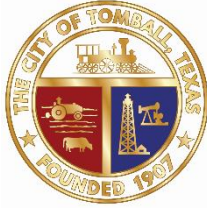


**NOTICE OF REGULAR COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



**Monday, January 3, 2022
6:00 PM**

Notice is hereby given of a Regular meeting of the Tomball City Council, to be held on Monday, January 3, 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 JANUARY 3, 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: 843 9706 1580, Passcode: 058237. The public will be permitted to offer public comments telephonically, as provided by the agenda and as permitted by the presiding officer during the meeting.

- A. Call to Order
- B. Invocation - Led by Pastor Greg Sipe – Church 1:37
- 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. January 19, 2022 – First day to apply for Place on Ballot for the May 7, 2022 General City Election
- II. February 12, 2022 – **2nd Saturday at the Depot**
- III. February 18, 2022 – Last day to apply for Place on Ballot for the May 7, 2022 General City Election
- IV. 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 December 20, 2021 Regular Tomball City Council Meeting

G. Old Business

- 1. Adopt, on Second Reading, Ordinance Number 2021-40, an Ordinance of the City Council of Tomball, Texas, Levying the Assessment against Section Two properties within the City of Tomball Public Improvement District Four, Alexander Estates Subdivision

H. New Business

- 1. Approve Resolution No. 2022-01, a Resolution and Order of the City Council of the City of Tomball, Texas, Ordering a Regular 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

Aprobar la Resolución Nro. 2022-01, una Resolución y Orden del Consejo Municipal de la Ciudad de Tomball Texas, Ordenando una Elección Regular de Funcionarios Municipales a Celebrarse el sábado 7 de Mayo de 2022; Designando los Lugares de Votación y Nombrando a los Oficiales Electorales de tal Elección; Instruyendo que se Notifique Sobre esta Elección; Designando la

*Fecha de una Elección de Desempate de ser Necesaria; y Proporcionando
Detalles Referentes a la Celebración de Tal Elección.*

Chấp thuận Nghị Quyết số 2022-01, một Nghị Quyết và Sắc Lệnh của Hội Đồng Thành Phố Tomball, Texas, Yêu Cầu một Cuộc Bầu Cử Viên Chức Thường Lệ sẽ được tổ chức tại Thành Phố Tomball vào Thứ Bảy, ngày 7 tháng Năm, 2022; Chỉ định các Địa Điểm Bỏ Phiếu và Chỉ Định các Viên Chức Bầu Cử cho Cuộc Bầu Cử đó; Hướng Dẫn việc Đưa Ra Thông Báo của Cuộc Bầu Cử đó; Chỉ Định Ngày Bầu Cử Chung Cuộc nếu cần; và Đưa Ra các Chi Tiết có Liên Quan đến việc Tổ Chức Cuộc Bầu Cử đó

批准決議案編號2022-01，為一德克薩斯州，Tomball市市議會決議及指示，特指示一市府官員普選，其將於2022年5月7日，星期六在Tomball市召開；並已為此選舉指定投票所地點以及指派選舉官員；指導發出本選舉之選舉通知；如需要，將指定決選日期；以及提供所有與召開本選舉相關的細節

2. Approve Resolution No. 2022-02, a Resolution of the City Council of the City of Tomball, Texas, Designating The Potpourri, Tomball Edition (Houston Community Newspapers/Houston Chronicle) as the Official Newspaper for 2022 for Publication of Matters Pertaining to the City of Tomball
3. Discussion of Proposed Projects and Funding Allocations for the American Rescue Plan and the Coronavirus Local Fiscal Recovery Fund
- [4.](#) Approve the Expenditure of \$1,766,231.20 to Aqua Metric for the Replacement of Water System Meters and Transmitters
- [5.](#) Approve annual purchase of gas meters and transmitters for Fiscal Year 2022, from Equipment Controls totaling \$434,780.16.
- [6.](#) Approve annual purchase of water meters and transmitters for Fiscal Year 2022, from Aqua Metrics totaling \$348,990.10.
- [7.](#) Approve Resolution No. 2022-04, a Resolution of the City Council of the City of Tomball, Texas, calling for a Public Hearing on February 7, 2022, for the creation of a Public Improvement District and being located within the City of Tomball.
- [8.](#) Executive Session: The City Council will meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
 - Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session

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

9. Confirm the Appointment of the Director of Public Works by the City Manager

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 30th day of December 2021 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: January 3, 2022

Topic:

January 19, 2022 – First day to apply for Place on Ballot for the May 7, 2022 General City Election

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

NOTICE OF DEADLINE TO FILE APPLICATIONS FOR PLACE ON THE BALLOT
(AVISO DE FECHA LÍMITE PARA PRESENTAR SOLICITUDES PARA UN LUGAR EN LA BOLETA)
(THÔNG BÁO VỀ THỜI HẠN NỘP ĐƠN XIN GHI DANH TRÊN LÁ PHIẾU)
(申請選票席位 截止日期通知)

Notice is hereby given that applications for a place on the May 7, 2022 City of Tomball, Texas General Election ballot may be filed during the following time:
(Se da aviso por la presente que las solicitudes para un lugar en la boleta de la Elección General de la Ciudad de Tomball, Tejas de 7 de Mayo de 2022 se pueden presentar durante el siguiente horario:)
(Theo đây xin thông báo quý vị có thể nộp đơn xin ghi tên tranh cử trên lá phiếu cho Cuộc Tổng Tuyển Cử của Thành Phố Tomball, Texas ngày 7 tháng Năm, 2022 vào ngày giờ sau đây:)
(特此通知, 申請 2022 年 5 月 7 日 Texas 州 Tomball 市普通選舉之選票席位可於以下期間辦理登記:)

Filing Dates and Times:

(Fechas y Horario para Entregar Presentaciones):

(Ngày giờ nộp đơn):

(登記日期和时间):

Start Date: January 19, 2022

(Fecha Inicio): 19 de Enero de 2022

(Ngày bắt đầu: 19 tháng Một, 2022)

(開始日期): 2022 年 1 月 19 日

End Date: February 18, 2022

(Fecha Limite): 18 de Febrero de 2022

(Ngày kết thúc): 18 tháng Hai, 2022

(截止日期): 2022 年 2 月 18 日

Office Hours: Monday-Thursday: 7:45 a.m.-5:00 p.m.; Friday: 7:45 a.m.-4:00 p.m.

Horario de la Oficina: Lunes-Jueves: 7:45 a.m.-5:00 p.m.; Viernes: 7:45 a.m.-4:00 p.m.

Giờ làm việc: Thứ Hai - thứ Năm, 7:45 a.m.-5:00 p.m.; thứ Sáu: 7:45 a.m.-4:00 p.m.

