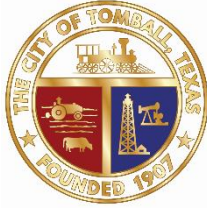


**NOTICE OF REGULAR COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, February 21, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, February 21, 2022 at 6:00 PM, City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, WILL CONDUCT THE MEETING SCHEDULED FOR FEBRUARY 21, 2022, 6:00 PM, AT 401 MARKET STREET, TOMBALL, TEXAS, 77375. THIS MEETING AGENDA AND THE AGENDA PACKET ARE POSTED ONLINE AT:

[HTTPS://TOMBALLTX.GOV/ARCHIVE.ASPX?AMID=38](https://tomballtx.gov/archive.aspx?amid=38)

A RECORDING OF THE MEETING WILL BE MADE AND WILL BE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT UPON WRITTEN REQUEST.

The public toll-free dial-in numbers to participate in the telephonic meeting are any one of the following (dial by your location): +1 312 626 6799 US (Chicago); +1 646 876 9923 US (New York); +1 301 715 8592 US; +1 346 248 7799 US (Houston); +1 408 638 0968 US (San Jose); +1 669 900 6833 US (San Jose); or +1 253 215 8782 US (Tahoma) - Meeting ID: 879 8095 7556, Passcode: 441205. The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. Invocation - Led by Pastor Kevin Bowles – Redeemer Church
- C. Pledges to U.S. and Texas Flags
- D. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a*

matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]

E. Reports and Announcements

1. Announcements

- I. February 22, 2022 – ***Sam Houston Trail Ride Reception*** – 11:00 a.m. at the Depot
- II. February 28, 2022 – Last day to apply for Place on Ballot for the May 7, 2022 Special City Election; 5:00 p.m.
- III. March 19, 2022 – ***Tomball Honky Tonk Chili Challenge Festival*** at the Depot – 11:00 a.m.-6:00 p.m.

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

F. Approval of Minutes

- 1. Approve the Minutes of the February 7, 2022 Special and Regular Tomball City Council Meetings

G. Old Business

- 1. Adopt, on Second Reading, Ordinance No. 2022-01, an Ordinance of the City of Tomball, Texas, Adopting an Amendment to the Original Budget of the City of Tomball, Texas for the Fiscal Year 2021-2022; Containing Findings; Providing for Severability; and Providing Other Details Relating to the Subject
- 2. Adopt, on Second Reading, Ordinance No. 2022-03, an Ordinance of the City Council of the City of Tomball, Texas, Amending Chapter 44 of the Code of Ordinances of the City of Tomball “Traffic And Vehicles”, by Adding a New Article IX, “Regulation of Golf Carts”, that Provides Regulations for the Operation and Maintenance of Golf Carts within the City; Providing a Penalty; Providing for Severability; Providing for Publication; and, Providing an Effective Date

H. New Business

- 1. Approve Request from Tomball Rotary Club for City Support and In-Kind Services for the Tomball Rotary Fish Fry Event in Juergens Park, on Saturday, April 23, 2022

2. Approve Request from Tomball Rotary Club for City Support and In-Kind Services for the Tomball Rotary Annual Big Show at the Depot in Downtown Tomball, on Saturday, October 15, 2022
3. Presentation of the Main Street (FM 2920) Road Reconstruction Project from Hwy 249 to Willow Street
4. 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. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of a Public Officer or Employee – Director of Public Works

I. 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 17th day of February 2022 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer, City Secretary, TRMC, MMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

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

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 21, 2022

Topic:

February 22, 2022 – *Sam Houston Trail Ride Reception* – 11:00 a.m. at the Depot

Background:

Origination:

Recommendation:

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

Signed	<u>Doris Speer</u>	<u>2-16-2022</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 21, 2022

Topic:

February 28, 2022 – Last day to apply for Place on Ballot for the May 7, 2022 Special City Election;
5:00 p.m.

Background:

Origination:

Recommendation:

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

Signed	<u>Doris Speer</u>	<u>2-16-2022</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 21, 2022

Topic:

March 19, 2022 – *Tomball Honky Tonk Chili Challenge Festival* at the Depot – 11:00 a.m.-6:00 p.m.

Background:

Origination:

Recommendation:

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

Signed	<u>Doris Speer</u>	<u>12-27-2021</u>	Approved by	<u></u>
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 21, 2022

Topic:

Approve the Minutes of the February 7, 2022 Special and Regular Tomball City Council Meetings

Background:

Origination: City Secretary

Recommendation:

Approve

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

FUNDING (IF APPLICABLE)

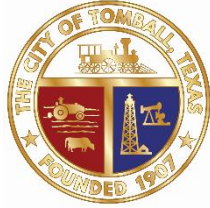
Are funds specifically designated in the current budget for the full amount required for this purpose?

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

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

Signed	Doris Speer	2-16-2022	Approved by		
	Staff Member	Date		City Manager	Date

MINUTES OF SPECIAL COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, February 7, 2022
4:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for February 7, 2022, 4:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting of the Tomball City Council to order at 4:02 p.m.

