The Council shall, by ordinance, determine its own rules and order of business and the rules shall provide that citizens of the City shall have a reasonable opportunity to be heard at any meeting in regard to any matter under consideration. The Council shall provide for the taking and recording of minutes of all meetings, and such minutes shall be a public record. Voting, except on procedural motions, shall be by roll call and the ayes, nays and abstentions shall be recorded in the minutes. A Councilmember shall state the reason for an abstaining vote. ~~Four (4) members of the Council, one of whom may be the Mayor,~~ Three (3) Councilmembers shall constitute a quorum for the purpose of transaction of business. No action of the Council shall be valid or binding unless adopted by the affirmative vote of three or more members of the Council.

The Mayor shall have a binding vote only in case of tie votes from Councilmembers.

The minutes shall reflect the names of all members of Council in attendance at both regular and special Council meetings, with status of absence being addressed as "Excused" or "Unexcused" by the presiding officer. Council, by resolution, shall define the guidelines for determination of absences "Excused" and "Unexcused."

**Proposition B**

*Amending Section 7.10 and 7.11 of the City Charter providing for the function of engineering to be the responsibility of the Public Works department.*

**SHALL THE CITY OF TOMBALL CHARTER BE AMENDED BY AMENDING ARTICLE VII, ADMINISTRATIVE SERVICES, SECTIONS**

**7.10, DEPARTMENT OF PUBLIC WORKS AND 7.11, DEPARTMENT OF COMMUNITY DEVELOPMENT BY REMOVING THE RESPONSIBILITY OF ENGINEERING FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND ADDING IT TO THE DEPARTMENT OF PUBLIC WORKS?**

☐ YES

☐ NO

In the event of approval of this proposition, Sections 7.10 and 7.11 of the City of Tomball Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

**“SECTION 7.10 – DEPARTMENT OF PUBLIC WORKS**

The City shall establish a Department of Public Works. The City Manager, with the approval of the Council, shall appoint a Director of Public Works who shall be the administrator of this department. The Department of Public Works shall perform such duties as engineering, maintenance of gas, water, and sewage facilities; maintenance of streets, collection of garbage; and such other duties as may be assigned by the City Manager.

**SECTION 7.11 – DEPARTMENT OF COMMUNITY DEVELOPMENT**

There shall be a Director of Community Development for the City. The City Manager, with the approval of the Council, shall appoint a Director of Community Development and such assistants as the Council shall deem advisable. The Director of Community Development shall oversee the city's development processes, including planning and zoning, ~~engineering~~, code enforcement, and inspections, and shall perform such other duties assigned by the City Manager and those elsewhere provided in this Charter and the laws of the State of Texas.”

**Proposition C**

*Amending Section 6.14 of the City Charter providing for a change to the procedures for the adoption of ordinance including the reduction from two readings to one and the need to only publish the caption and penalties within 14 days of adoption .*

**SHALL THE CITY OF TOMBALL CHARTER BE AMENDED BY AMENDING ARTICLE VI, COUNCIL, SECTION 6.14, ORDINANCES, BY REDUCING THE AMOUNT OF REQUIRED READINGS TO ONE INSTEAD OF TWO AND REQUIRING PUBLISHING OF THE ORDINANCE WITHIN FOURTEEN DAYS OF FINAL ADOPTION?**

☐ YES

☐ NO

In the event of approval of this proposition, Section 6.14 of the City of Tomball Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

**“SECTION 6.14 – ORDINANCES**

In addition to such acts of the Council as are required by statute or by this Charter to be by ordinance, every act of the Council establishing a fine or other penalty or providing for the expenditure of funds or for the contracting of indebtedness shall be by ordinance. The enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL:"

A. Procedure for Passage of Ordinances. Every ordinance shall be introduced in written or printed form and, upon passage, shall take effect at the time indicated therein; provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective not less than fourteen (14) days from the date of its passage. The City Secretary shall give notice of every ordinance under consideration, by causing the caption or summary, including the penalty, fine, or forfeiture for a violation of any such ordinance to be published in the official newspaper for the City ~~after the first reading and at least once~~ within fourteen (14) days after the passage of said ordinance. The City Secretary shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that same has been published as required by the Charter, and the date of such publication, and promulgation of such ordinance; provided, that the provisions of this section shall not apply to the correction, revision and modification of the ordinances of the City for publication. It shall be necessary to the validity of any ordinance that it shall be read ~~two (2)~~ one (1) times and considered at ~~two (2)~~ one (1) sessions of the Council unless addressed otherwise by this Charter. Copies of said ordinances shall be made available at the City Hall upon request. Every ordinance shall be authenticated by the signature of the Mayor and City Secretary and shall be systematically recorded in an ordinance book in a manner approved by the Council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of Council meetings. The Council shall have power to cause the ordinances of the City to be corrected, revised, codified and printed in code form as often as the Council deems advisable, and such printed code, when adopted by the Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. However, if the ordinance is amended, it then must be published one time, by caption only, in the official City newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

B. Emergency Ordinances. To meet a public emergency affecting life, health, property, or the public peace, the Council may adopt emergency ordinances. Such ordinances shall not levy taxes, grant or renew or extend a franchise, regulate the rate charged by any public utility for its services, or authorize the borrowing of money except to fund emergency appropriations in accordance with Article 8.15 of this Charter. An emergency ordinance shall be introduced in the form and manner

generally prescribed for ordinances, except that it shall be plainly designated in the title as an emergency, with a description in clear and specific terms and with one reading sufficing for its passage. Such emergency clause shall require the affirmative vote of three members elected to Council. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. After adoption, the ordinance shall become effective immediately and shall be published in the official newspaper for the City of Tomball once within 14 days after the passage of such ordinance. After adoption, the ordinance shall be numbered as required for other adopted ordinances, with the designation of "E" following the number. Every emergency ordinance so adopted, except one authorizing the borrowing of money as described herein, shall automatically stand repealed as of the sixty-first (61st) day following the day on which it became effective, but this shall not prevent reenactment of the ordinance."

### **Proposition D**

*Amending Sections 7.02, 7.05, 7.10, and 7.11 to remove the requirement of City Council approval of the City Manager appointed positions of Assistant City Manager, Finance Director, Director of Public Works, and Director of Community Development.*

**SHALL THE CITY OF TOMBALL CHARTER BE AMENDED BY AMENDING ARTICLE VII, ADMINISTRATIVE SERVICES, SECTIONS 7.02, ASSISTANT CITY MANAGER, 7.05, FINANCE DIRECTOR, 7.10, DEPARTMENT OF PUBLIC WORKS, AND 7.11, DEPARTMENT OF COMMUNITY DEVELOPMENT, TO REMOVE THE REQUIREMENT THAT CITY COUNCIL APPROVE THE CITY MANAGERS APPOINTMENTS OF THE ASSISTANT CITY MANAGER, THE FINANCE DIRECTOR, THE DIRECTOR OF PUBLIC WORKS, AND THE DIRECTOR OF COMMUNITY DEVELOPMENT?**

☐ YES

☐ NO

In the event of approval of this proposition, Sections 7.02, 7.05, 7.10, and 7.11 of the City of Tomball Charter shall be amended to read as follows, with additions being underlined and deletions struck through:

#### **"SECTION 7.02 – ASSISTANT CIT MANAGER**

The City Manager, ~~with the approval of the Council,~~ may appoint an Assistant City Manager. Such Assistant City Manager shall have all of the powers and duties as delineated by the Assistant City Manager's job description, and in the event of the absence or disability of the City Manager, the Assistant City Manager shall fill all the duties of the City Manager.

#### **SECTION 7.05 – FINANCE DIRECTOR**



There shall be a Finance Director for the City. The City Manager, ~~with the approval of the Council,~~ shall appoint a Finance Director and such assistants as the Council shall deem advisable. The Finance Director shall perform the duties delegated to the Finance Director by the City Manager and those which may be imposed upon the Finance Director by the laws of the State of Texas.

#### SECTION 7.10 – DEPARTMENT OF PUBLIC WORKS

The City shall establish a Department of Public Works. The City Manager, ~~with the approval of the Council,~~ shall appoint a Director of Public Works who shall be the administrator of this department. The Department of Public Works shall perform such duties as maintenance of gas, water, and sewage facilities; maintenance of streets, collection of garbage; and such other duties as may be assigned by the City Manager.

#### SECTION 7.11 – DEPARTMENT OF COMMUNITY DEVELOPMENT

There shall be a Director of Community Development for the City. The City Manager, ~~with the approval of the Council,~~ shall appoint a Director of Community Development and such assistants as the Council shall deem advisable. The Director of Community Development shall oversee the city's development processes, including planning and zoning, engineering, code enforcement, and inspections, and shall perform such other duties assigned by the City Manager and those elsewhere provided in this Charter and the laws of the State of Texas.”

**Section 3.** The present boundaries of the City constituting one (1) election precinct, the polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following person are hereby appointed officers to conduct the election at said polling place:

**Polling Place**  
Tomball City Hall  
401 Market Street  
Tomball, Texas 77375

**Election Officers**  
Patsy Kinsey, Presiding Judge  
Latrell Shannon ,Alternate Presiding Judge

The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to each judge as written notice of the appointment as required by the Texas Election Code.

The Presiding Judge shall have the authority to appoint no more than seven (7) clerks to assist in the holding of said election, but in no event shall the President Judge appoint fewer than two (2) clerks.