辦公時間: 週一至週四: 上午 7:45 - 下午 5:00; 週五: 上午 7:45 - 下午 4:00

Physical address for filing applications in person for place on the ballot:

(Dirección a física para presentar las solicitudes en persona para un lugar en la boleta):

(Địa chỉ tiếp nhận đơn xin nộp trực tiếp):

(親自辦理選票席位申請地址):

Address to mail applications for place on the ballot (if filing by mail):

[Dirección a donde enviar las solicitudes para un lugar en la boleta (en caso de presentar por correo)]

[Địa chỉ nhận đơn xin gửi qua thư bưu điện (nếu nộp qua thư)]:

[郵寄辦理選票席位申請地址 (如郵寄申請)]:

City Secretary	Secretaria de la Ciudad	Thư Ký Thành Phố	市秘書
City of Tomball, Texas	La Ciudad de Tomball, Tejas	Thành phố Tomball, Texas	Texas 州 Tomball 市
401 Market Street	401 Market Street	401 Market Street	401 Market Street
Tomball, Texas 77375	Tomball, Texas 77375	Tomball, Texas 77375	Tomball, Texas 77375

Email or Fax Number to send an application for place on the ballot:

(Dirección de correo electrónico o número de fax para enviar una solicitud para un lugar en la boleta)

发送在选票上的位置申请的电子邮件或传真号码:

Email hoặc Số Fax để gửi đơn đăng ký vào phiếu bầu:

csotomballtx.gov 281-351-6256

Doris Speer, City Secretary/Secretaria de la Ciudad/

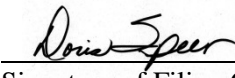
Thư Ký Thành Phố/市秘書

Printed Name of Filing Officer

(Nombre en letra de molde del Oficial de Archivos)

(Tên viết bằng chữ in của viên chức phụ trách thủ tục nộp đơn xin)

(登記官印刷體姓名)



Signature of Filing Officer

(Firma del Oficial de Archivos)

(Chữ ký của viên chức phụ trách thủ tục nộp đơn xin)

(登記官簽名)

December 6, 2021/ 6 de Diciembre de 2021/

Ngày 6 tháng Mười Hai, 2021/2021 年 12 月 6 日

Date Posted (Fecha archivada) (Ngày đăng) (发布日期)

City Council Meeting Agenda Item Data Sheet

Meeting Date: January 3, 2022

Topic:

February 12, 2022 – 2nd Saturday at the Depot

Background:

Origination:

Recommendation:

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

City Council Meeting Agenda Item Data Sheet

Meeting Date: January 3, 2022

Topic:

February 18, 2022 – Last day to apply for Place on Ballot for the May 7, 2022 General City Election

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: January 3, 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: January 3, 2022

Topic:

Approve the Minutes of the December 20, 2021 Regular Tomball City Council Meeting

Background:

Origination: City Secretary

Recommendation:

Approve

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

FUNDING (IF APPLICABLE)

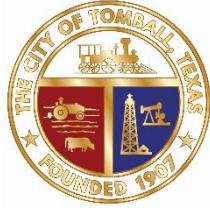
Are funds specifically designated in the current budget for the full amount required for this purpose?

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

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

Signed	<u>Doris Speer</u>	<u>12-21-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

MINUTES OF REGULAR COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, December 20, 2021
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for December 20, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting of the Tomball City Council to order at 6:02 p.m.

PRESENT:

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

ABSENT:

Council 3 Chad Degges - Excused

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Director of Public Works – Beth Jones
Finance Director – Katherine Dubose
Police Chief – Jeff Bert
Marketing Director – Mike Baxter
Fire Chief – Joe Sykora
Director of Community Development – Nathan Dietrich
Assistant City Secretary – Tracylynn Garcia
Community Center Manager – Rosalie Dillon
Executive Director-TEDC – Kelly Violette
PID Contract Administrator – Scott Bean

B. Invocation - Led by Pastor Brenda Rodgers, Anointed Faith Family Church, Tomball

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

D. No Public Comments were received.

E. Reports and Announcements

1. Announcements

I. December 23-24, 2021 – **Christmas Holidays** – City offices closed

II. December 31, 2021 – **New Year's Day Holiday** – City offices closed

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. Motion made by Council 5 Klein Quinn, Seconded by Council 1 Ford, to approve the Minutes of the December 6, 2021 Regular Tomball City Council Meeting

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

Absent: Council 3 Degges

Motion carried unanimously.

G. 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. 2021-41-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 GK Hospitality Development, 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 of a 6,530 square foot commercial facility to be located on the west side of SH 249, northerly of FM 2920 Road, Tomball, Texas 77377. The estimated amount of expenditures for such Project is an amount not to exceed \$107,500.00.

2. Approve, on Second Reading, Resolution No. 2021-42-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 Silver Accounting Group, LLC, to make direct incentives to, or expenditures for, rental assistance for new or expanded enterprise to be located at 1431 Graham Drive, Suite 150, Tomball, Texas 77375. The estimated amount of expenditures for such Project is an amount not to exceed \$8,236.00.
3. Approve, on Second Reading, Resolution No. 2021-43-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 the Friends of Tomball Community Library for expenditures required or suitable for the promotion of new or expanded business development. The estimated amount of expenditures for such Project is an amount not to exceed \$47,614.00.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to approve all items in the Consent Agenda.

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

Absent: Council 3 Degges

Motion carried unanimously.

H. New Business

1. Mayor Fagan opened the Public Hearing of the City Council of the City of Tomball to consider Proposed Assessments against Alexander Estates Section Two properties in the City of Tomball, Public Improvement District Number Four, established by City Council Resolution No. 2019-04, at 6:08 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:08 p.m.

2. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to read Ordinance No. 2021-40 by caption only, on First Reading.

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

Absent: Council 3 Degges

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to adopt, on First Reading, Ordinance No. 2021-40, an Ordinance of the City Council of Tomball, Texas, Levying the Assessment against Section Two properties within the City of Tomball Public Improvement District Four (Alexander Estates Subdivision); and Making Certain Findings Related Thereto

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

Motion carried unanimously.

3. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to approve Amendment to Administrative Policy No. 17, entitled ***“General Fixed Assets Policies and Procedures”***, and to make the amendment effective retroactively to September 30, 2021.

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

Motion carried unanimously.

4. Motion by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to award Contract for Bid No. 2022-01 for the Roof Replacement for the Administrative Services Building to Parich Roofing & Construction, LLC for a total amount of \$86,500.00, was withdrawn at request of Council 2 Stoll, pending receipt of additional information.

No action taken.

5. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the purchase of a Mini-Excavator from Waukesha-Pearce Industries, LLC through the HGAC BuyBoard Contract, Contract Number EM06-19, totaling \$60,100.00.