PRESENT

Mayor Gretchen Fagan
Council 1 John Ford
Council 2 Mark Stoll
Council 3 Chad Degges
Council 4 Derek Townsend, Sr.
Council 5 Lori Klein Quinn

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Doris Speer
Director of Public Works – Adam Ballesteros
Director of Community Development – Nathan Dietrich
Finance Director – Katherine Dubose
Police Chief – Jeff Bert (video)
Marketing Director – Mike Baxter
Fire Chief – Joe Sykora
HR Director – Lisa Coe
Assistant City Secretary – Tracylynn Garcia
CSO-Administrative Assistant – Sasha Luna
Project Coordinator/ACM Admin. Asst. – Meagan Mageo
Police Captain-Investigations – Ricky Doerre
Police Sergeant-Investigations – Chris Burns
Police Captain-Patrol – Brandon Patin

B. No public comments were received

C. New Business

1. The Tomball City Council and City Staff entered into a Workshop for the following purposes:

Consideration and Discussion regarding Long-Range Planning Priorities for the City of Tomball – Police Department

- D. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

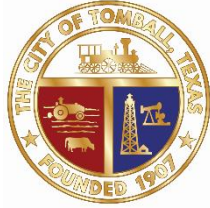
Meeting adjourned at 5:43 p.m.

PASSED AND APPROVED this the 21st day of February 2022.

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Mayor

MINUTES OF REGULAR COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, February 7, 2022
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for February 7, 2022, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting of the Tomball City Council to order at 4:02 p.m.

PRESENT

Mayor Gretchen Fagan
Council 1 John Ford
Council 2 Mark Stoll
Council 3 Chad Degges
Council 4 Derek Townsend, Sr.
Council 5 Lori Klein Quinn

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Director of Public Works – Adam Ballesteros
Director of Community Development – Nathan Dietrich
Finance Director – Katherine Dubose
Police Chief – Jeff Bert (video)
Marketing Director – Mike Baxter
Fire Chief – Joe Sykora
HR Director – Lisa Coe
CSO-Administrative Assistant – Sasha Luna
Marketing & Communication Specialist – Gargi Bhowal
Community Center Manager – Rosalie Dillon
Police Captain-Investigations – Ricky Doerre
Police Sergeant-Investigations – Chris Burns
Police Captain-Patrol – Brandon Patin
Executive Director-TEDC – Kelly Violette

B. Invocation - Led by Pastor Bill Haygood - Tomball United Methodist Church

C. Pledges to U.S. and Texas Flags – Led by Joe Degges and Joshua Henson, Eagle Scouts

D. No Public Comments were received.

E. Reports and Announcements

1. Announcements

I. February 18, 2022 – Last day to apply for Place on Ballot for the May 7, 2022 General City Election; 5:00 p.m.

II. February 22, 2022 – ***Sam Houston Trail Ride Reception*** – 11:00 a.m. at the Depot

III. March 19, 2022 – ***Tomball Honky Tonk Chili Challenge Festival*** at the Depot – 11:00 a.m.-6:00 p.m.

IV. Tomball Police Department Annual Data Capture Report – 2021 (SB 1074)

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

I. Katherine Dubose presented the Quarterly Investment Report for Period Ending December 31, 2021. The Public Funds Investment Act requires that a report of the City's cash and investments be presented to City Council on a quarterly basis. As of December 31, 2021, the City's cash and investment balances totaled \$59,856,602.

F. Approval of Minutes

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the January 17, 2022 Regular Tomball City Council Meeting

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

G. Old Business

1. Motion made by Council 1 Ford, Seconded by Council 4 Townsend, Sr., to approve, on Second Reading, Resolution No. 2022-05-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 Decatur Professional Development, LLC, to make direct incentives to, or expenditures for, rental assistance for new or expanded business enterprise to be located at 1431 Graham Drive, Suites 262-265, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$6,600.00.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

H. New Business

1. Motion made by Council 3 Degges, Seconded by Council 1 Ford, to approve the request from the Tomball High School Athletic Booster Club for City support and in-kind services for the *3rd Annual Tomball Athletic Booster Crawfish Boil* in downtown Tomball on Saturday, April 30, 2022.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

2. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to approve the Application from Spring Creek County Historical Association for Grant from Hotel Occupancy Tax Funds in the amount of \$27,000 for Fiscal Year 2021-2022 Annual Operations.

Motion to AMEND made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to approve the Application from Spring Creek County Historical Association for Grant from Hotel Occupancy Tax Funds in the amount of **up to \$30,000** for Fiscal Year 2021-2022 Annual Operations.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion to AMEND carried unanimously.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion, as AMENDED, carried unanimously.

3. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to approve and authorize the City Manager to execute a Facility Use Agreement with the Tomball Farmer's Market.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

4. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to approve a Project Cost Sharing Agreement with LIT Interchange 249 Business Park, LLC for the design and engineering of an elevated storage tank.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

5. Motion made by Council 1 Ford, Seconded by Council 4 Townsend, Sr., to approve a Professional Services Agreement with Freese & Nichols, Inc. for E&P Project 2021-10053, Elevated Storage Tank for Lovett Industrial for \$499,000.00, and to authorize the City Manager to execute.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

6. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to read Ordinance No. 2022-01 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to Adopt, on First Reading, Ordinance No. 2022-01, an Ordinance of the City of Tomball, Texas, Adopting an Amendment to the Original Budget of the City of Tomball, Texas for the Fiscal Year 2021-2022; Containing Findings; Providing for Severability; and Providing Other Details Relating to the Subject

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

7. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution 2022-08, a Resolution of the City of Council of the City of Tomball, Texas, accepting the Preliminary Service and Assessment Plan for Authorized Improvements within the Wood Leaf Reserve Public Improvement District; Setting a Date for the Public Hearing on the Proposed Levy of Assessments; Authorizing the Publication and Mailing of Notice; and Enacting Other Provisions Relating thereto.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

8. Mayor Fagan opened the public hearing of the City Council of the City of Tomball to consider the advisability of the creation of a public improvement district to make certain improvements over certain property located within the City (TPID 12, Winfrey Estates) at 6:31 p.m.