The Election Judge shall be paid at the rate of eighteen dollars (\$18.00) per hour; and the election clerks shall be paid at the rate of seventeen dollars (\$17.00) per hour as provided by Title 3, Section

32.091(a) of the Texas Election Code. The Election Judge shall be compensated in the amount of \$25 for the delivery of election equipment and supplies as provided by Title 3, Section 32.091(a) of the State Election Code, if such delivery is necessary. The City will pay for any required training of the City's election judges and clerks. Judges and clerks will also be reimbursed for travel and will be paid at the set hourly rates for training time.

**Section 4.** The City Secretary is hereby appointed the Elections Clerk for early voting; the appointment of a deputy clerk or clerks for early voting by the City Secretary shall be in accordance with Section 83.001 *et seq.* of the Texas Election Code. The place for early voting for such election is hereby designated as:

City Hall  
City of Tomball, Texas  
401 Market Street  
Tomball, Texas 77375

In order to meet the requirements of Section 85.005 of the Election Code, on each day for early voting which is not a Saturday, a Sunday, or an official state holiday, beginning on the twelfth (12th) day and continuing through the fourth (4th) day preceding the date of such election, said clerks shall keep City Hall open Monday through Friday from seven forty-five o'clock (7:45) a.m. until five o'clock (5:00) p.m., with the exception of Tuesday, April 30, 2024, when City Hall will be open for twelve (12) hours, from seven forty-five o'clock (7:45) a.m. until seven forty-five o'clock (7:45) p.m.

Said clerks shall not permit anyone to vote early by personal appearance on any day which is not a regular working day for the clerk's office, and under no circumstances shall they permit anyone to vote early by personal appearance at any time when such office is not open to the public. The above-described place for early voting is also the clerk's mailing address to which ballot applications and ballots voted by mail may be sent. The early voting clerk, in accordance with the provisions of the Texas Election Code, shall maintain a roster listing each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

**Section 5.** All ballots shall be prepared in accordance with Texas Election Code. Paper ballots shall be used for early voting and for voting on Election Day. In accordance with Section 61.012 of the Texas Election Code, the City will provide in every polling place at least one voting station that is accessible to a voter with disabilities. The ExpressVote Ballot Marking Device will be provided for those voters. All expenditures necessary for the conduct of the election, purchase of materials, and the employment of all election officials are hereby authorized in accordance with the Texas Election Code.

**Section 6.** The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct said election.

**Section 7.** Notice of this election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary after the closing of the polls.

**Section 8. Severability.** 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 of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

FIRST READING:

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

COUNCILMAN FORD \_\_\_\_\_

COUNCILMAN GARCIA \_\_\_\_\_

COUNCILMAN DUNAGIN \_\_\_\_\_

COUNCILMAN COVINGTON \_\_\_\_\_

COUNCILMAN PARR \_\_\_\_\_

SECOND READING:

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

COUNCILMAN FORD \_\_\_\_\_

COUNCILMAN GARCIA \_\_\_\_\_

COUNCILMAN DUNAGIN \_\_\_\_\_

COUNCILMAN COVINGTON \_\_\_\_\_

COUNCILMAN PARR \_\_\_\_\_

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: January 05, 2026

#### Topic:

Discussion on Ordinance No. 2025-22, Repealing and Replacing Article I In General, Article II City Council Division 1, and Article III Division 5 Code of Ethics of Chapter 2, Administration, of the Code of Ordinances, Designated; Providing for Severability, Making Findings of Fact; Providing for a Penalty Clause; and Providing for Other Related Matters – Previously Presented as Code of Ethics.

#### Background:

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

On June 2, 2025, Ordinance No. 2025-22 was introduced on first reading, outlining proposed revisions to the City of Tomball's ethics rules and procedures. After further review, staff determined the legislative intent was to repeal and replace specific articles and sections in Chapter 2 of the Code of Ordinances, not the entire chapter.

**Origination:** Thomas Harris III

#### Recommendation:

Approval

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

#### FUNDING (IF APPLICABLE)

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

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

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

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

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

## **ORDINANCE NO. 2025-22**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS REPEALING AND REPLACING DIVISION FIVE, CODE OF ETHICS OF ARTICLE THREE, OFFICERS AND EMPLOYEES OF CHAPTER TWO, ADMINISTRATION OF ITS CODE OF ORDINANCES, DESIGNATED; PROVIDING FOR SEVERABILITY, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.**

**WHEREAS**, the City of Tomball, Texas (the “City”) is a home-rule municipality pursuant to sect 5, article 11 of the Texas constitution and as such, is vested with the power of local self-government; and

**WHEREAS**, the City desires to amend Division Five, Code of Ethics of Article Three, Officers and Employees, of Chapter Two, Administration of its Code of Ordinances to name the City Secretary as the records management officer;

**WHEREAS**, the City Council finds it to be in the best interest of the health, safety and welfare of its residents to amend its code of ordinances as set forth herein; now therefore

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

**Section 1.** The findings contained in the preamble of this Ordinance are hereby found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** Division Five, Code of Ethics of Article Three, Officers and Employees, of Chapter Two, Administration, is hereby repealed and replaced with the language contained in Exhibit A attached hereto.

**Section 3.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same

notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

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LORI KLEIN QUINN, Mayor

ATTEST:

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SHANNON BENNETT, Acting City Secretary

## **CITY COUNCIL ETHICS, RULES AND ORDER OF BUSINESS**

### **City of Tomball, Texas**

#### **ORGANIZATION**

The governing body of the City shall consist of the Mayor and five (5) council members ("Council"). The Mayor is elected in the City at large, and the Council members are elected at large by positions 1, 2, 3, 4 and 5. The Mayor shall be the presiding officer for Council meetings and, pursuant the City's Charter, shall only vote in the event of a tie vote. These Rules shall serve as guidelines for the organization and conduct of Council to ensure that the City is governed in an orderly and consistent manner.

#### **1. REGULAR MEETINGS**

The Council shall hold no less than two regular meetings per month in accordance with Section 3.08 of the City Charter. Regular meetings shall be held at dates and times adopted by City Council Resolution and shall generally be on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month at 6:00 P.M. Unless designated otherwise, meetings of the City Council shall take place in the Council Chambers of City Hall, and the public is invited to attend the meetings. If the Council meets at a place or time other than its regular meeting place, then public notice to such effect shall be posted in accordance with the Texas Open Meetings Act.

#### **2. SPECIAL MEETINGS**

A special meeting may be called upon written request of the Mayor or any two (2) council members. Notice of special meetings must be posted in accordance with the Texas Open Meetings Act.

#### **3. JOINT MEETINGS**

The Council may hold Joint Meetings with various Boards, Commissions, and/or various governmental entities that share a community interest with the City. Such meetings shall be scheduled for a specific purpose or goal, agreed to by the City and the other board or entity prior to the meeting and posted in accordance with the Texas Open Meetings Act.

#### **4. EXECUTIVE SESSIONS**

Pursuant to the Texas Open Meetings Act, the Council may conduct closed meetings that are not open to the public when the following matters are considered:

- A. Consultation with an attorney regarding pending or contemplated litigation; a settlement offer; or to receive advice on legal matters not associated with litigation;
- B. Deliberations associated with the sale, purchase or exchange of real property;
- C. Personnel matters;

- D. Deliberations regarding security matters;
- E. Deliberations regarding economic development negotiations; or
- F. Any other purpose permitted by the Texas Open Meetings Act.

The purpose of an executive session shall be stated in the motion to call the closed session. Any action taken on a matter discussed in executive session shall occur in an open meeting following the deliberation in closed session.

## **5. ATTENDANCE**

Serving on the City Council is a privilege that carries with it the responsibility to represent constituents through participation in Council meetings. Attendance at council meetings is critical to fulfillment of this responsibility and accountability to public. Therefore, Council members unable to attend a Council meeting shall be required to contact the City Secretary's Office no less than two (2) hours prior to the meeting, stating the reason for such absence. The City Secretary shall inform the Council of the reason for the member's absence prior to the City Council meeting. For Regular meetings of the City Council, an agenda item shall be placed on the next Regular meeting agenda following the Council members absence for City Council to consider whether the absence is excused or unexcused. Failure to comply with the notification provisions of this section, except in cases of emergency, may result in an unexcused absence.

An excused absence from a council meeting is when a council member notifies the council in advance and provides a valid reason for their inability to attend. The definition of an excused absence is typically outlined in the council's bylaws, rules of procedure, or local government policies.

### **Common Reasons for Excused Absences:**

- **Illness or medical emergency (personal or immediate family)**
- **Family emergencies or obligations**
- **Pre-approved travel for official government business or personal reasons**
- **Unavoidable work commitments**
- **Military service**
- **Other reasons deemed acceptable by the council**

An unexcused absence from a council meeting occurs when a council member fails to attend without providing prior notice or a valid reason as defined by the council's bylaws, rules of procedure, or local government policies.

### **Common Reasons for an Unexcused Absence:**

- **Failure to notify the Mayor, Chair, or City Secretary in advance**
- **No valid reason provided under council guidelines**
- **Repeated or chronic absences without justification**
- **Skipping a meeting for personal convenience without approval**

## **6. AGENDA**

The City Manager and the City Secretary, with consultation and concurrence of the Mayor, shall prepare an agenda for business to be considered at each regular Council meeting. It shall be the practice of the City to include on any regular Council meeting agenda all items that are deemed appropriate by the City Manager, the Mayor, or any two (2) Councilmembers.



Councilmembers desiring to make individual presentations or sharing of information, outside of material provided in the agenda packet, regarding any posted agenda items shall submit the additional presentation material to the City Manager by noon on the day of the meeting.