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

Motion carried unanimously.

6. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Final Payment to Thirkettle Corporation for the Flexnet Pilot Program for the Purchase of the Required Components for the Fixed Based Pilot Program for the City's Meter Reading System, in the Amount of \$137,521.14.

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

Absent: Council 3 Degges

Motion carried unanimously.

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

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

Absent: Council 3 Degges

Motion carried unanimously.

Meeting adjourned at 6:25 p.m.

PASSED AND APPROVED this the 3rd day of January 2022.

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Mayor

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: January 3, 2022

Topic:

Adopt, on Second Reading, Ordinance Number 2021-40, an Ordinance of the City Council of Tomball, Texas, Levying the Assessment against Section Two properties within the City of Tomball Public Improvement District Four, Alexander Estates Subdivision.

Background:

Public infrastructure improvements are nearly complete for Section Two (87 lots) of Alexander Estates Subdivision within Public Improvement District Number Four created by the City in 2019. Per Chapter 372 of the Local Government Code, a service and assessment plan was already approved and the assessment roll for Section One was approved by City Council in 2020 that levied the assessment on each of the lots in Section One (164 lots). It is requested that the assessment roll for Section Two be approved in the same manner as Section One. This will complete the assessments for each of the 251 total lots in Alexander Estates.

The assessments prescribed in the Plan are by lot and for two (2) different lot categories and are the same in Section One and Section Two. The total, one-time assessment per lot is specified in the plan as well as the annual installment (financed assessment rate at 4.5% annual interest) as follows:

50-Foot Lots

	Annual	Financed	Annual	Total
Total	Assessment	Assessment	Administrative	Annual
Assessment	Installment	Term	Cost	Payment
\$ 26,052.50	\$2,425.85	15 years	\$ 121.29	\$ 2,547.14

60-Foot Lots

	Annual	Financed	Annual	Total
Total	Assessment	Assessment	Administrative	Annual
Assessment	Installment	Term	Cost	Payment
\$ 31,263.00	\$2,911.02	15 years	\$ 121.29	\$ 3,032.31

The annual payment, principal, and interest are demonstrated on the attached example amortization schedule for a 50-foot lot which will be kept for each property covered by the assessment. The principal amount of the assessment is payable at any time by each homeowner which would terminate the assessment.

The assessments are formulated to reimburse the developer for the public infrastructure costs of the development plus interest while staying around the equivalent of a \$0.75 tax rate. For illustration, the attached amortization schedule details the amortization for each lot in Section One. It is estimated that

Proper disclosure notices detailing the assessment will be presented to potential homebuyers by the homebuilders, and for acknowledgement at closing in the same manner as disclosure notices used in MUDs and other special districts with an ad valorem tax rate.

Future Actions

The District Administrator will work with City staff on the collection of the assessments. The PID assessments will be collected on an annual basis in the same manner as property taxes and transferred to a City-established PID revenue fund. A reimbursement report will be performed by an independent CPA firm prior to reimbursement to the developer. The revenues will be disbursed to the developer once a year after administrative costs have been deducted.

Amortization Schedule

Duration (in years)	15
Interest Rate	4.50%
Annual Payment Amount	\$2,425.85
Total Lifetime Payments	\$36,387.71
Total Principal	\$26,052.50
Total Interest	\$10,335.21

	Payment	Principal	Interest	Payment	Payments collected	Principal Balance
						<u>\$26,052.50</u>
1	\$1,253.48	\$1,172.36	\$2,425.85			\$24,799.02
2	\$1,309.89	\$1,115.96	\$2,425.85			\$23,489.12
3	\$1,368.84	\$1,057.01	\$2,425.85			\$22,120.29

4	\$1,430.43	\$995.41	\$2,425.85	\$20,689.85
5	\$1,494.80	\$931.04	\$2,425.85	\$19,195.05
6	\$1,562.07	\$863.78	\$2,425.85	\$17,632.98
7	\$1,632.36	\$793.48	\$2,425.85	\$16,000.61
8	\$1,705.82	\$720.03	\$2,425.85	\$14,294.79
9	\$1,782.58	\$643.27	\$2,425.85	\$12,512.21
10	\$1,862.80	\$563.05	\$2,425.85	\$10,649.41
11	\$1,946.62	\$479.22	\$2,425.85	\$8,702.79
12	\$2,034.22	\$391.63	\$2,425.85	\$6,668.57
13	\$2,125.76	\$300.09	\$2,425.85	\$4,542.81
14	\$2,221.42	\$204.43	\$2,425.85	\$2,321.39
15	\$2,321.39	\$104.46	\$2,425.85	\$0.00

TOTAL	\$26,052.50	\$10,335.21	\$36,387.71
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Origination: Scott Bean, Hawes Hill Calderon, LLP

Recommendation:

Adopt Ordinance Number 2021-40, levying an assessment against Section Two properties with the City of Tomball Public Improvement District Number Four, Alexander Estates Subdivision, on First Reading.

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

ORDINANCE NO. 2021-40

**AN ORDINANCE OF THE CITY COUNCIL OF TOMBALL, TEXAS,
LEVYING AN ASSESSMENT AGAINST SECTION TWO PROPERTIES
(87 LOTS) WITHIN THE CITY OF TOMBALL PUBLIC IMPROVEMENT
DISTRICT NUMBER FOUR (ALEXANDER ESTATES SUBDIVISION);
AND MAKING CERTAIN FINDINGS RELATED THERETO.**

* * * * *

WHEREAS, the City of Tomball (the “City”) is authorized pursuant to TEX. LOCAL GOV’T CODE, ch. 372, as amended (“Chapter 372”) to create public improvement districts for the purposes described therein, and to levy and collect an assessment in furtherance of the purposes thereof; and

WHEREAS, the City has created City of Tomball Public Improvement District Number Four (the “PID”), adopted a Service and Assessment Plan (the “Plan”) for the PID, all in accordance with the applicable provisions of Chapter 372; and

WHEREAS, the City Council filed a proposed assessment roll with the City secretary which roll was available for public inspection, and following notice thereof by mail and publication as required by Chapter 372, the City Council held a public hearing at which written or oral objections to the proposed assessments were considered and passed on by the City Council; and

WHEREAS, the City Council has determined that the levy of a special assessment for and on behalf of the PID is necessary and advisable, and that the proposed assessment roll apportions the cost of the subject improvements in the PID on the basis of special benefits accruing to the property because of the improvement, **NOW THEREFORE**,

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

Section 1. The facts recited in the preamble hereto are found to be true and correct.