Receiving no public comments, Mayor Fagan closed the public hearing at 6:32 p.m.

No action taken.

9. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to accept the automatic resignation of Councilmember Lori Klein Quinn, Position 5, under the Texas Constitution, Article XI, Section 11(a)(b), due to her application for place on ballot for the May 7, 2022 Election.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

10. Motion made by Council 1 Ford, Seconded by Council 4 Townsend, Sr., to approve Resolution No. 2022-09, a Resolution and Order of the City Council of the City of Tomball, Texas, Ordering a Special City Officer's Election, to be held in the City of Tomball on Saturday, May 7, 2022; Designating the Polling Places

and Appointing Election Officials for such Election; Directing the Giving of Notice of Such Election; Designating the Date for a Runoff Election if Needed; and Providing Details Relating to the Holding of Such Election

Fue presentada una moción por el Concejal 1 Ford, secundada por el Concejal 5 Townsend, Sr., para aprobar la Resolución No. 2022-09, Una Resolución Y Orden Del Consejo Municipal De La Ciudad De Tomball, Texas, que ordena una Elección Especial De Funcionario Municipal, A celebrarse en la ciudad De Tomball el Sábado 7 de Mayo De 2022; que designa los lugares de votación y nombra los funcionarios Electorales para dicha Elección; que instruye la entrega del aviso de dicha elección; que designa la fecha para una elección de desempate en caso de ser necesaria; y que dispone los detalles relativos a la celebración de dicha Elección.

Đề nghị được đưa ra bởi Hội đồng 1 Ford, được Hội đồng 4 Townsend, Sr., tán thành, đề thông qua Nghị quyết số 2022-09, một Nghị quyết và Lệnh của Hội đồng Thành phố của Thành phố Tomball, Texas, Ra lệnh Bầu cử Viên chức Thành phố Đặc biệt, được được tổ chức tại Thành phố Tomball vào Thứ Bảy, ngày 7 tháng 5 năm 2022; Chỉ định các địa điểm bỏ phiếu và bổ nhiệm các quan chức bầu cử cho cuộc bầu cử đó; Chỉ đạo việc đưa ra thông báo về cuộc bầu cử đó; Chỉ định Ngày cho Cuộc Bầu cử Runoff nếu Cần; và Cung cấp chi tiết liên quan đến việc tổ chức cuộc bầu cử như vậy

第 1 委員會 Ford 提出的動議，得到第 4 委員會 Townsend, Sr. 的附議，批准第 2022-09 號決議，

TEXAS 州 TOMBALL 市市議會決議及命令之內容包括：於 2022 年 5 月 7 日（週六）在 TOMBALL 市舉行本市官員特別選舉；為上述選舉指定投票地點並任命選舉官員；就發出本選舉之通知作出指示；指定決選舉行日期（如果需要舉行決選）；以及就本選舉之舉行事宜作出具體規定。

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Votación Sí: Consejo 1 Ford, Consejo 2 Stoll, Consejo 3 Degges, Consejo 4 Townsend, Sr., Consejo 5 Klein Quinn

Bỏ phiếu Yea: Hội đồng 1 Ford, Hội đồng 2 Stoll, Hội đồng 3 Degges, Hội đồng 4 Townsend, Sr., Hội đồng 5 Klein Quinn

投票贊成：議會 1 Ford、議會 2 Stoll、議會 3 Degges、議會 4 Townsend, Sr.、議會 5 Klein Quinn

Motion carried unanimously.

La moción fue aprobada por unanimidad.

Cuộc Vận Động được nhất trí tiến hành.

議案一致通過

11. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-03 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

Motion made by Council 3 Degges, Seconded by Council 4 Townsend, Sr., to adopt, on First Reading, Ordinance No. 2022-03, an Ordinance of the City Council of the City of Tomball, Texas, Amending Chapter 44 of the Code of Ordinances of the City of Tomball "Traffic And Vehicles", by Adding a New Article IX, "Regulation of Golf Carts", that Provides Regulations for the Operation and Maintenance of Golf Carts within the City; Providing a Penalty; Providing for Severability; Providing for Publication; and, Providing an Effective Date.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr.

Voting Nay: Council 5 Klein Quinn

Motion carried, 4 votes Aye, 1 vote Nay.

12. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to reject all bids received for bid number 2022-01, Roof Replacement for the Administrative Services Building and rebid the project.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

13. Executive Session: The City Council recessed at 7:08 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Section 551.087 - Deliberation regarding Economic Development negotiations.
- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney's duty requires to be discussed in closed session

Upon reconvening into regular session at 7:26 p.m., the following action was taken:

14. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to approve, as a Project of the Tomball Economic Development Corporation, an agreement with Project Hanks to make direct incentives to, or expenditures for, the creation or retention of primary jobs associated with the development of a 900,000 square foot distribution facility to be located at 14000 Boudreaux Rd, Tomball, Texas 77377. The estimated amount of expenditures for such Project is an amount not to exceed \$580,864.00 (Macy's Distribution Center).