For the Mayor or any two (2) Councilmembers to have an item placed on the regular meeting agenda, the request shall be in writing and shall be filed with the City Manager no later than noon on the Monday the week before the regular meeting at which it is requested for consideration. If the filing is later than noon on the Monday before the regular meeting, the item shall be placed on the agenda of the next regular meeting, unless the Mayor and/or City Manager determine that delaying the requested item would be contrary to the City's best interest. The Agenda for the City Council Regular Meetings shall be developed by the City Manager and published by the City Secretary in the manner generally prescribed as follows:

- A. Call to Order
- B. Invocation
- C. Pledges of Allegiance to the United States of America flag and Texas flag
- D. Public Comments
- E. Recognition and Awards (if required) \*
- F. Reports & Announcements
- G. Old Business Consent Agenda
- H. Matters Removed from Old Consent Agenda
- I. New Business Consent
- J. Matters Removed from New Consent Agenda
- K. New Business
- L. Executive Session (if required)
- M. Adjournment

**\*At the discretion of the Mayor, special recognitions and awards may be presented prior to the Call to Order for a City Council meeting.**

## 7. PUBLIC COMMENT RULES

- A. All members of the audience addressing the Council ("Speaker") shall direct their remarks to the person in charge of the meeting ("Chair").
- B. No Speaker shall address the Council unless recognized by the Chair for that purpose.
- C. Remarks shall be limited to those pertaining to matters before the City Council, to City business or policy, or to issues of community concern or interest. Profane, vulgar or abusive language or personal attacks will not be tolerated.

If not followed consequences include:

- **Verbal Warning** – The presiding officer (e.g., the Mayor or Council Chair) may issue a warning to the individual, reminding them of decorum rules.
  - **Removal from the Meeting** – Law enforcement or security personnel may be asked to escort the disruptive individual out of the meeting.
  - **Ban from Future Meetings** – In some cases, repeat offenders may be prohibited from attending future Council meetings for a specified period.
  - **Legal Consequences** – If the language includes threats or harassment, the individual may face criminal charges such as disorderly conduct or trespassing.
- D. No Speaker shall continue to address the Council after being informed by the Chair that the Speaker's time for addressing the Council has expired.
  - E. The Speaker shall be limited to 3 minutes to address the Council. If a single individual has been designated, on behalf of a larger group, to speak for the group, then such individual shall be allowed a maximum of 5 minutes to speak. The Chair has the authority to grant additional time, if requested by a Speaker, for good cause. At the end of the Speaker's allotted time, the Chair shall direct the Speaker to wrap up and the Speaker shall not exceed 1 additional minute of speaking time.
  - F. Council shall not respond to Speakers

## 8. QUORUM

Four (4) members of the Council, one of whom may be the Mayor, shall constitute a quorum for conducting business, unless otherwise prescribed by law. A quorum for conducting business can be achieved with the presence of the Mayor and three (3) councilmembers; or, in the absence of the Mayor, four (4) councilmembers.

## 9. VOTING

- A. Unless otherwise provided by City Charter, law or ordinance, the affirmative vote of the majority of those councilmembers present shall be necessary to adopt any item on an agenda.
- B. It is the duty of each councilmember who has an opinion on an item presented for consideration and vote to express it by a vote to approve or deny the

item. It is recognized that parliamentary procedure affords members of the City Council the right to abstain from voting on an item instead of voting to approve or deny the item. To maintain public transparency, any councilmember abstaining from a vote on an item shall state the purpose for the abstention which shall be entered into the City's official record.

- C. If any councilmember abstains without a cause, the vote will be recorded as a nay vote.
- D. Any councilmember who abstains from voting due to a conflict of interest shall recuse themselves and leave the room during the discussion and vote on the matter.

## **10. DEBATE AND DECORUM**

Robert's Rules of Order Newly Revised shall, to the extent feasible, govern the proceedings of Council. The City Attorney shall act as Parliamentarian for Council meetings.

## **CODE OF ETHICS City of Tomball**

### **1. ETHICAL STANDARDS**

It is the official policy of the City that:

- A. City officials shall be independent, impartial, and responsible to the citizens of the City;
- B. City officials shall not have a financial interest, and shall not engage in any business, transaction, or professional activity, or incur any obligation that conflicts with the proper discharge of their duties for the city in the public interest;
- C. The principles of personal conduct and ethical behavior that should guide the behavior of city officials include:
  - 1. A commitment to the public welfare
  - 2. Respect for the value and dignity of all individuals;
  - 3. Accountability to the citizens of the city;
  - 4. Truthfulness; and
  - 5. Fairness.
- D. Under such principles of conduct and ethical behavior, City officials should:
  - 1. Conduct business with integrity and in a manner that merits the trust and support of the public;
  - 2. Be responsible stewards of the taxpayers' resources; and
  - 3. Take no official actions that would result in personal benefit in conflict with the best interests of the city.
- E. To implement the purpose and principles described herein, the Council has enacted rules of ethical conduct to govern city officials

F. In order to adopt standards of disclosure and transparency in government, and to promote public trust in government, the City Council adopts the following guidelines regarding public disclosure of information related to Councilmember compliance with state and local law:

1. The City shall maintain a City Council Public Disclosure Webpage ("Public Disclosure Page"), with a direct link, visible from the City's homepage and individual Councilmember bio pages, containing public disclosure information for each City Councilmember; and
2. Each Councilmember Disclosure Page shall include public disclosure of the following information:
  - (a) All campaign finance reports required by state law; and
  - (b) All conflicts or ethical disclosures required by state or local law; and
  - (c) A copy of awarded contracts for which the Councilmember was required, by local or state law, to file a conflicts affidavit and abstain from participation in discussion of and any vote related to the contract.

## **2. GRANT OF SPECIAL CONSIDERATION**

- A. Council members shall not grant special treatment, consideration, or advantage to any individual, business, or group beyond what is available to all. Exceptions include specific programs or incentives, must be explicitly authorized by the City Council.

## **3. APPEARANCES ON BEHALF OF PRIVATE INTERESTS**

- A. Council members shall not represent or advocate for private interests before a City body (Council, boards, commissions) regarding matters over which they have discretionary authority. They shall also refrain from representing or participating in any litigation involving the City.

## **4. GIFTS**

- A. In accordance with state law, Council members shall not accept any gift, favor, or benefit that could reasonably influence their official duties or that is offered with the intent to influence or reward their official conduct.

## **5. Use of Confidential Information**

- A. Council members must not disclose or use any confidential information gained through their position to further their personal interests or the interests of others.

## **6. OFFICIAL OPPRESSION**

- A. A City official may not knowingly mistreat, unlawfully arrest, detain, search, seize, dispossess, assess, or place a lien on someone. They also cannot intentionally deny or interfere with a person's rights, privileges, or protections, knowing their actions are unlawful, or subject anyone to sexual harassment. 39.02, Penal Code.

## 7. NEPOTISM

- A. City officials may not appoint or vote to appoint a person related to them (within the second degree by affinity or third degree by consanguinity) or to another board member, if the position is paid with public funds. This does not apply if the related person has been continuously employed:

- (1) at least thirty (30) days, if the officer or member is appointed, or
- (2) at least six (6) months, if the officer or member is elected.

## 8. CITY COUNCIL CENSURE

- A. Policy: The City Council places value on the characteristics of honesty, integrity, confidentiality, respect, and transparency. In furtherance of these leadership qualities and public accountability, the City Council adopts a censure policy to allow for Council disapproval or criticism of any of its members for actions unbecoming of their position.

- B. Grounds: Council members may be subject to censure if they engage in the following:

- (1) conduct found to impugn the character of a member of the public, another Council member, or staff member;
- (2) conduct found to violate the Charter, these Rules, state and local conflicts disclosure laws, and council confidentiality including, but not limited to, the release of confidential information to unauthorized parties without approval of the City Council; or
- (3) conduct found to cause embarrassment or damage to the reputation of the City.

- C. Procedure: The following procedural rules shall apply to a censure request:

Any three (3) Councilmembers, including the Mayor, may place a censure request on a regular meeting agenda. The request shall be in writing and shall be filed with the City Secretary no later than noon on the Monday the week before the regular meeting at which it is requested for consideration.

- (1) All Council members shall be provided a copy a censure request on the same day the request is filed with the City Secretary.
- (2) A censure request shall include the name(s) of the alleged offending Council member(s) with a statement of the reasons for the censure.
- (3) All discussion shall be conducted in open session.
- (4) The alleged offending Council member(s) shall be provided an opportunity to respond to the allegations and present evidence in their defense except that City Council may proceed with the censure request in the absence of the alleged offending Council member(s); and
- (5) A two-thirds (2/3) vote of the City Council members present, excluding the Council member that is the subject of the Censure Request, shall be required to approve a censure request.

D. Consequences: If sustained, a censure request shall serve as an official public statement of disapproval or criticism of a Council member(s) conduct subject to the following actions:

- (1) Minutes of the City Council's censure action shall be entered into the public record;
- (2) The official minutes shall be posted on the Council member(s) Public Disclosure Page; and
- (3) The censured Council member(s) may be removed from committee assignments within the city or with intergovernmental agencies.