Section 2. The assessment roll attached hereto is hereby approved and the special assessments described therein are hereby levied on the subject property in accordance with the terms of the Plan, which Plan determines, *inter alia*, the method of payment of the assessments, and makes provision for the payment thereof in periodic installments, interest thereon and the collection thereof. The Mayor, City Secretary and any other appropriate officials of the City are hereby authorized to take all necessary actions on behalf of the City to implement the terms thereof in accordance therewith.

Section 3. There is hereby created a first and prior lien securing payment of the assessment levied, effective as of the date of this Ordinance as provided in the Plan and Chapter 372.

Section 4. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

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 20TH DAY OF DECEMBER 2021.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGS	<u>ABSENT</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN KLEIN QUINN	<u>AYE</u>

SECOND READING:

READ, PASSED, APPROVED AND ORDAINED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL HELD ON THE 3RD DAY OF JANUARY 2022.

COUNCILMAN FORD	_____
COUNCILMAN STOLL	_____
COUNCILMAN DEGGS	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN KLEIN QUINN	_____

Gretchen Fagan, Mayor

ATTEST:

Doris Speer, City Secretary

Public Improvement District Number Four
Alexander Estates Section Two Assessment Roll (Alexander Estates Replat No. 3)
City of Tomball, Texas

Owner	Lot	Block	Lot Size	principal	annual payment	term	annual admin fee	total annual payment
Triple LE, LLC	23	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Triple LE, LLC	24	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Triple LE, LLC	25	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Triple LE, LLC	26	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Lennar Homes of Texas Land & Construction LTD	27	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Lennar Homes of Texas Land & Construction LTD	28	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Triple LE, LLC	29	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Triple LE, LLC	30	1	60'	\$ 31,263.00	\$ 2,911.02	15 years	\$ 121.29	\$ 3,032.31
Triple LE, LLC	36	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	37	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	38	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Lennar Homes of Texas Land & Construction LTD	39	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Lennar Homes of Texas Land & Construction LTD	40	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Lennar Homes of Texas Land & Construction LTD	41	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	42	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	43	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	44	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Lennar Homes of Texas Land & Construction LTD	45	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Lennar Homes of Texas Land & Construction LTD	46	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	47	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	48	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	49	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	50	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	51	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	52	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	53	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	54	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	55	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	56	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	57	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	58	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	59	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	60	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	61	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	62	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	63	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	64	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	65	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	66	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	67	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	68	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	69	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	70	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	71	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	72	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	73	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	74	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	75	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	76	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14
Triple LE, LLC	77	4	50'	\$ 26,052.50	\$ 2,425.85	15 years	\$ 121.29	\$ 2,547.14

Triple LE, LLC	78	4	50'	\$	26,052.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	79	4	50'	\$	26,052.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	80	4	50'	\$	26,052.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Lennar Homes of Texas Land & Construction LTD	26	6	50'	\$	26,052.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Lennar Homes of Texas Land & Construction LTD	27	6	50'	\$	26,053.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Lennar Homes of Texas Land & Construction LTD	28	6	50'	\$	26,054.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	29	6	50'	\$	26,055.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	30	6	50'	\$	26,056.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	31	6	50'	\$	26,057.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Lennar Homes of Texas Land & Construction LTD	32	6	50'	\$	26,058.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Lennar Homes of Texas Land & Construction LTD	33	6	50'	\$	26,059.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	34	6	50'	\$	26,060.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	35	6	50'	\$	26,061.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	36	6	50'	\$	26,062.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	37	6	50'	\$	26,063.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	38	6	50'	\$	26,064.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	39	6	50'	\$	26,065.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	40	6	50'	\$	26,066.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	41	6	50'	\$	26,067.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	42	6	50'	\$	26,068.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	43	6	50'	\$	26,069.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	44	6	50'	\$	26,070.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	45	6	50'	\$	26,071.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	46	6	50'	\$	26,072.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	47	6	50'	\$	26,073.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	48	6	50'	\$	26,074.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	49	6	50'	\$	26,075.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	50	6	50'	\$	26,076.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	51	6	50'	\$	26,077.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	52	6	50'	\$	26,078.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	53	6	50'	\$	26,079.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	54	6	50'	\$	26,080.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	55	6	50'	\$	26,081.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	56	6	50'	\$	26,082.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	57	6	50'	\$	26,083.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	58	6	50'	\$	26,085.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14
Triple LE, LLC	59	6	50'	\$	26,086.50	\$	2,425.85	15 years	\$	121.29	\$	2,547.14

Council Item Information Sheet – Section Two (87 Lots) Assessment Roll for Public Improvement District Number Four (Alexander Estates Subdivision)

Action Requested

Approval of the Section Two Assessment Roll for Public Improvement District Number Four.

Information

Public infrastructure improvements are nearly complete for Section Two (87 lots) of Alexander Estates Subdivision within Public Improvement District Number Four created by the City in 2019. Per Chapter 372 of the Local Government Code, a service and assessment plan was already approved and the assessment roll for Section One was approved by City Council in 2020 that levied the assessment on each of the lots in Section One (164 lots) . It is requested that the assessment roll for Section Two be approved in the same manner as Section One. This will complete the assessments for each of the 251 total lots in Alexander Estates.

The assessments prescribed in the Plan are by lot and for two (2) different lot categories and are the same in Section One and Section Two. The total, one-time assessment per lot is specified in the plan as well as the annual installment (financed assessment rate at 4.5% annual interest) as follows:

50-Foot Lots

Total Assessment	Annual Assessment Installment	Financed Assessment Term	Annual Administrative Cost	Total Annual Payment
\$ 26,052.50	\$2,425.85	15 years	\$ 121.29	\$ 2,547.14

60-Foot Lots

Total Assessment	Annual Assessment Installment	Financed Assessment Term	Annual Administrative Cost	Total Annual Payment
\$ 31,263.00	\$2,911.02	15 years	\$ 121.29	\$ 3,032.31

The annual payment, principal, and interest are demonstrated on the attached example amortization schedule for a 50-foot lot which will be kept for each property covered by the assessment. The principal amount of the assessment is payable at any time by each homeowner which would terminate the assessment.

The assessments are formulated to reimburse the developer for the public infrastructure costs of the development plus interest while staying around the equivalent of a \$0.75 tax rate. For illustration, the attached amortization schedule details the amortization for each lot in Section One. It is estimated that the average price of the homes in the 50-foot lot category to be constructed will be \$315,000. The annual assessment payment \$2,425.85 is the equivalent of a \$0.77 tax rate on a \$315,000 home.

Proper disclosure notices detailing the assessment will be presented to potential homebuyers by the homebuilders, and for acknowledgement at closing in the same manner as disclosure notices used in MUDs and other special districts with an ad valorem tax rate.