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

- I. . Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

Meeting adjourned at 7:28 p.m.

PASSED AND APPROVED this the 21st day of February 2022.

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Mayor

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 21, 2022

Topic:

Adopt, on Second Reading, Ordinance No. 2022-01, an Ordinance of the City of Tomball, Texas, Adopting an Amendment to the Original Budget of the City of Tomball, Texas for the Fiscal Year 2021-2022; Containing Findings; Providing for Severability; and Providing Other Details Relating to the Subject

Background:

Ordinance No. 2022-01, adopting Amendment Number 1 to the Original Budget for the Fiscal Year 2021-2022, is presented for Council consideration and adoption.

The amounts included in Exhibit A represent amendments to the Fiscal Year 2021-2022 Original Budget for the following items:

- Water meters for new development
- Gas meters for new development
- Replacement of existing water meters
- Elevated storage tank for Lovett Industrial, including reimbursement
- Dispatch Telex System

Origination: City Staff

Recommendation:

Adopt, on Second Reading, Ordinance No. 2022-01, adopting Amendment Number 1 to the Original Budget for the Fiscal Year 2021-2022.

Party(ies) responsible for placing this item on agenda: Katherine DuBose, Finance Director

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: # _____

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

Signed: Doris Speer 02/16/2022 **Approved by:** _____
Staff Member Date City Manager Date

ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ADOPTING AN AMENDMENT TO THE ORIGINAL BUDGET OF THE CITY OF TOMBALL, TEXAS, FOR THE FISCAL YEAR 2021-2022; CONTAINING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the City of Tomball, Texas, Budget for the Fiscal Year 2021-2022 was adopted within the time and in the manner required by State law; and

WHEREAS, the City Council hereby finds and determines that it is necessary to amend to said Budget; now, therefore,

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

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

Section 2. The City of Tomball, Texas, Fiscal Year 2021-2022 Budget is hereby amended to make the changes reflected on the attached Amendment attached to this Ordinance as Exhibit “A” and made a part hereof for all purposes. This **Amendment to the Original Budget of the City of Tomball, Texas, For The Fiscal Year-2022** shall be attached to and made a part of the Original Budget by the City Secretary and filed as required by State law.

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 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 A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 7TH DAY OF FEBRUARY 2022.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 21ST DAY OF FEBRUARY 2022.

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

GRETCHEN FAGAN, MAYOR
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball

EXHIBIT A

**Fiscal Year 2021-2022
Budget Amendment Number 1**

GENERAL FUND	FY 2021-2022 Total Budget	2/7/2022 Amendment	Amended Budget
Revenues:			
Contributions	\$ 748,000	\$ -	\$ 748,000
Fines and Warrants	350,000	-	350,000
Franchise Taxes	1,050,000	-	1,050,000
Interest	7,500	-	7,500
Other Revenue	102,650	-	102,650
Permits & Licenses	1,542,500	-	1,542,500
Property Taxes	3,545,000	-	3,545,000
Sales Taxes	12,590,000	-	12,590,000
Services	3,294,866	-	3,294,866
Enterprise Transfers In	2,668,418	-	2,668,418
Total Revenues	\$ 25,898,934	\$ -	\$ 25,898,934
Expenditures:			
Administrative	\$ 412,819	\$ -	\$ 412,819
Building Permits and Inspections	428,629	-	428,629
Mayor and Council	85,660	-	85,660
City Secretary	465,410	-	465,410
Human Resources	478,811	-	478,811
Finance	858,438	-	858,438
Information Systems	875,121	-	875,121
Legal	140,000	-	140,000
Non-Departmental	1,182,838	-	1,182,838
Police	7,014,095	173,098	7,187,193
Municipal Court	472,245	-	472,245
Community Center	179,317	-	179,317
Fire	3,296,789	-	3,296,789
Emergency Management	21,800	-	21,800
ESD #15 Station 5	1,057,919	-	1,057,919
Public Works Administration	90,666	-	90,666
Garage	194,219	-	194,219
Parks	760,865	-	760,865
Streets	1,571,329	-	1,571,329
Sanitation	1,815,200	-	1,815,200
Engineering and Planning	578,974	-	578,974
Facilities Maintenance	852,957	-	852,957
Transfer Out to Hotel Occupancy	126,000	-	126,000
Transfer Out to Health Insurance	2,600,581	-	2,600,581
Total Expenditures	\$ 25,560,682	\$ 173,098	\$ 25,733,780
Revenues Over/(Under) Expenditures	\$ 338,252	\$ (173,098)	\$ 165,154

EXHIBIT A

**Fiscal Year 2021-2022
Budget Amendment Number 1**

CAPITAL PROJECTS FUND	FY 2021-2022 Total Budget	2/7/2022 Amendment	Amended Budget
Revenues:			
Transfers from General Fund	\$ 430,000	\$ -	\$ 430,000
Transfers from Enterprise Fund	595,000	-	595,000
Other Revenue Sources	-	249,500	249,500
Total Revenues	\$ 1,025,000	\$ 249,500	\$ 1,274,500
Expenditures:			
Capital Outlay - General Fund	\$ 4,073,556	\$ -	\$ 4,073,556
Capital Outlay - Enterprise Fund	605,917	499,000	1,104,917
Total Expenditures	\$ 4,679,473	\$ 499,000	\$ 5,178,473
Revenues Over/(Under) Expenditures	\$ (3,654,473)	\$ (249,500)	\$ (3,903,973)