## **9. USE OF CITY COMPUTERS/TABLETS**

The City shall make computers and/or electronic tablets ("Device") available to Council to be used for City business and City related purposes. Personal use of a City-owned Device is discouraged and should be limited to intended City related uses of the Device. The following rules shall apply to Council members using a City issued Device:

- A. The Device shall contain all associated hardware and software. Council members shall not install hardware or software on a Device without prior approval of the City's Information Technology Department.
- B. The Device will be equipped to allow internet access and e-mail capabilities; however, Council members shall refrain from using such features to communicate with other Council members during Council meetings.
- C. Council members shall have use of the Device during the member's term of office, and such right shall terminate at the same time the member's term of office ends, at which time the Device and all associated equipment shall be returned to the City.
- D. Council members shall be responsible for maintaining the Device in good condition, and to reasonably protect it from theft, loss or damage.
- E. Council Members may not use a Device in connection with election or re-election efforts or campaigning, either for the member or any candidate for public office.
- F. Council members shall not use the Device for any commercial or financial gain, and shall not use the Device to access, store or download inappropriate or obscene material.
- G. Council should recognize that most information contained on a Device is subject to the Texas Public Information Act or other means of discovery and that all public information shall be preserved in accordance with state law.
- H. Council members shall not use the Device in a manner that would violate the terms of the Texas Open Meetings Act or Public Information Act.

## **10. COUNCIL APPROVAL OF INDIVIDUAL COUNCIL MEMBER NON-ROUTINE REQUESTS FOR INFORMATION OR INVESTIGATIONS BY CITY STAFF**

Any Council members' request to the City Manager for the Manager or City staff to create reports or other information, other than routine requests (i.e., requests for existing

information or new research that can be answered under 30 minutes), shall be added to a Council meeting agenda in the manner prescribed under section 6 of these Rules, considered under the New Business portion of the meeting, and thereafter considered for authorization to proceed by a majority of the Council.

#### **10. NEW COUNCIL MEMBER ORIENTATION**

Each new Council member shall, upon taking the oath of office, be provided various forms of vital information which shall include, but not be limited to, the following:

- A. City Charter
- B. Comprehensive Plan
- C. Current Budget
- D. Comprehensive Annual Financial Report for the last Fiscal Year
- E. Council rules
- F. Public Information Act and Open Meetings Act Training
- G. Conflicts of Interest Training

Each new member of Council shall be offered an opportunity by the City Manager to tour various City facilities (i.e., City Hall, Police/Fire stations, Park facilities, Public Works facilities, etc.).

#### **11. ACKNOWLEDGMENT**

All City Council members, Boards and Commissions are required to acknowledge receipt and understand this Ethics, Rules and Order of Business Policy by signing the acknowledgment form. By doing so, they commit to upholding its standards of conduct throughout their term in office.

## CITY COUNCIL ETHICS, RULES AND ORDER OF BUSINESS

Recommended Changes Per Council Members:

1. Mayor Klein Quinn recommended the following changes(highlighted):

### #5. ATTENDANCE

Common Reasons for Excused Absences:

- Pre-approved travel for official government business or **personal reasons**

### #8. CITY COUNCIL CENSURE

C. Procedure: The following procedural rules shall apply to a censure request:

Any **three (3)** Councilmembers, including the Mayor, may place a censure request on a regular meeting agenda. The request shall be in writing and shall be filed with the City Secretary no later than noon on Monday, the week before the regular meeting at which it is requested for consideration.



# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** January 5, 2026

**Topic:**

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

**Background:**

**Origination:** Kyle Burts

**Recommendation:**

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

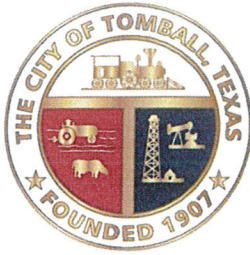
**FUNDING (IF APPLICABLE)**

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

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

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

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



Revised: 08/25/2023

## **APPLICATION FOR RE-ZONING**

Community Development Department  
Planning Division

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

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

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

**DIGITAL APPLICATION SUBMITTALS:**

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

**WEBSITE:** [ci-tomball-tx.smartgovcommunity.com](http://ci-tomball-tx.smartgovcommunity.com)

### **Applicant**

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

### **Owner**

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

### **Engineer/Surveyor (if applicable)**

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

**Description of Proposed Project:** Retail Commercial

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

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

Legal Description of Property: TR 69 ABST 34 J House

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

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

Current Use of Property: Residential

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

Proposed Use of Property: Retail Commercial

HCAD Identification Number: 0402700010070 Acreage: 1.5

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

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

X Kyle Burt 11-12-25  
Signature of Applicant Date

X Kyle Burt 11-12-25  
Signature of Owner Date

**Kyle Burts**

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

**Date:** November 12, 2025

**To:**

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

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

Dear Planning & Zoning Commission Members,

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

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

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

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

Thank you for your attention and consideration.

Sincerely,

**Kyle Burts**

Property Owner

307 W Hufsmith Rd

Tomball, TX 77375

Phone: 281-703-0034

Email: [kburts@burtsranch.com](mailto:kburts@burtsranch.com)





# Location



## Legend

 Rezoning Bound





# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** January 5, 2026

**Topic:**

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

**Background:**

**Origination:** Tompark Developers LLC

**Recommendation:**

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

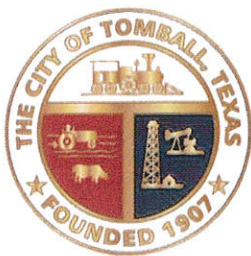
**FUNDING (IF APPLICABLE)**

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

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

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

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



## APPLICATION FOR RE-ZONING

Community Development Department  
Planning Division

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

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

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

**DIGITAL APPLICATION SUBMITTALS:**

PLEASE SUBMIT YOUR APPLICATIONS AND PLANS DIGITALLY WITHIN SMARTGOV

**WEBSITE:** [ci-tomball-tx.smartgovcommunity.com](http://ci-tomball-tx.smartgovcommunity.com)

### **Applicant**

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

### **Owner**

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

### **Engineer/Surveyor (if applicable)**

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

**Description of Proposed Project:** Office Warehouse Business Park

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

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

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

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

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



Current Use of Property: Residence  
 Proposed Zoning District: (LI) : Light Industrial   
 Proposed Use of Property: Office Warehouse Park  
 HCAD Identification Number: 0352920000537, 0352920000538 Acreage: 10.05

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

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

X  11/18/25  
 Signature of Applicant Date

X  11/18/25  
 Signature of Owner Date

## **Submittal Requirements**

The following summary is provided for the applicant's benefit. However, fulfilling the requirements of this summary checklist does not relieve the applicant from the responsibility of meeting the regulations in the Zoning Ordinance, subdivision regulations, and other development related ordinances of the City of Tomball.

**Applications must be received by the City of Tomball at least 40 calendar days prior to the City Planning and Zoning Commission hearing date.**

- **Application Fee: \$1,000.00 (standard zoning) or \$1,500.00 (PD zoning)**
- **Completed application form**
- **\*Copy of Recorded/Final Plat**
- **Letter stating reason for request and issues relating to request**
- **Conceptual Site Plan (if applicable)**
- **Metes & Bounds of property**
- **Payment of all indebtedness attributed to subject property must be paid with application or an arrangement in accordance with Section 50-36(a)(3) of the Code of Ordinances as cited below:**

(No person who owes delinquent taxes, delinquent paving assessments, or any other fees, delinquent debts or obligations or is otherwise indebted to the City of Tomball, and which are directly attributed to a piece of property shall be allowed to submit any application for any type of rezoning, building permit, or plan review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof to the City of Tomball shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence of proof that all taxes, fees, etc.. have been paid, or that other arrangements satisfactory to the City have been made for payment of said taxes, fees, etc.)

**The City's staff may require other information and data for specific required plans. Approval of a required plan may establish conditions for construction based upon such information.**

**\*Legal Lot Information:** If property is not platted, a plat will be required to be filed with the Community Development Department unless evidence of a legal lot is provided. To be an unplatted legal lot, the applicant is required to demonstrate that the tract existed in the same shape and form (same metes and bounds description) as it currently is described prior to August 15, 1983, the date the City adopted a subdivision ordinance.

## Application Process

1. The official filing date is the date the application and fee are received by the City.
2. The City will review the application for completeness and will notify the applicant in writing within 10 days if the application is deemed incomplete.
3. Property owners within two-hundred (300) feet of the project site will be notified by letter within 10 calendar days prior to the public hearing date and legal notice will appear in the official newspaper of the City before the eighth calendar day prior to the date of the hearing.
4. A public hearing will be held by the Planning and Zoning Commission at 6:00 p.m. in the City Council chambers, unless otherwise noted. The Planning and Zoning Commission meetings are scheduled on the second Monday of the month. The staff will review the request with the Commission and after staff presentations the chair will open the public hearing. The applicant will have ten (10) minutes to present the request. The chair will then allow those present in favor of the request and those in opposition to the request to speak. The Commission may then ask staff or anyone present additional questions, after which the Commission may close or table the public hearing. The Commission may then vote to recommend approval or denial to the City Council. The Commission may also table the request to a future date before a recommendation is sent to the City Council.
5. A second public hearing will be scheduled before the City Council after fifteen (15) days of legal notice. The Council meetings are held on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Mondays of the month at 6:00 p.m. in the City Council chambers (401 Market Street, Tomball, Texas, 77375).
6. The City Council will conduct a public hearing on the request in the same manner as the Planning and Zoning Commission. In the event that there has been a petition filed with the City Secretary with twenty percent (20%) of the adjoining property owners in opposition to the subject zoning request, it will require a three fourths (3/4) vote of the full Council to approve the request. Upon approval of the request by the City Council, an amended ordinance shall be prepared and adopted. The ordinance shall have two separate readings and will be effective at such time that it is adopted by City Council and signed by the Mayor and attested by the City Secretary.