Future Actions

The District Administrator will work with City staff on the collection of the assessments. The PID assessments will be collected on an annual basis in the same manner as property taxes and transferred to a City-established PID revenue fund. A reimbursement report will be performed by an independent CPA firm prior to reimbursement to the developer. The revenues will be disbursed to the developer once a year after administrative costs have been deducted.

Amortization Schedule

Duration (in years)	15
Interest Rate	4.50%
Annual Payment Amount	\$2,425.85
Total Lifetime Payments	\$36,387.71
Total Principal	\$26,052.50
Total Interest	\$10,335.21

	Payment	Principal	Interest	Payment	Payments collected	Principal Balance
						<u>\$26,052.50</u>
1	\$1,253.48	\$1,172.36	\$2,425.85	\$2,425.85		\$24,799.02
2	\$1,309.89	\$1,115.96	\$2,425.85	\$2,425.85		\$23,489.12
3	\$1,368.84	\$1,057.01	\$2,425.85	\$2,425.85		\$22,120.29
4	\$1,430.43	\$995.41	\$2,425.85	\$2,425.85		\$20,689.85
5	\$1,494.80	\$931.04	\$2,425.85	\$2,425.85		\$19,195.05
6	\$1,562.07	\$863.78	\$2,425.85	\$2,425.85		\$17,632.98
7	\$1,632.36	\$793.48	\$2,425.85	\$2,425.85		\$16,000.61
8	\$1,705.82	\$720.03	\$2,425.85	\$2,425.85		\$14,294.79
9	\$1,782.58	\$643.27	\$2,425.85	\$2,425.85		\$12,512.21
10	\$1,862.80	\$563.05	\$2,425.85	\$2,425.85		\$10,649.41
11	\$1,946.62	\$479.22	\$2,425.85	\$2,425.85		\$8,702.79
12	\$2,034.22	\$391.63	\$2,425.85	\$2,425.85		\$6,668.57
13	\$2,125.76	\$300.09	\$2,425.85	\$2,425.85		\$4,542.81
14	\$2,221.42	\$204.43	\$2,425.85	\$2,425.85		\$2,321.39
15	\$2,321.39	\$104.46	\$2,425.85	\$2,425.85		\$0.00
TOTAL		\$26,052.50	\$10,335.21	\$36,387.71		

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: January 3, 2022

Topic:

Approve Resolution No. 2022-01, a Resolution and Order of the City Council of the City of Tomball, Texas, Ordering a Regular 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

Aprobar la Resolución Nro. 2022-01, una Resolución y Orden del Consejo Municipal de la Ciudad de Tomball Texas, Ordenando una Elección Regular de Funcionarios Municipales a Celebrarse el sábado 7 de Mayo de 2022; Designando los Lugares de Votación y Nombrando a los Oficiales Electorales de tal Elección; Instruyendo que se Notifique Sobre esta Elección; Designando la Fecha de una Elección de Desempate de ser Necesaria; y Proporcionando Detalles Referentes a la Celebración de Tal Elección. Chấp thuận Nghị Quyết số 2022-01, một Nghị Quyết và Sắc Lệnh của Hội Đồng Thành Phố Tomball, Texas, Yêu Cầu một Cuộc Bầu Cử Viên Chức Thường Lệ sẽ được tổ chức tại Thành Phố Tomball vào Thứ Bảy, ngày 7 tháng Năm, 2022; Chỉ định các Địa Điểm Bỏ Phiếu và Chỉ Định các Viên Chức Bầu Cử cho Cuộc Bầu Cử đó; Hướng Dẫn việc Đưa Ra Thông Báo của Cuộc Bầu Cử đó; Chỉ Định Ngày Bầu Cử Chung Cuộc nếu cần; và Đưa Ra các Chi Tiết có Liên Quan đến việc Tổ Chức Cuộc Bầu Cử đó

批准決議案編號2022-01，為一德克薩斯州，Tomball市市議會決議及指示，特指示一市府官員普選，其將於2022年5月7日，星期六在Tomball市召開；並已為此選舉指定投票所地點以及指派選舉官員；指導發出本選舉之選舉通知；如需要，將指定決選日期；以及提供所有與召開本選舉相關的細節

Background:

Resolution No. 2022-01 orders the Regular City Officer's Election, which will be held on Saturday, May 7, 2022 for Mayor and Council Position 3.

The first day to file an Application for Place on Ballot is Wednesday, January 19, 2022; the last day to file an Application for Place on Ballot is Friday, February 18, 2022 at 5:00 p.m. Early Voting will be held April 19-23 and April 26-27, 2022.

The Resolution also designates the polling places, appoints the election officers, and authorizes the use of the eSlate Voting System. Cities are no longer required to have 12 hour voting days, however, we wish to offer one to accommodate potential late hour voters on Tuesday, April 26, 2022.

Should a Runoff Election be required, the date of the Runoff Election is designated to be Saturday, June 4, 2022; early voting for the Runoff Election would begin Monday, May 23, and end May 31, 2022.

The contract between Hart Intercivic and the City includes training, equipment testing, programming, on-site support, tallying, maintenance/repairs, software upgrades and certification services for the City's general election and the special election. The anticipated expenses for the May 7, 2022 election are approximately \$18,000, including the contracted services with Hart Intercivic for programming and Election Day support/finalizing the election. Additional expenses will be incurred for the general

election if a runoff election is required; however; funds budgeted for elections in the FY 2021-2022 budget should be sufficient to cover anticipated costs.

Additional expenses may be incurred if new election equipment meeting the 2021 Texas Legislative requirements is available or becomes available for the May 2022 election; the City Secretary's office will keep Council apprised regarding new equipment requirements.

As in previous years, a provision has been included in Section 2 to authorize the City Secretary to select an Acting Presiding or Acting Alternate Presiding Judge from the qualified pool of Election Clerks if either the Presiding Judge or the Alternate Presiding Judge is unable to perform his/her assigned duties for whatever reason.

Origination: Home Rule Charter, City Secretary

Recommendation:

Approve Resolution No. 2022-01

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

Tracylynn Garcia, Asst. City
Secretary

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____

If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____

To account # _____

Signed Tgarcia 12-28-2021
Staff Member Date

Approved by _____
City Manager Date

RESOLUTION NO. 2022-01

A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ORDERING A REGULAR 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

* * * * *

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

Section 1: It is hereby ordered that a Regular Election be held in and throughout the City of Tomball, Texas on the second Saturday in May, the 7th day of May, 2022, at which election the following officers shall be elected by the resident qualified voters in and for the said City of Tomball, to-wit:

POSITION

**MAYOR
COUNCIL POSITION 3**

Section 2: The present boundaries of the City constituting one 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 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 the RESOLUTION to the judges as written notice of their appointment as required by Section 32.009 of the Texas Election Code. If either the Presiding Judge or the Alternate Presiding Judge is unable to perform his/her assigned duties, the City Secretary is authorized to select an Acting Presiding or Acting Alternate Presiding Judge from the qualified Election Clerks, as needed.