EXHIBIT A

**Fiscal Year 2021-2022
Budget Amendment Number 1**

ENTERPRISE FUND	FY 2021-2022 Total Budget	2/7/2022 Amendment	Amended Budget
Revenues:			
Water Sales	\$ 6,000,000	\$ -	\$ 6,000,000
Sewer Sales	2,500,000	-	2,500,000
Gas Sales	3,000,000	-	3,000,000
Tap Fees	1,125,000	2,000,000	3,125,000
Reconnect Fees	10,000	-	10,000
Interest	5,000	-	5,000
Contributions	370,000	-	370,000
Other	162,100	-	162,100
Total Revenues	\$ 13,172,100	\$ 2,000,000	\$ 15,172,100
Expenditures:			
Enterprise Administration	\$ 4,066,225	\$ -	\$ 4,066,225
Utility Billing	626,900	-	626,900
Water	4,783,227	348,990	5,132,217
Wastewater	1,899,966	-	1,899,966
Gas	2,256,658	434,780	2,691,438
Total Expenditures	\$ 13,632,976	\$ 783,770	\$ 14,416,746
Revenues Over/(Under) Expenditures	\$ (460,876)	\$ 1,216,230	\$ 755,354

EXHIBIT A

Fiscal Year 2021-2022
Budget Amendment Number 1

AMERICAN RESCUE PLAN	FY 2021-2022 Total Budget	2/7/2022 Amendment	Amended Budget
Revenues:			
American Rescue Plan Act Funds	\$ -	\$ 1,766,231	\$ 1,766,231
Total Revenues	\$ -	\$ 1,766,231	\$ 1,766,231
Expenditures:			
Materials and Parts (Water Meters)	\$ -	\$ 1,766,231	\$ 1,766,231
Total Expenditures	\$ -	\$ 1,766,231	\$ 1,766,231
Revenues Over/(Under) Expenditures	\$ -	\$ -	\$ -

Note: The City of Tomball was allocated \$2,918,422 in funding, which will be received in two tranches. The first tranche of \$1,459,211 was received in September 2021 and the second tranche will be received by September 2022. The City will recognize the revenue incrementally as expenditures for these funds are incurred.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 21, 2022

Topic:

Adopt, on Second Reading, Ordinance No. 2022-03, an Ordinance of the City Council of the City of Tomball, Texas, Amending Chapter 44 of the Code of Ordinances of the City of Tomball “Traffic And Vehicles”, by Adding a New Article IX, “Regulation of Golf Carts”, that Provides Regulations for the Operation and Maintenance of Golf Carts within the City; Providing a Penalty; Providing for Severability; Providing for Publication; and, Providing an Effective Date

Background:

Recent changes in Texas law now allow golf carts and most off-highway vehicles to be operated on public roadways; however, their operation is restricted to certain conditions, and there are certain stipulations to make their operation on streets legal. The law also allows municipalities to relax or further restrict golf cart usage, provided that golf carts still operate within municipal boundaries and on a highway that has a posted speed limit of not more than 35 miles per hour. Understanding that many residents in Tomball utilize golf carts to drive places other than to and from golf courses, the City government, as provided by the Texas Traffic Code, may examine a model of golf cart usage that makes sense for the residents of Tomball considering City design, projected growth, public safety, and traffic concerns.

Origination: Chief Jeff Bert, Tomball Police Department

Recommendation:

Adopt on Second reading Ordinance No. 2022-03.

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

FUNDING (IF APPLICABLE)

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

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

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

Signed	<u>Jeff Bert</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

ORDINANCE NO. 2022-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES OF THE CITY OF TOMBALL “TRAFFIC AND VEHICLES”, BY ADDING A NEW ARTICLE IX, “REGULATION OF GOLF CARTS”, THAT PROVIDES REGULATIONS FOR THE OPERATION AND MAINTENANCE OF GOLF CARTS WITHIN THE CITY; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

* * * * *

WHEREAS, in 2019, the Texas Legislature passed HB1548, which authorizes the use of golf carts on certain public roads; and

WHEREAS, the new law also allows for municipalities to regulate use of golf carts in the interest of safety; and

WHEREAS, municipalities around the State have taken the opportunity to craft ordinances that fit their individual communities and balance the convenience of golf cart usage with safety and traffic control priorities; and

WHEREAS, the City Council of the City of Tomball desires that the Code of Ordinance of the City of Tomball should be amended to provide for the regulation of golf carts within the City of Tomball; and **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL:

SECTION 1. THAT, the City Council of the City of Tomball, Texas (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 Code of Ordinances, City of Tomball, Texas is hereby amended by adding to Chapter 44 an article, to be numbered IX, which article reads as follows:

“ARTICLE IX. – REGULATION OF GOLF CARTS

Sec. 44-288 - Definitions.

The following words, terms, and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Golf cart* means a motor vehicle that is manufactured primarily for operation on golf courses. *Operator* means the person operating and having physical control over a golf cart. An operator must carry a valid Texas Drivers' License.