**FAILURE TO APPEAR:** It is the applicant/property owner's responsibility to attend all Planning and Zoning Commission and City Council meetings regarding their case. Failure of the applicant or his/her authorized representative to appear before the Planning and Zoning Commission or the City Council for more than one (1) hearing without approved delay by the City Manager, or his/her designee, may constitute sufficient grounds for the Planning and Zoning Commission or the City Council to table or deny the application unless the City Manager or his/her designee is notified in writing by the applicant at least seventy-two (72) hours prior to the hearing. If the agenda item is tabled the Planning and Zoning Commission shall specify a specific date at which it will be reconsidered.



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**INTERPLAN ASSOCIATES, INC.**  
PLANNING \* DESIGN MANAGEMENT \* PERMITS

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

November 13, 2025

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

To Whom It May Concern:

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

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

Sincerely,

Armando Bazan Jr.  
Senior Partner

Carlos T. Chavez  
Senior Partner  
NCARB Member

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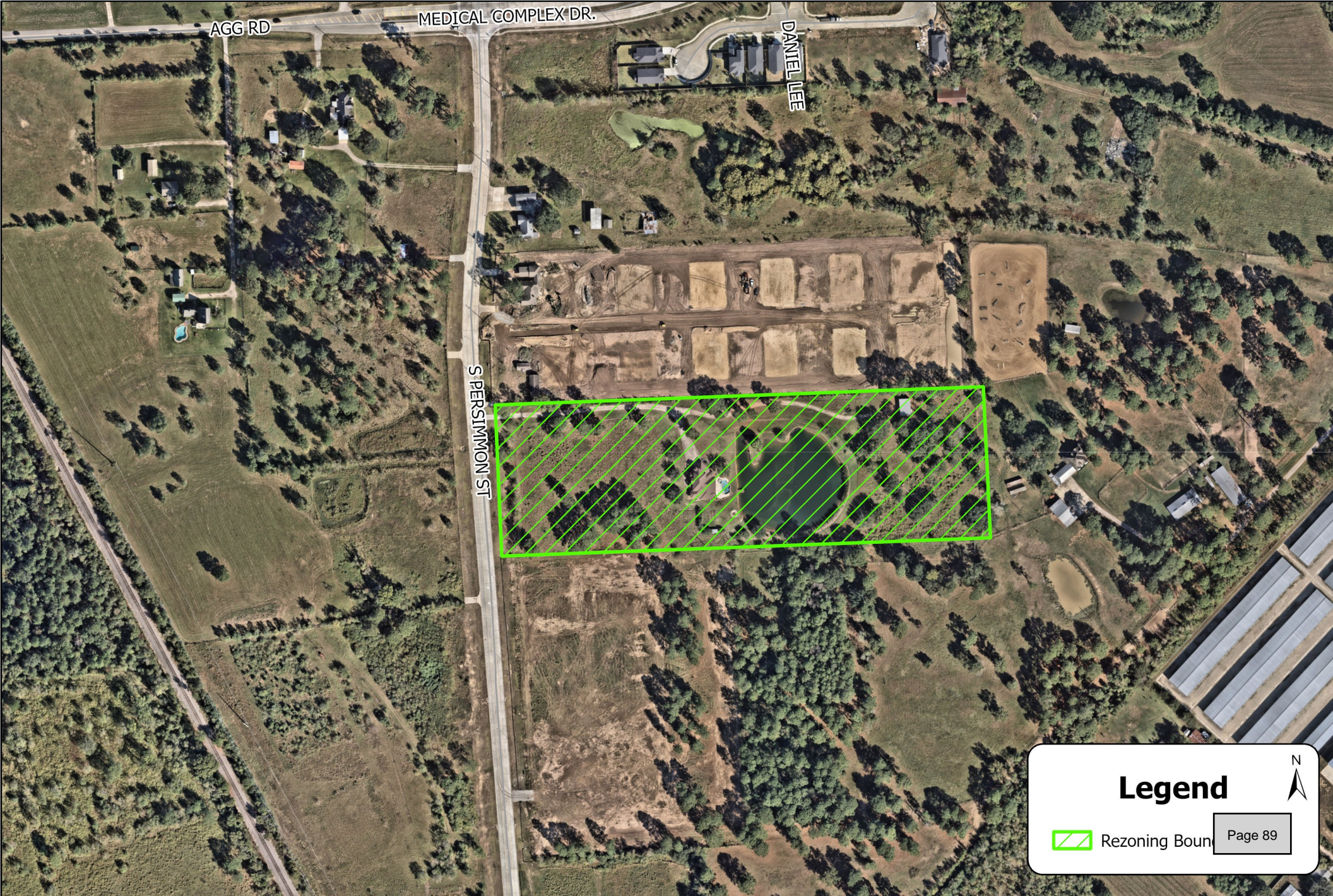
Marcos Patronelli  
Tompark Developers, LLC  
Project Owner

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





# Location



## Legend

 Rezoning Bound





# City Council Meeting Agenda Item Data Sheet

**Meeting Date:** January 5, 2026

**Topic:**

Approve Minutes of December 15, 2025, Workshop/Regular City Council meeting.

**Background:**

**Origination:** City Secretary Office

**Recommendation:**

Approve Minutes

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

Shannon Bennett, Assistant City  
Secretary

**FUNDING (IF APPLICABLE)**

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

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

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

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

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

Signed \_\_\_\_\_

Staff Member

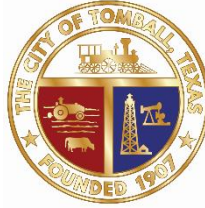
Date

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

City Manager

Date

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



**Monday, December 15, 2025  
5:00 P.M.**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for December 15, 2025, 5:00 P.M., at 401 Market Street, Tomball, Texas 77375.

A. Mayor L. Klein Quinn called the meeting to order at 5:02 P.M.

**PRESENT:**

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

**CITY STAFF PRESENT:**

City Manager - David Esquivel  
Assistant City Manager – Sakura Moten  
City Attorney – Loren Smith  
City Secretary – Thomas Harris III  
Assistant City Secretary – Shannon Bennett  
Community Development Director – Craig Meyers  
Fire Chief – Joe Sykora  
Assistant Fire Chief- Jeff Cook  
Police Chief – Jeff Bert  
Police Captain – Brandon Patin  
Human Resources Director - Kristie Lewis  
Finance Director - Bragg Farmer  
Public Works Director - Drew Huffman  
Director of Marketing & Tourism - Chrislord Templonuevo  
Director of I.T. – Ben Lato  
Project Manager - Meagan Mageo  
Police Officer – Juan Rodriguez

Council 4 Lisa Covington left the meeting at 5:04 p.m. and returned at 5:22 p.m.

- B. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*- There were no comments received.

C. General Discussion

1. Presentation of updated graphic concepts for Gateway Monument designs from Westwood.

Patrick Owens of Westwood presented three video options for the gateway monuments.

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

Mayor Klein Quinn led a discussion on revisions to the ordinance establishing the Tomball Regional Health Foundation to reflect current operational practices.

Robert Spurck, Attorney with Reed, Claymon, Meeker, Krienke & Spurck, PLLC provided legal guidance related to the ordinance through zoom.

City Secretary Thomas Harris presented the agenda item pertaining to the two appointments to the Tomball Regional Health Foundation Board of Directors for three-year terms beginning January 1, 2026.

3. Discussion and direction on possible Charter Amendments for a 2026 Special Election.

City Secretary Thomas Harris discussed proposed Charter Amendments for a 2026 Special Election. (Exhibit A)

- D. Proposed Future Agenda Items *[The following items are provided for informational purposes for City Council and public review. Any item may be pulled for separate discussion at Council's request.]*

1. No discussion was held – Approve a Professional Services Agreement with Oller Engineering, Inc. for the design of the relocation of utilities along FM 2920, Project Number 2014-10031, for a not-to-exceed amount of \$765,541, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project is included in the adopted FY 2026-2030 Capital



Improvement Plan, and the contract costs will be reimbursed by the TEDC as approved in Resolution No. 2025-14.

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

Mayor Klein Quinn recessed the meeting at 6:08 p.m. and reconvened it at 6:21 p.m.

F. Invocation led by Pastor Alonso Blanchet, Real Life Ministries

G. Pledges to U.S. and Texas Flags led by Council 3 Dane Dunagin

H. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

- Tammy, 525 School St., spoke on concerns of the stop signs at Tyson and Johnson St. and the duck population.
- Brittany Johnson, owner of Jaden Lane Boutique, 309 Market Street B & C, expressed her concerns of the Center Point power outage.

I. Presentations

1. Proclamation – “International WeLoveU Foundation Day”

J. Reports and Announcements

1. Announcements

**I. Upcoming events:**

- January 6, 2026 – Blood Drive from 10:00 a.m. – 2:15 p.m. at Fire Station #1 (1200 Rudel St.)
- January 8, 2026 – Kaffeeklatsch from 8:30 – 10:00 a.m. at Tomball Community Center

Mayor Klein Quinn returned to the workshop meeting to discuss the Charter Amendments item C.3.

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

Mayor Klein Quinn thanked the HR Department for the Employee Christmas party.

Council 2 Paul Garcia attended the Harris County Mayors and Councils Association meeting and learned the City of Tomball is known as the new heights.