The Presiding Judge shall have the authority to appoint no more than seven (7) clerks to assist in the holding of such election, but in no event shall the Presiding Judge appoint less than two clerks. Said election officers shall also serve as the Early Voting Ballot Board for such election; the Presiding Judge of such election precinct shall also serve as the Presiding Officer of the Early Voting Ballot Board.

The Election Judge shall be compensated at an hourly rate of \$16.00; early voting clerks and election clerks shall be compensated at an hourly rate of \$15.00 as provided by Title 3, Section 32.091(a) of the State 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 3: 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 exemption of Tuesday, April 26, 2022, when City Hall will be open for 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 4: All ballots shall be prepared in accordance with Texas Election Code. Paper ballots shall be used for early voting by mail and the eSlate Direct Recording Electronic (DRE) Voting System shall be used for early voting by personal appearance and voting on Election Day, both of which are part of the eSlate DRE Voting System. The City Council hereby adopts for use in early and election day voting the eSlate Direct Recording Electronic (DRE) Voting System as approved by the Secretary of State. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials is hereby authorized.

Section 5: The City Secretary is hereby authorized and directed to furnish all necessary election supplies to conduct such election.

Section 6: 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 7: Said election shall be held in accordance with the provisions of Article XI, Section 11 of the Constitution of Texas, which provides that a municipality having terms exceeding two (2) years must fill any vacancy within 120 days after such vacancy occurs, the Texas Election Code and the Federal Voting Rights Act of 1965, as amended. Only duly qualified resident electors of the City of Tomball shall be qualified to vote.

Section 8: The first day to file an application for place on ballot is January 19, 2022. All candidates for election for the Office of Mayor and City Council, Position 3, must file their names with the City Secretary of the City of Tomball, Texas, by 5:00 P.M. on February 18, 2022 in order for their names to be included on the Official Ballot.

Section 9: Should a Runoff Election be required, the date of the Runoff Election is designated to be Saturday, June 4, 2022. Early voting for the Runoff Election will begin May 23, 2022 and end May 31, 2022. All terms, conditions, and provisions established for the May 7, 2022 Regular City Officers Election shall apply to the Runoff Election.

Section 10: The City Secretary is hereby authorized and instructed to give Notice of said election as required by law.

PASSED, APPROVED and RESOLVED this 3rd day of January 2022.

GRETCHEN FAGAN, Mayor
City of Tomball

ATTEST:

DORIS SPEER, City Secretary
City of Tomball

RESOLUCIÓN NO. 2022-01

UNA RESOLUCIÓN Y ORDEN DEL CONCILIO MUNICIPAL DE LA CIUDAD DE TOMBALL, TEXAS, QUE ORDENA UNA ELECCIÓN REGULAR DE FUNCIONARIOS DE LA CIUDAD, QUE SE REALIZARÁ EN LA CIUDAD DE TOMBALL EL SÁBADO 7 DE MAYO DE 2022; DESIGNAR LOS LUGARES DE VOTACIÓN Y NOMBRAR LOS FUNCIONARIOS DE ELECCIÓN PARA DICHA ELECCIÓN; DIRIGIENDO DAR AVISO DE DICHA ELECCIÓN; DESIGNANDO LA FECHA PARA UNA ELECCIÓN FALTA, SI ES NECESARIO; Y SUMINISTRAR DETALLES RELATIVOS A LA CELEBRACIÓN DE DICHA ELECCIÓN

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RESUELVA EL CONSEJO MUNICIPAL DE LA CIUDAD DE TOMBALL, TEXAS:

Sección 1: Por la presente se ordena que se celebre una elección regular en y en toda la ciudad de Tomball, Texas, el segundo sábado de mayo, el día 7 de Mayo de 2022, en cuya elección los siguientes funcionarios serán elegidos por el residente calificado votantes en y para dicha ciudad de Tomball, a saber:

POSICIÓN

ALCALDE

POSICIÓN DEL CONSEJO 3

Sección 2: Los límites actuales de la Ciudad constituyen un recinto electoral, las urnas estarán abiertas para votar desde las siete en punto (7:00) a.m. hasta las siete en punto (7:00) p.m. en el siguiente lugar de votación, y se designa a los siguientes funcionarios para llevar a cabo la elección en dicho lugar de votación:

COLEGIO ELECTORAL

Ayuntamiento de Tomball
401 Market Street
Tomball, Texas 77375

FUNCIONARIOS ELECTORALES

Patsy Kinsey, Juez Presidente
Latrell Shannon, Juez Presidente Suplente.

Por la presente se autoriza y se le ordena al Secretario de la Ciudad que proporcione una copia de la RESOLUCIÓN a los jueces como notificación por escrito de

su nombramiento como lo requiere la Sección 32.009 del Código Electoral de Texas. Si el juez presidente o el juez presidente suplente no pueden realizar sus funciones asignadas, el secretario de la ciudad está autorizado a seleccionar un juez presidente interino o un juez presidente suplente interino de entre los secretarios electorales calificados, según sea necesario.

El Juez Presidente tendrá la autoridad de nombrar no más de siete (7) secretarios para ayudar en la celebración de dicha elección, pero en ningún caso el juez presidente nombrará menos de dos secretarios. Dichos oficiales electorales también servirán como la Junta de Boletas de Votación Anticipada para dicha elección; el Juez Presidente de dicho recinto electoral también actuará como Oficial Presidente de la Junta de Boletas de Votación Anticipada..

El Juez Electoral será compensado con una tarifa por hora de \$ 16,00; Los secretarios de votación anticipada y los secretarios de elecciones serán compensados a una tarifa por hora de \$ 15.00 según lo dispuesto por el Título 3, Sección 32.091 (a) del Código de Elecciones del Estado. El Juez Electoral será compensado por la cantidad de \$ 25 por la entrega de equipo y suministros electorales según lo dispuesto en el Título 3, Sección 32.091 (a) del Código Electoral del Estado, si dicha entrega es necesaria. La Ciudad pagará cualquier capacitación requerida de los jueces y secretarios electorales de la Ciudad. Los jueces y secretarios también recibirán un reembolso por el viaje y se les pagará según las tarifas por hora establecidas por el tiempo de capacitación.