Public highway includes a road, street, way, thoroughfare, or bridge: that is in the state; that is for the use of vehicles; that is not privately owned or controlled; and, over which the state has legislative jurisdiction under its police power.

No term in this article shall be in conflict with the meaning assigned to this term by Texas Transportation Code as it exists at the time of its adoption within a relevant article or as it may be amended thereafter.

Sec. 44-289. - Golf carts - Required Equipment.

Every golf cart operated within the city of Tomball shall be equipped with all the following equipment which shall be operational at all times:

- (1) Headlamps;
- (2) Tail lamps;
- (3) Reflectors;
- (4) Parking brake;
- (5) Mirrors;
- (6) Slow-moving vehicle emblem as provided for in Texas Transportation Code §547.703; and,
- (7) Golf cart license plate as provided for in Texas Transportation Code §551.402.

Sec. 44-290. - Operation Regulations.

- (a) Every operator shall be licensed to operate a motor vehicle as provided by the Texas Transportation Code and shall carry a valid Texas drivers' license while operating the golf cart;
- (b) Every operator shall maintain proof of current financial responsibility for the golf cart, as required of other passenger vehicles in the Texas Transportation Code § 601.051;
- (c) Every operator shall abide by all traffic regulations applicable to vehicular traffic when operating a golf cart on any public highway in the city;
- (d) No person shall operate a golf cart on any sidewalk or hike and bike trail within the city;
- (e) A golf cart may only be operated on a public highway with a posted speed limit of not more than thirty-five miles per hour (35 mph);

Exception: the operator may cross a public highway with a posted speed limit of more than thirty-five miles per hour (35 mph) at an intersection to immediately access a private driveway, parking lot, or a public highway with a posted speed limit of thirty-five miles per hour (35 mph) or less.

- (f) At no time shall a person operate a golf cart on the following streets, except to cross at an intersection to immediately access a private driveway, parking lot, or a public highway of a posted speed limit of thirty-five miles per hour (35 mph) or less:
 - (1) Tomball Parkway (Business 249);
 - (2) Tomball Expressway (State Highway 249 and its feeders);
 - (3) Main Street;
 - (4) FM 2978;
 - (5) Hufsmith-Kohrville Rd; and,
 - (6) FM 2920.
- (g) An operator shall not overtake and pass a vehicle in the same lane occupied by the vehicle being overtaken;
- (h) A golf cart shall not be operated between lanes of traffic or on medians;
- (i) When safe to do so, a golf cart shall move to the right and yield the right-of-way to faster moving vehicles;
- (j) The operator and every occupant of a golf cart shall be limited to the seating capacity as designed by the manufacturer and all occupants shall remain seated in a seat designed to hold passengers while the golf cart is in motion. The operator shall not transport a person on a part of the golf cart not designed or intended to transport a passenger;
- (k) No operator shall allow a person to ride in the lap of the operator or any other person being transported; and,
- (l) No operator shall use a wireless communication device in a school zone during restricted school hours.

SECTION 3. THAT, any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed two thousand dollars (\$2,000), with each day of violation constituting a separate offense.

SECTION 4. 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 ordinances 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 5. THAT, the City Council hereby directs the City Secretary to publish the caption of the Ordinance as required under and according to State law.

SECTION 6. THAT, this Ordinance shall be in full force and effect upon the date of its passage by the City Council.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 7TH DAY OF FEBRUARY 2022.

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

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 21ST DAY OF FEBRUARY 2022.

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

GRETCHEN FAGAN, MAYOR
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 21, 2022

Topic:

Approve request from Tomball Rotary Club for City Support and In-Kind Services for the Tomball Rotary Fish Fry event in Juergens Park, on Saturday, April 23, 2022

Background:

Fundraising to support various events to benefit the Tomball community in several areas:

- Scholarships to local high school students as part of our Student of the Month program
- Various charities, such as: Families Feeding Families, Montgomery County Women's Shelter, Tomball VFW, Elijah Rising & TEAM
- Endowment to sustain scholarship programs and support future community projects

Requests from Tomball Rotary Club for In-Kind Services:

- To use Juergens Park as our location for the event
- Waive Juergens Park Rental fee
- Trash receptacles and trash pick-up
- Use of Electrical Outlets
- Potential use of additional parking lots

Other Logistical Items:

- Rotary will rent 2 tents for the event,
- Rotary will establish a sanitizing area for the cookers
- Obtain appropriate food service license, provide tables and chairs
- Pay for two Tomball Police Officers for security