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

1. Approve, on Second Reading, Resolution No. 2026-03-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and Maria Jordan MD PA to make direct incentives to, or expenditures for, assistance with infrastructure costs to be required or suitable for the promotion of new or expanded business enterprise related to the development and construction of a medical office building to be located at 0 Alma Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$8,577.00.
2. Approve, on Second Reading, Resolution No. 2026-04-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and Tara Builders, LLC to make direct incentives to, or expenditures for, assistance with infrastructure costs required or suitable for the promotion of new or expanded business enterprise related to the construction and development of a multibuilding office/warehouse park to be located at 1711, 1721 and 1801 South Persimmon Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$61,336.00.
3. Approve, on Second Reading, Resolution No. 2026-05-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and CKM Property Management, to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 14011 Park Drive, Suite 112, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$7,299.00.
4. Approve, on Second Reading, Resolution No. 2026-06-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball

Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and Murchison Spice Company, to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 1710 S. Cherry Street, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$10,000.00.

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

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

Motion carried unanimously.

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

1. Approve Minutes of December 1, 2025, Regular City Council meeting.
2. Approve request from Tidy Up Tomball for City Support and In-Kind Services for Tidy Up Tomball event in downtown Tomball and nearby areas, on Saturday, April 11, 2026, from 8:00 – 11:30 a.m.
3. Consideration of and action on revising Tourism Advisory Committee (TAC) Board meetings to as needed.
4. Approve the City Manager and Fire Chief to execute the necessary documents for a Memorandum of Understanding with the Texas Department of Emergency Management for the City of Tomball to provide resources for Emergency Management Assistance Programs.
5. Approve the purchase of a vehicle from Silsbee Ford through TIPS Cooperative Purchasing Network (Contract #240901) for a not-to-exceed amount of \$136,010.05, approve the expenditure of funds therefore, and authorize the City Manager to execute any and all documents related to the purchase. This item was not included in the FY 2025-2026 budget as they are both related to an insurance claim.

Motion made by Council 1 Ford, Seconded by Council 2 Garcia to approve New Business Consent Agenda items 1, 2, and 4 except items 3 and 5

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

Motion carried unanimously.

3. Consideration of and action on revising Tourism Advisory Committee (TAC) Board meetings to as needed.

Motion made by Council 4 Covington, Seconded by Council 2 Garcia to approve New Business Consent Agenda item 3.

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

Motion carried unanimously.

5. Approve the purchase of a vehicle from Silsbee Ford through TIPS Cooperative Purchasing Network (Contract #240901) for a not-to-exceed amount of \$136,010.05, approve the expenditure of funds therefore, and authorize the City Manager to execute any and all documents related to the purchase. This item was not included in the FY 2025-2026 budget as they are both related to an insurance claim.

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

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

Motion carried unanimously.

M. New Business

1. Approve the expenditure of greater than \$100,000 with Olson & Olson L.L.P, for legal services, the total not-to-exceed amount to \$150,000.00 approve the expenditure of funds thereof and authorize the City Manager to execute any and all documents related to the expenditure. This expenditure is included in the FY 2025-2026 budget. Action was taken after the Executive Session.
2. Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session.
  - Sec. 551.072 – Deliberations regarding Real Property; A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.
  - Executive Session Started: 7:30 P.M.
  - Executive Session Ended: 8:20 P.M.
1. Approve the expenditure of greater than \$100,000 with Olson & Olson L.L.P, for legal services, the total not-to-exceed amount of \$150,000.00 approve the expenditure of funds thereof and authorize the City Manager to execute any and all documents related to the expenditure. This expenditure is included in the FY 2025-2026 budget.

Motion made by Council Dunagin 3, Seconded by Council 4 Covington to approve the expenditure of greater than \$100,000 with Olson & Olson L.L.P, for legal services, the total not-to-exceed amount of \$150,000.00 and authorize the City Manager to execute any and all documents related to the expenditure.

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

Motion carried unanimously.

3. Consideration of and action on Resolution No. 2025-57, a Resolution of the City Council of the City of Tomball, Texas, determining that a fee simple title is needed to be acquired from Joseph A. and Gloria A. Foltin for the construction, operation, and maintenance of municipal facilities as a part of the Tomball Master Facilities Project for the city of Tomball, Texas; and authorizing the institution of eminent domain proceedings.

Motion made by Council Parr 5, Seconded by Council 4 Covington to approve the resolution authorizing the use of the power of eminent domain to acquire the property described in the resolution for the purpose of the construction and use of public municipal facilities.

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

Motion carried unanimously.

N. Mayor Lori Klein Quinn adjourned the meeting at 8:24 P.M.

PASSED AND APPROVED this 5<sup>th</sup> day of January 2026

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Thomas Harris III, TRMC  
City Secretary

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Lori Klein Quinn  
Mayor

# City Council Meeting

## Agenda Item

### Data Sheet

Meeting Date: January 5, 2026

#### Topic:

Approve a Professional Services Agreement with Oller Engineering, Inc. for the design of the relocation of utilities along FM 2920, Project Number 2014-10031, for a not-to-exceed amount of \$765,541, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This project is included in the adopted FY 2026-2030 Capital Improvement Plan, and the contract costs will be reimbursed by the TEDC as approved in Resolution No. 2025-14.

#### Background:

Prior to the start of construction for the proposed rehabilitation of FM 2920 (Main Street), the City must relocate its utilities along the corridor. The Water Master Plan updates completed in 2018 and 2023 identified necessary improvements to the City's water distribution system to meet current and projected future demands. These recommendations include constructing a 12-inch water line to replace the existing 6-inch line along Main Street from near S. Persimmon Street to Snook Lane, as well as a 16-inch water line to replace the existing 6-inch line from Oak Street to Snook Lane.

The proposed professional services agreement with Oller Engineering, Inc. will be for the design, coordination, and support services for the relocation of the water, sanitary sewer, and natural gas utilities along the proposed route for the FM 2920 roadway improvements. The scope will include adjustments, replacement, and relocation of existing utilities identified in conflict within the proposed improvement area. All proposed work within the identified scope will be completed for a not-to-exceed amount of \$765,541.

The contract cost will be reimbursed by the Tomball Economic Development Corporation (TEDC) as approved by Resolution No. 2025-14, identifying \$1,000,000 toward utility relocation related to the FM 2920 Rehabilitation project.

**Origination:** Project Management

#### Recommendation:

Staff recommends approving the Professional Services Agreement with Oller Engineering, Inc. for the design of the relocation of utilities along FM 2920 for a not-to-exceed amount of \$765,541.

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

#### FUNDING (IF APPLICABLE)

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

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

If yes, specify Account Number: #400-613-6409

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

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



**PROFESSIONAL SERVICES AGREEMENT  
FOR  
ENGINEERING SERVICES  
RELATED TO  
ENGINEERING & PLANNING PROJECT NO. 2014-10031  
CITY OF TOMBALL  
FM 2920 ACCESS MANAGEMENT AND IMPROVEMENTS**

**THE STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS         §**

THIS AGREEMENT is made, entered into, and executed by and between the CITY OF TOMBALL, TEXAS (the "City"), a municipal corporation of the State of Texas, and Oller Engineering, Inc. ("Engineer").

**WITNESSETH:**

WHEREAS, the City desires to design the relocation of utilities along FM 2920 for the pending roadway improvements (the "Project"); and

WHEREAS, the services of a professional engineering firm are necessary to project planning and design, and

WHEREAS, the Engineer represents that it is fully capable and qualified to provide professional services to the City related to professional engineering;

NOW, THEREFORE, the City and Engineer, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

**SECTION I.  
SCOPE OF AGREEMENT**

Engineer agrees to perform certain professional services as outlined and defined in the Proposal attached hereto as Exhibit A, and made a part hereof for all purposes, hereinafter sometimes referred to as "Scope of Work," and for having rendered such services, the City agrees to pay Engineer compensation as stated in the Section VII.

**SECTION II.  
CHARACTER AND EXTENT OF SERVICES**

Engineer shall do all things necessary to render the engineering services and perform the Scope of Work in a manner consistent with the professional skill and care ordinarily provided by competent engineering practicing in the same or similar locality and under the same or similar circumstances and professional license. It is expressly understood and agreed that Engineer is an Independent Contractor in the performance of the services

agreed to herein. It is further understood and agreed that Engineer shall not have the authority to obligate or bind the City, or make representations or commitments on behalf of the City or its officers or employees without the express prior approval of the City. The City shall be under no obligation to pay for services rendered not identified in Exhibit "A" without prior written authorization from the City.

### **SECTION III. OWNERSHIP OF WORK PRODUCT**

Engineer agrees that the City shall have the right to use all exhibits, maps, reports, analyses and other documents prepared or compiled by Engineer pursuant to this Agreement. The City shall be the absolute and unqualified owner of all studies, exhibits, maps, reports, analyses, determinations, recommendations, computer files, and other documents prepared or acquired pursuant to this Agreement with the same force and effect as if the City had prepared or acquired the same. It is further understood and agreed that ownership and usage rights associated with the above referenced documents and analyses, hereinafter referred to as instruments, are contingent upon Engineer's completion of the services which will result in the production of such instruments and Engineer's receipt of payment, in full, for said services. Additionally, City understands and agrees that the rights described and provided hereunder shall not preclude or prevent Engineer from continuing to use those processes, analyses and data.

### **SECTION IV. TIME FOR PERFORMANCE**

The time for performance is an estimated 365 calendar day duration beginning from the execution date of this Agreement. Upon written request of the Engineer, the City may grant time extensions to the extent of any delays caused by the City or other agencies with which the work must be coordinated and over which Engineer has no control.

### **SECTION V. COMPLIANCE AND STANDARDS**

Engineer agrees to perform the work hereunder in accordance with generally accepted standards applicable thereto and shall use that degree of care and skill commensurate with the applicable profession to comply with all applicable state, federal, and local laws, ordinances, rules, and regulations relating to the work to be performed hereunder and Engineer's performance.

## **SECTION VI. INDEMNIFICATION**

**To the fullest extent permitted by Texas Local Government Code Section 271.904, Engineer shall and does hereby agree to indemnify, hold harmless and defend the City, its officers, agents, and employees against liability for damage caused by or resulting from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier committed by the Engineer, the Engineer's agent, consultant under contract, or another entity over which the Engineer exercises control.**

## **SECTION VII. ENGINEER'S COMPENSATION**

For and in consideration of the services rendered by Consultant pursuant to this Agreement, the City shall pay Engineer only for the actual work performed under the Scope of Work, on the basis set forth in Exhibit "A," up to an amount not to exceed \$765,541, including reimbursable expenses as identified in Exhibit "A".

## **SECTION VIII. INSURANCE**

Engineer shall procure and maintain insurance for protection from workers' compensation claims, claims for damages because of bodily injury, including personal injury, sickness, disease, or death, claims or damages because of injury to or destruction of property, including loss of use resulting therefrom, and claims of errors and omissions.

## **SECTION IX. TERMINATION**

The City may terminate this Agreement at any time by giving seven (7) days prior written notice to Engineer. Upon receipt of such notice, Engineer shall discontinue all services in connection with the performance of this Agreement and shall proceed to promptly cancel all existing orders and contracts insofar as such orders or contracts are chargeable to the Agreement. As soon as practicable after receipt of notice of termination, Engineer shall submit a statement, showing in detail the services performed under this Agreement to the date of termination. The City shall then pay Engineer that proportion of the prescribed charges which the services actually performed under this Agreement bear to the total services called for under this Agreement, less such payments on account of the charges as have been previously made. Copies of all completed or partially completed maps, studies, reports, documents and other work product prepared under this Agreement shall be delivered to the City when and if this Agreement is terminated.

**SECTION X.**  
**ADDRESSES, NOTICES AND COMMUNICATIONS**

All notices and communications under this Agreement shall be mailed by certified mail, return receipt requested, to Consultant at the following address:

Oller Engineering, Inc.  
Attention: Rich Oller, PE  
2811 South Loop 289, Suite 17  
Lubbock, Texas 79423

All notices and communications under this Agreement shall be mailed by certified mail, return receipt requested, to the City at the following address:

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

**SECTION XI.**  
**LIMIT OF APPROPRIATION**

Prior to the execution of this Agreement, Engineer has been advised by the City and Engineer clearly understands and agrees, such understanding and agreement being of the absolute essence to this Agreement, that the City shall have available only those sums as expressly provided for under this Agreement to discharge any and all liabilities which may be incurred by the City and that the total compensation that Engineer may become entitled to hereunder and the total sum that the City shall become liable to pay to Engineer hereunder shall not under any conditions, circumstances, or interpretations hereof exceed the amounts as provided for in this Agreement.

**SECTION XII.**  
**SUCCESSORS AND ASSIGNS**

The City and Engineer bind themselves and their successors, executors, administrators, and assigns to the other party of this Agreement and to the successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement. Neither the City nor Engineer shall assign, sublet, or transfer its interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be a party hereto.

**SECTION XIII.  
DISCLOSURE OF INFORMATION**

Engineer shall under no circumstances release any material or information developed in the performance of its services hereunder without the express written permission of the City.

**SECTION XIV.  
MODIFICATIONS**

This instrument, including Exhibits A and B, contains the entire Agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral or written representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing signed by both parties hereto.

**SECTION XV.  
ADDITIONAL SERVICES OF ENGINEER**

If authorized in writing by the City, Engineer shall furnish, or obtain from others, Additional Services that may be required because of significant changes in the scope, extent or character of the portions of the Project designed or specified by the Engineer, as defined in Exhibit "A". These Additional Services, plus reimbursable expenses, will be paid for by the Owner on the basis set forth in Exhibit "A," up to the amount authorized in writing by the City.

**SECTION XVI.  
CONFLICTS OF INTEREST**

Pursuant to the requirements of the Chapter 176 of the Texas Local Government Code, Consultant shall fully complete and file with the City Secretary a Conflict of Interest Questionnaire.

**SECTION XVII.  
PAYMENT TO ENGINEER FOR SERVICES AND  
REIMBURSABLE EXPENSES**

Invoices for Basic and Additional Services and reimbursable expenses will be prepared in accordance with Engineer's standard invoicing practices and will be submitted to the City by Engineer at least monthly. Invoices are due and payable thirty (30) days after receipt by the City.

**XVIII.  
MISCELLANEOUS PROVISIONS**

A. This Agreement is subject to the provisions of the Texas Prompt Payment Act, Chapter 2250 of the Texas Government Code. The approval or payment of any invoice

shall not be considered to be evidence or performance by Engineer or of the receipt of or acceptance by the City of the work covered by such invoice.

B. Venue for any legal actions arising out of this Agreement shall lie exclusively in the federal and state courts of Harris County, Texas.

C. This Agreement is for sole benefit of the City and Engineer, and no provision of this Agreement shall be interpreted to grant or convey to any other person any benefits or rights.

D. Engineer further covenants and agrees that it does not and will not knowingly employ an undocumented worker. An "undocumented worker" shall mean an individual who, at the time of employment, is not (a) lawfully admitted for permanent residence to the United States, or (b) authorized by law to be employed in that manner in the United States.

E. In accordance with Chapter 2270, Texas Government Code, a government entity may not enter into a contract with a company for goods or services unless the Engineer covenants and agrees that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. Furthermore, the Engineer is prohibited from engaging in business with Iran, Sudan or Foreign Terrorist Organizations.

F. In accordance with Chapter 2274 of the Texas Government Code, Engineer covenants that it: (1) does not have a practice, policy, guidance or directive that discriminates against a firearm entity or firearm trade association, and (2) will not discriminate during the term of this contract against a firearm entity or firearm trade associations.

IN WITNESS WHEREOF, the City of Tomball, Texas, has lawfully caused this Agreement to be executed by its Mayor; and Engineer, acting by its duly authorized officer/representative does now sign, execute and deliver this instrument.

EXECUTED on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**Company Name: Oller Engineering, Inc.**

  
\_\_\_\_\_

Name: Rich Oller, PE

Title: Principal

**CITY OF TOMBALL, TEXAS**

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

ATTEST:

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



# EXHIBIT A

## Scope of Professional Services for Utility Relocations for TxDOT FM 2920 (Main Street) Roadway Improvements

### 1. Project Overview

The Consultant shall provide professional engineering, design, coordination, and support services for the relocation of water, sanitary sewer, and natural gas utilities within the City of Tomball, Texas, for the FM 2920 roadway improvements. The purpose of this project is to adjust, replace, or relocate existing utilities in conflict with proposed TxDOT improvements, associated with the FM 2920 roadway project.

The Consultant's work shall comply with all applicable federal, state, and local regulations, including City of Tomball standards, Texas Commission on Environmental Quality (TCEQ) requirements, Texas Department of Transportation (TxDOT) standards (if applicable), and industry best practices.

### 2. Basic Services

#### 2.1 Project Management & Coordination

- Attend project kickoff meetings and periodic coordination meetings with the City.
- Develop a project schedule identifying major milestones and submittals.
- Coordinate with City departments, utility owners, TxDOT, private property owners, franchise utilities, and other relevant stakeholders.
- Provide monthly progress reports and maintain communication throughout the project.

#### 2.2 Data Collection & Field Investigation

- Review available record drawings, GIS data, as-builts, and utility maps provided by the City.
- Conduct site visits to verify existing conditions, utility locations, and potential conflicts.





- Prepare a GIS map from the City GIS data showing all utilities for in-field confirmation and preliminary re- routes and alignment.
- Coordinate and manage Subsurface Utility Engineering (SUE) to Quality Levels B and A (if directed by the City). Conduct a “Sweep” report of all utilities in the proposed alignment corridor.
- Identify existing easements, right-of-way limits, and property boundaries relevant to the design.

### **2.3 Preliminary Engineering & Utility Relocation Analysis**

- Identify all utility conflicts and prepare preliminary relocation concepts.
- Evaluate options to minimize service disruptions, reduce construction costs, and maintain operational integrity.
- Prepare a Preliminary Route Analysis Report summarizing findings, alternatives, and recommended relocation strategies.
- Provide preliminary cost estimates for each utility system: water, sewer, natural gas.

### **2.4 Utility Relocation Design Services**

The Consultant shall prepare detailed engineering design for the relocation of the following systems:

#### **2.4.1 Water System**

- Design of new water mains, service lines, valves, hydrants, and connections.
- Abandonment or removal of existing waterline segments in conflict.
- All abandoned lines in place shall be identified for GIS mapping updates and filled with grout.
- Ensure compliance with TCEQ Chapter 290 requirements regarding separation distances, materials, and construction.

#### **2.4.2 Sanitary Sewer System**

- Design of gravity sewer, manholes, and force mains as required.



- Coordination of bypass pumping requirements during construction.
- Preparation of TV inspection recommendations and necessary rehabilitation measures.
- Ensure compliance with TCEQ Chapter 217 requirements.

#### **2.4.3 Harris County Flood Control District (HCFC)**

- Coordination with HCFC on various channel crossings with water lines.
- Plan and profile of proposed crossings with City utilities.

#### **2.4.4 Natural Gas System**

- Coordinate with the City-owned gas system or franchise gas utility operator provider.
- Prepare relocation plans for distribution mains and service lines.
- Identify shutoff, tie-in, and pressure testing requirements.
- Ensure compliance with federal pipeline safety regulations (CFR 49, Part 192).