Origination: Tomball Rotary Club

Recommendation: N/A

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

Gargi Bhowal, Marketing and
Communications Specialist

Signed _____

Staff Member

Date

Approved by _____

City Manager

Date



SPECIAL EVENT APPLICATION

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

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

Date: 2/14/22 _____ Is this event Co-City sponsored? Yes ___ No X___

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

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

Event title: Annual Tomball Rotary Fish Fry _____

1. Sponsoring entity: Tomball Rotary Club _____
2. Is this organization based in Tomball: Yes X___ No ___
3. Is this organization *non-profit* X___ or *for-profit* ___ *Attach 501 (c) (3) tax exemption if applicable
4. Contact: Russel Blue or Caley Baillio _____ Phone: 281-755-9978 or 832-205-0207
5. Contact address: PO Box 64, Tomball, TX 77377 _____
6. Contact email: rblue@jrbadvisorgroup.com & Caley@sftomball.com _____
7. Event date: 4/23/22 _____
8. Event times: Start 4pm _____ Finish 8:00pm _____ Set-up 8am _____ Breakdown 8pm
9. Event location: Juergens Park _____
10. Is this event for charity? Yes X___ No ___
11. If yes, what charity? Tomball Rotary Foundation___ Tax ID 27-4719115
12. If yes, what percentage of net proceeds will be donated to the charity? 100% (and scholarships)
13. On-site contact: Caley Baillio _____ Mobile Phone: 832-205-0207 ___
14. Estimated number of attendees: 1000 _____
15. Detailed site map in attached: Yes ___ No X___
16. Is this event open to the public: Yes X___ No ___
17. Admission fee: ___ Free X___ (Can purchase \$15 Fish Fry Plates)
18. Time at which event staff will begin to arrive: 8am _____
19. The applicant will defend and hold harmless the City of Tomball from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such application including attorney fees and expenses.
Initial ___CB___
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured.
Initial ___CB___
21. Name of insurance carrier: Lexington Insurance Co. _____
22. Organization has secured date with the Public Works Dept. and has paid deposit. No _____

Signature: Caley Baillio _____

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



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/14/2022

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

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

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

COVERAGES

CERTIFICATE NUMBER: 899307648

REVISION NUMBER:

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

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

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

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

CERTIFICATE HOLDER

City Of Tomball

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

Cynthia L. LaMonte

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: February 21, 2022

Topic:

Approve request from Tomball Rotary Club for City Support and In-Kind Services for the Tomball Rotary Annual Big Show at the Depot in downtown Tomball, on Saturday, October 15, 2022.

Background:

Fundraising to support various events to benefit the Tomball community in several areas:

- Scholarships to local high school students as part of our Student of the Month program
- Various charities, such as: Families Feeding Families, Montgomery County Women's Shelter, Tomball VFW, Elijah Rising & TEAM
- Endowment to sustain scholarship programs and support future community projects

Requests from Tomball Rotary Club for In-Kind Services:

- To use the depot as the location of the event.
- Provide barricades for Elm, Walnut market and Fannin Streets
- Trash replaceable and trash pick up
- Use of electric outlets
- Waive the Depot rental fee
- Estimated number of attendees: 2500
- Event times: 3 PM- 9:30 PM
- Set up: 8:00 AM
- Breakdown: 10:00 PM

Origination: Tomball Rotary Club

Recommendation: N/A

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

Gargi Bhowal, Marketing and
Communications Specialist

Signed _____

Staff Member

_____ Date

Approved by _____

City Manager

_____ Date

February 14, 2022

To: Tomball City Council

Re: Tomball Rotary Annual Big Show at the Depot

Dear City Council Members:

We are planning for our annual Big Show at the Depot to be held on Saturday, October 15, 2022 from 3:00pm to 9:30pm. Proceeds from the event will be used to benefit the Tomball community in several areas including:

- Scholarships to local high school students as part of our Student of the Month program
- Various charities, such as: Families Feeding Families, Montgomery County Women's Shelter, Tomball VFW, Elijah Rising & TEAM
- Endowment to sustain scholarship programs and support future community projects

We are requesting the following support from the city of Tomball:

1. To use The Depot as our location for the event
2. Waive The Depot Rental fee
3. Trash receptacles and trash pick-up
4. Use of Electrical Outlets
5. Provide barricades for Elm, Walnut, Market & Fannin Streets

We will rent 4 tents for the event, establish a sanitizing area for the cookers, obtain appropriate food service license, and pay for two Tomball Police Officers for security. We will enlist the help of Main Street Crossing to help facilitate the musicians, stage, etc. Of course any other needs as necessary will be addressed by us.

We appreciate the opportunity to use The Depot for the 2022 Big Show at the Depot. Your partnership last year saved our event and we are so thankful to have such an incredible City. Your support allows us to continue giving back to the needs of our community. We hope to continue our fundraising event at this fantastic venue.

Thank you for all your support!