### **2.5 Construction Documents**

- Plan and Profile sheets for each utility.
- Standard details and special details.
- Specifications in City of Tomball format.
- Quantities and Opinion of Probable Construction Cost (OPCC).
- Traffic control considerations in areas where work is within ROW.
- Erosion and sedimentation control plans (SWPPP design if required).

### **2.6 Permitting & Regulatory Coordination**

- Prepare and submit TxDOT utility installation permits (if applicable).
- Assist with TCEQ notifications (if needed).
- Coordinate franchise utility conflict resolution.



- Prepare documentation required for City approvals and interagency reviews.
- BNSF permitting requirements and submittals
- BNSF coordination for approval to cross under and through their established ROW.

## **2.7 Easement & Land Acquisition Support**

- Prepare easement exhibits, metes and bounds descriptions, and right-of-entry documents.
- Assist the City during the negotiation and acquisition process.
- Identify temporary construction easements if required.

## **2.8 Bidding Phase Services**

- Prepare final bid package for City procurement.
- Assist City in posting advertisement on CivCast.
- Respond to bidder questions and prepare addenda.
- Attend pre-bid meeting and assist with bid evaluation.

## **2.9 Construction Phase Services**

- Attend preconstruction meetings and periodic site visits.
- Review shop drawings, RFIs, contractor schedules, and material submittals.
- Provide engineering clarifications and design interpretation as needed.
- Conduct final walkthrough and prepare punchlist documentation.
- Review as-builts and certify record drawings.

## **3. Deliverables**

### **3.1 Preliminary Phase**

- Utility conflict matrix and alternative relocation



- Preliminary Engineering Report (PER)
- Preliminary cost estimates
- 30% and 60% design submittals

### **3.2 Final Design Phase**

- 90% and 100% construction drawings
- Technical specifications
- Final OPCC
- Permit application packages
- Easement documents

### **3.3 Construction Phase**

- Review logs (RFIs, submittals)
- Meeting minutes
- Punchlist and final completion certification
- Record drawings (PDF and CAD)

### **4. Additional Services (If authorized)**

- Environmental investigations (Phase I ESA, cultural resources) if needed.
- Geotechnical investigations as necessary.
- SUE Quality Level A test holes.
- Public outreach or community meetings.
- Construction inspection or on-site resident project representative services.
- Provide onsite inspection during construction.



## **5. Assumptions**

- City will provide available record information.
- City will handle all property acquisition and franchise utility agreements.
- Consultant will prepare design for systems owned by the City; private utilities will design their own relocations unless directed otherwise.
- Work will follow City of Tomball standards unless otherwise approved.

## **6.0 Risk Mitigation**

- Conflicts with other currently unknown utilities or pipelines
- All relocations shall be designed in known City Right-of-Ways, easements, roads or other designated areas as directed by City personnel
- No drainage improvements are herein provided
- No permits to any agencies are expected to be required and are not herein included

## **7.0 Professional Design Fee**

The professional design fee for this project is **\$765,541.00**

# SUPPLEMENTAL SCOPE FOR BNSF INCLUDED IN OVERALL PROJECT SCOPE

## Utility Crossing Permit – BNSF Railway FM 2920 Utility Relocations

### State of Texas

#### 1. Project Overview

The consultant shall provide professional engineering and coordination services necessary to obtain a BNSF Railway Utility Encroachment Permit for a proposed utility crossing beneath the BNSF railroad right-of-way in Texas. Services include engineering design, preparation of BNSF-required documentation, submittal coordination, and responses to comments until permit approval is obtained.

#### 2. Data Collection & Existing Conditions Review

The consultant shall perform the following tasks:

- Review available record drawings, as-built utility information, and public utility maps.
- Obtain BNSF right-of-way maps, property ownership records, and track charts as available.
- Conduct a field visit to verify site conditions, locate existing utilities, identify access constraints, and observe drainage, topography, and railroad facilities.
- Coordinate with One-Call (811) and utility owners for subsurface utility information.
- Confirm BNSF horizontal and vertical clearance requirements and applicable engineering standards.

#### 3. Engineering Design & Technical Requirements

##### 3.1 Utility Crossing Design

- Develop alignment and profile for the utility crossing.
- Design steel casing, carrier pipe, spacers, vents, and appurtenances.
- Provide hydraulic, structural, or geotechnical analysis as needed.
- Ensure compliance with BNSF's Utility Accommodation Policy and Requirements.

##### 3.2 Plan and Profile Drawings

## SUPPLEMENTAL SCOPE FOR BNSF INCLUDED IN OVERALL PROJECT SCOPE

Prepare permit-ready drawings including:

- Cover Sheet with project description and vicinity map
- Plan view showing railroad tracks, right-of-way, bore pits, and utilities
- Profile showing casing and carrier pipe elevations
- Bore pit details and construction limits
- Standard notes and typical sections

### 4. Permit Application Documentation

- Completed BNSF Utility Permit Application
- Engineering plans (signed and sealed by a Texas PE)
- Utility owner authorization letters
- Construction work plan and installation method
- Traffic control plan if required
- Contractor insurance requirements
- Geotechnical data (if necessary)
- Environmental compliance forms
- Safety compliance statement

### 5. Coordination and Submittal Services

- Submit permit package via BNSF's online system.
- Respond to reviewer comments and resubmit.
- Attend coordination meetings.
- Track permit progress and coordinate flagging requirements.

### 6. Construction Support (Optional)

- Review contractor submittals.

## SUPPLEMENTAL SCOPE FOR BNSF INCLUDED IN OVERALL PROJECT SCOPE

- Coordinate with BNSF flaggers and inspectors.
- Site visits for verification.
- As-built documentation.
- Final acceptance coordination.

### 7. Assumptions & Exclusions

- Environmental assessments excluded.
- Geotechnical investigation may be added as a separate service.
- BNSF fees, flagging costs, and contractor expenses are client responsibilities.
- Construction documents beyond permit needs are excluded unless added later.

### 8. Deliverables

- Complete BNSF-compliant permit package (PDF)
- Signed and sealed engineering drawings
- Completed application forms
- One coordinated submittal
- Comment response logs and revisions
- Final Permit Approval issued by BNSF



# City Council Meeting

## Agenda Item

### Data Sheet

**Meeting Date:** January 5, 2026

**Topic:**

Consideration of and action on the first reading of Ordinance No. 2026-04, amending Chapter 42 of the Code of Ordinances of the City of Tomball, Texas regarding the City's Tourism Advisory Committee; providing for severability; and providing an effective date.

**Background:**

On April 7, 2003, the City of Tomball did adopt Ordinance No. 2003-04 levying a hotel occupancy tax to become effective on May 1, 2003, which was later amended on November 6, 2006 by the adoption of Ordinance No. 2006-16, which was later amended on November 1, 2010 by the adoption of Ordinance No. 2010-21 creating the Tourism Advisory Committee. Section 42-27(d)(2) states the Committee shall meet at least once quarterly during a fiscal year. During the December 15, 2025 City Council meeting, Council voted to revise the meeting requirement to as needed.

**Origination:** City Secretary Office

**Recommendation:** Approve first reading of Ordinance No. 2026-04.

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

Thomas Harris III, City Secretary,  
Chrislord Templonuevo,  
Marketing & Tourism

**FUNDING (IF APPLICABLE)**

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

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

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

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

Signed \_\_\_\_\_

Staff Member

Date

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

City Manager

Date

**ORDINANCE NO. 2026-04**

**AN ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS REGARDING THE CITY'S TOURISM ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on April 7, 2003, the City of Tomball did adopt Ordinance No. 2003-04 levying a hotel occupancy tax to become effective on May 1, 2003, which was later amended on November 6, 2006 by the adoption of Ordinance No. 2006-16, which was later amended on November 1, 2010 by the adoption of Ordinance No. 2010-21; and

**WHEREAS**, the City Council of the City of Tomball, Texas (the "City Council"), determines it is in the best interest of the of the City of Tomball, Texas (the "City") to amend the meeting frequency of the Tourism Advisory Committee to be as needed; and **NOW THEREFORE**,

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

**SECTION 1. THAT**, the City Council hereby finds and determines that the statements set forth in the preamble of this Ordinance are true and correct and are incorporated herein for all purposes.

**SECTION 2. THAT**, the first sentence of Subsection 42-27(d)(2) of the Code of Ordinances, Tomball, Texas is hereby amended to read as follows:

"The committee shall meet as needed during a fiscal year."

**SECTION 3. THAT**, in the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent or original jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and, the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**SECTION 4. THAT**, this Ordinance shall be in full force and effect immediately upon its adoption as provided by law.

**FIRST READING:**

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON JANUARY 5, 2026.

COUNCILMEMBER FORD  
COUNCILMEMBER GARCIA

\_\_\_\_\_  
\_\_\_\_\_

COUNCILMEMBER DUNAGIN \_\_\_\_\_  
COUNCILMEMBER COVINGTON \_\_\_\_\_  
COUNCILMEMBER PARR \_\_\_\_\_

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON JANUARY 19, 2026.

COUNCILMEMBER FORD \_\_\_\_\_  
COUNCILMEMBER GARCIA \_\_\_\_\_  
COUNCILMEMBER DUNAGIN \_\_\_\_\_  
COUNCILMEMBER COVINGTON \_\_\_\_\_  
COUNCILMEMBER PARR \_\_\_\_\_

\_\_\_\_\_  
**LORI QUINN, MAYOR**

**ATTEST:**

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