Sincerely,



Caley Baillio, Past President
Rotary Club of Tomball



SPECIAL EVENT APPLICATION

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

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

Date: 1/6/22_____ Is this event Co-City sponsored? Yes ___ No X

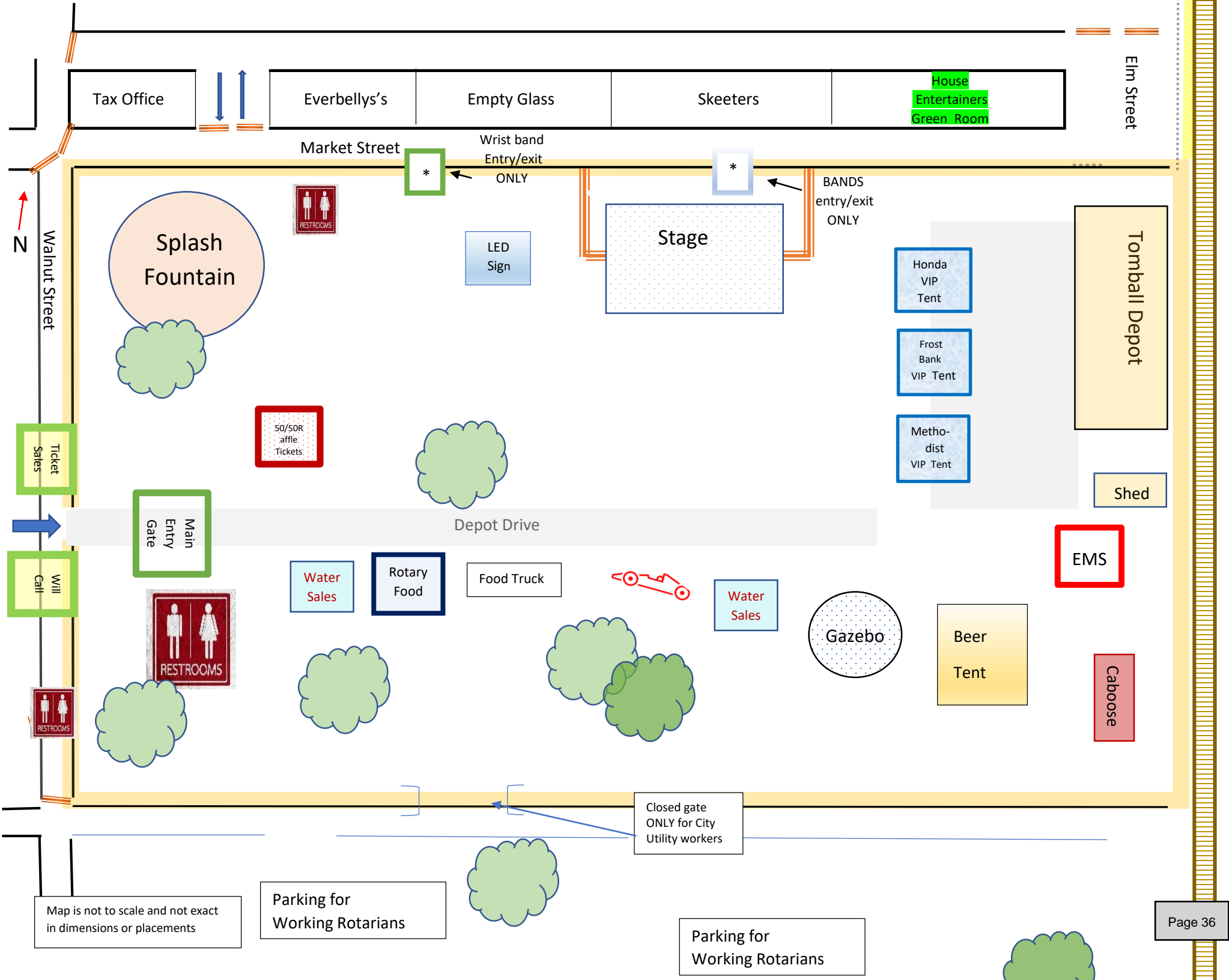
Request for permission to use a public venue for the following type of event (please check one):

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

1. Event title: Big Show at the Depot
2. Sponsoring entity: Tomball Rotary Club
3. Is this organization based in Tomball: Yes X No ___
4. Is this organization *non-profit* X or *for-profit* ___ *Attach 501 (c) (3) tax exemption if applicable
5. Contact: Russel Blue or Caley Baillio Phone: 281-755-9978 or 832-205-0207
6. Contact address: PO Box 64, Tomball, TX 77377
7. Contact email: rblue@jrbadvisorgroup.com & Caley@sftomball.com
8. Event date: 10/22/22
9. Event times: Start 3pm___ Finish 9:30pm Set-up 8am Breakdown 10pm
10. Is this event for charity? Yes X No ___
11. If yes, what charity? Tomball Rotary Foundation Tax ID 27-4719115
12. If yes, what percentage of net proceeds will be donated to the charity? 100% (and scholarships)
13. On-site contact: Caley Baillio Mobile Phone: 832-205-0207
14. Estimated number of attendees: 2500
15. Detailed site map in attached: Yes x No ___
16. Is this event open to the public: Yes X No ___
17. Admission fee: \$100 for 2 people___ Free ___
18. Time at which event staff will begin to arrive: 8am
19. The applicant will defend and hold harmless the City of Tomball from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such application including attorney fees and expenses.
Initial CB
20. The applicant will provide proof of general liability insurance for the event naming the City of Tomball as additional insured.
Initial CB
21. Name of insurance carrier: Lexington Insurance Co.
22. Organization has secured date with the Public Works Dept. and has paid deposit. ___ No _____

Signature: Caley Baillio

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





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/14/2022

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

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

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

COVERAGES

CERTIFICATE NUMBER: 899307648

REVISION NUMBER:

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

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

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

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

CERTIFICATE HOLDER

City Of Tomball

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

Cynthia L. LaMonte

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: 2/21/2022

Topic:

Presentation of the Main Street (FM 2920) Road Reconstruction Project from Hwy 249 to Willow Street

Background:

Presentation over options for the improvements to FM 2920, per the call for projects submittal approved by TxDOT.

Origination: Community Development Department

Recommendation:

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

FUNDING (IF APPLICABLE)

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

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

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

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

City Council Meeting Agenda Item Data Sheet

Meeting Date: February 21, 2022

Topic:

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

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

Background:

Origination: David Esquivel, City Manager

Recommendation:

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

FUNDING (IF APPLICABLE)

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

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

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

Signed	<u>Doris Speer</u>	<u>2-16-2022</u>	Approved by	_____
	Staff Member	Date		City Manager Date