Sección 3: Por la presente se nombra al Secretario de la Ciudad Secretario de Elecciones para la votación anticipada; el nombramiento de un secretario o secretarios adjuntos para la votación anticipada por parte del Secretario de la Ciudad se hará de acuerdo con la Sección 83.001 et seq. del Código Electoral de Texas. El lugar para la votación anticipada para dicha elección se designa como:

Municipalidad
Ciudad de Tomball, Texas
401 Market Street
Tomball, Texas 77375

Para cumplir con los requisitos de la Sección 85.005 del Código Electoral, en cada día de votación anticipada que no sea sábado, domingo o feriado estatal oficial, comenzando el duodécimo (12) día y continuando hasta el cuarto (4to.) día anterior a la fecha de dicha elección, dichos secretarios mantendrán el Ayuntamiento abierto de lunes a viernes desde las siete cuarenta y cinco (7:45) am hasta las cinco (5:00) pm, con la excepción del martes , 26 de Abril de 2022, cuando el Ayuntamiento estará abierto durante 12 horas, desde las siete cuarenta y cinco (7:45) a.m. hasta las siete cuarenta y cinco (7:45) p.m.

Dichos secretarios no permitirán que nadie vote anticipadamente en persona en ningún día que no sea un día laboral regular para la oficina del secretario, y bajo ninguna circunstancia permitirán que nadie vote anticipadamente en persona en ningún momento cuando dicha oficina no esté abierta para el público. El lugar descrito anteriormente para la votación anticipada es también la dirección postal del secretario a la que se pueden enviar las solicitudes de boleta y las boletas votadas por correo. El secretario de votación anticipada, de acuerdo con las disposiciones del Código Electoral de Texas, deberá mantener una lista con cada persona que vota anticipadamente en persona y cada persona a quien se envía una boleta para votar por correo. La lista se mantendrá en una forma aprobada por el Secretario de Estado.

Sección 4: Todas las boletas se prepararán de acuerdo con el Código Electoral de Texas. Las boletas de papel se utilizarán para la votación anticipada por correo y el sistema de votación electrónica de registro directo eSlate (DRE) se utilizará para la votación anticipada en persona y para la votación el día de las elecciones, los cuales forman parte de eSlate. Sistema de votación DRE. Por la presente, el Concejo Municipal adopta para su uso en la votación anticipada y el día de las elecciones el Sistema de Votación de Registro Directo Electrónico (DRE) eSlate aprobado por el Secretario de Estado. Por la presente se autorizan todos los gastos necesarios para la realización de la elección, la compra de materiales y el empleo de todos los funcionarios electorales.

Sección 5: Por la presente se autoriza y ordena al Secretario de la Ciudad que proporcione todos los suministros electorales necesarios para llevar a cabo dicha elección.

Sección 6: La notificación de esta elección se dará de acuerdo con las disposiciones del Código Electoral de Texas y la devolución de dicha notificación se hará según lo dispuesto en dicho Código. El Alcalde emitirá todas las órdenes y escrituras necesarias para dicha elección, y las declaraciones de dicha elección se harán al Secretario de la Ciudad después del cierre de las urnas.

Sección 7: Dicha elección se llevará a cabo de conformidad con las disposiciones del Artículo XI, Sección 11 de la Constitución de Texas, que establece que un municipio que tenga períodos que excedan los dos (2) años debe llenar cualquier vacante dentro de los 120 días posteriores a que ocurra dicha vacante. el Código Electoral de Texas y la Ley Federal de Derechos Electorales de 1965, según enmendada. Solo los electores residentes debidamente calificados de la ciudad de Tomball estarán calificados para votar.

Sección 8: El primer día para presentar una solicitud de lugar en la boleta electoral es el 19 de Enero de 2022. Todos los candidatos a la elección para la Oficina del Alcalde y el Concejo Municipal, Posición 3, deben presentar sus nombres ante el Secretario de la Ciudad de Tomball. Texas, a las 5:00 p.m. el 18 de febrero de 2022 para que sus nombres se incluyan en la Boleta Oficial.

Sección 9: Si se requiere una elección de desempate, la fecha de la elección de desempate se designa para el sábado 4 de Junio de 2022. La votación anticipada para la elección de desempate comenzará el 23 de Mayo de 2022 y finalizará el 31 de Mayo de 2022. Todos los términos y condiciones, y las disposiciones establecidas para la Elección regular de funcionarios de la ciudad del 7 de Mayo de 2022 se aplicarán a la Elección de desempate.

Sección 10: Por la presente se autoriza e instruye al Secretario de la Ciudad a dar aviso de dicha elección según lo requiere la ley.

PASADA, APROBADA y RESUELTA este día 3 de Enero de 2022.

GRETCHEN FAGAN, Alcaldesa
Ciudad de Tomball

ATESTIGUA:

DORIS SPEER, Secretaria de la Ciudad
Ciudad de Tomball

GIẢI QUYẾT SỐ. 2022-01

GIẢI QUYẾT VÀ LỆNH CỦA HỘI ĐỒNG THÀNH PHỐ THÀNH PHỐ TOMBALL, TEXAS, LỆNH CUỘC BẦU CỬ CỦA VIÊN CHỨC THÀNH PHỐ THƯỜNG XUYỀN, ĐỂ ĐƯỢC GIÚP ĐỠ THÀNH PHỐ TOMBALL VÀO THỨ 7, ngày 7 tháng 5 năm 2022; THIẾT KẾ ĐỊA ĐIỂM BẦU CỬ VÀ XÉT DUYỆT CHÍNH THỨC BẦU CỬ BẦU CỬ; CHỈ ĐẠO VIỆC ĐƯA RA THÔNG BÁO VỀ VIỆC BẦU CỬ; THIẾT KẾ NGÀY BẦU CỬU NẾU CẦN THIẾT; VÀ CUNG CẤP CÁC CHI TIẾT LIÊN QUAN ĐẾN VIỆC NẮM GIỮ BẦU CỬ ĐÓ

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DO HỘI ĐỒNG THÀNH PHỐ CỦA THÀNH PHỐ TOMBALL, TEXAS GIẢI QUYẾT:

Phần 1: Theo văn bản này, một cuộc Bầu cử Thường xuyên được tổ chức trong và trên toàn Thành phố Tomball, Texas vào ngày thứ Bảy thứ hai của tháng Năm, ngày thứ Bảy của tháng Năm năm 2022, tại đó cuộc bầu cử những viên chức sau đây sẽ được bầu bởi cư dân đủ tiêu chuẩn. cử tri trong và cho Thành phố Tomball nói trên, để nói::

CHỨC VỤ

MAYOR VỊ TRÍ HỘI ĐỒNG 3

Phần 2: Các ranh giới hiện tại của Thành phố tạo thành một khu vực bầu cử, các phòng phiếu sẽ mở cửa để bỏ phiếu từ bảy giờ sáng (7:00) sáng cho đến bảy giờ sáng (7:00) tối. tại địa điểm bỏ phiếu sau, và sau đây là các sĩ quan được chỉ định để tiến hành cuộc bầu cử tại địa điểm bỏ phiếu nói trên:

ĐỊA ĐIỂM BỎ PHIẾU

Tomball City Hall
401 Market Street
Tomball, Texas 77375

NHÂN VIÊN BẦU CỬ

Patsy Kinsey, Trưởng Ban Điều Hành
Latrell Shannon, Trưởng Ban Điều Hành Dự Khuyết

Theo đây, Thư ký Thành phố được ủy quyền và chỉ đạo cung cấp bản sao GIẢI QUYẾT cho các thẩm phán dưới dạng thông báo bằng văn bản về việc bổ nhiệm của họ theo yêu cầu của Mục 32.009 của Bộ luật Bầu cử Texas. Nếu Chủ tọa phiên tòa hoặc Thẩm phán chủ tọa dự khuyết không thể thực hiện nhiệm vụ được giao, thì Bí thư Thành phố được ủy quyền chọn Quyền Chủ tọa hoặc Quyền Chủ tọa phiên tòa từ các Thư ký bầu cử đủ tiêu chuẩn, nếu cần.

Chủ tọa phiên tòa có quyền chỉ định không quá bảy (7) thư ký để hỗ trợ việc tổ chức cuộc bầu cử đó, nhưng trong mọi trường hợp, Chủ tọa phiên tòa không được chỉ định ít hơn hai thư ký. Các viên chức bầu cử đã nói cũng sẽ đóng vai trò là Ban Bỏ phiếu Sớm cho cuộc bầu cử đó; Chủ tọa phiên tòa của khu vực bầu cử đó đồng thời là Trưởng ban chủ tọa của Ban bỏ phiếu bầu cử sớm.

Thẩm phán bầu cử sẽ được trả lương theo giờ là \$ 16,00; thư ký bỏ phiếu sớm và thư ký bầu cử sẽ được trả lương theo giờ là \$ 15,00 theo quy định của Tiêu đề 3, Mục 32.091 (a) của Bộ luật Bầu cử Tiểu bang. Thẩm phán bầu cử sẽ được bồi thường số tiền 25 đô la cho việc cung cấp thiết bị và vật tư bầu cử như được cung cấp bởi Tiêu đề 3, Mục 32.091 (a) của Bộ luật Bầu cử Tiểu bang, nếu việc giao hàng đó là cần thiết. Thành phố sẽ trả tiền cho bất kỳ khóa đào tạo bắt buộc nào đối với các thẩm phán và thư ký cuộc bầu cử của Thành phố. Các thẩm phán và thư ký cũng sẽ được hoàn trả chi phí đi lại và sẽ được trả theo mức giờ đã định cho thời gian đào tạo.

Phần 3.: Bí thư Thành phố được bổ nhiệm làm Thư ký Bầu cử để bỏ phiếu sớm; việc bổ nhiệm một phó văn thư hoặc các thư ký để Bí thư thành phố bỏ phiếu sớm sẽ tuân theo Mục 83.001 và tiếp theo của Bộ luật Bầu cử Texas. Địa điểm bỏ phiếu sớm cho cuộc bầu cử như vậy theo đây được chỉ định là:

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

Để đáp ứng các yêu cầu của Mục 85.005 của Bộ luật bầu cử, vào mỗi ngày để bỏ phiếu sớm không phải là thứ bảy, chủ nhật hoặc ngày lễ chính thức của tiểu bang, bắt đầu từ ngày thứ mười hai (12) và tiếp tục đến ngày thứ tư (thứ 4)) ngày trước ngày bầu cử như vậy, các thư ký cho biết sẽ giữ cho Tòa thị chính mở cửa từ Thứ Hai đến Thứ Sáu từ bảy giờ bốn mươi lăm giờ (7:45) sáng cho đến năm giờ (5:00 chiều), miễn là Thứ Ba. , Ngày 26 tháng 4 năm 2022, khi Tòa thị chính sẽ mở cửa trong 12 giờ, từ bảy giờ bốn mươi lăm (7:45) sáng cho đến bảy giờ bốn mươi lăm (7:45) tối

Các thư ký đã nói sẽ không cho phép bất kỳ ai bỏ phiếu sớm bằng hình thức cá nhân vào bất kỳ ngày nào không phải là ngày làm việc bình thường của văn phòng thư ký và trong mọi trường hợp, họ sẽ không cho phép bất kỳ ai bỏ phiếu sớm bằng hình thức cá nhân vào bất kỳ lúc nào khi văn phòng đó không mở cửa. cho công chúng. Địa điểm được mô

tả ở trên để bỏ phiếu sớm cũng là địa chỉ gửi thư của thư ký để có thể gửi đơn đăng ký bỏ phiếu và phiếu bầu đã bỏ phiếu qua thư. Thư ký bỏ phiếu sớm, theo quy định của Bộ luật Bầu cử Texas, sẽ duy trì một danh sách liệt kê từng người bỏ phiếu sớm bằng hình thức cá nhân và từng người được gửi lá phiếu bầu qua đường bưu điện. Danh sách sẽ được duy trì theo hình thức được Bộ trưởng Ngoại giao chấp thuận.

Phần 4: Tất cả các lá phiếu sẽ được chuẩn bị theo Bộ luật Bầu cử Texas. Phiếu bầu giấy sẽ được sử dụng để bỏ phiếu sớm qua đường bưu điện và Hệ thống bỏ phiếu điện tử ghi âm trực tiếp eSlate (DRE) sẽ được sử dụng để bỏ phiếu sớm bằng hình thức cá nhân và bỏ phiếu vào Ngày bầu cử, cả hai đều là một phần của eSlate Hệ thống bỏ phiếu DRE. Theo đây, Hội đồng Thành phố thông qua việc sử dụng vào đầu và ngày bầu cử bỏ phiếu Hệ thống Bỏ phiếu Điện tử Ghi âm Trực tiếp eSlate (DRE) theo sự chấp thuận của Bộ trưởng Ngoại giao. Do đó, tất cả các khoản chi tiêu cần thiết cho việc tiến hành bầu cử, mua tài liệu và việc làm của tất cả các quan chức bầu cử đều được ủy quyền.

Phần 5: Theo đây, Bí thư Thành phố được ủy quyền và chỉ đạo cung cấp tất cả các vật dụng bầu cử cần thiết để tiến hành cuộc bầu cử đó.

Phần 6: Thông báo về cuộc bầu cử này sẽ được đưa ra theo các quy định của Bộ luật Bầu cử Texas và việc trả lại thông báo đó sẽ được thực hiện theo quy định trong Bộ luật này. Thị trưởng sẽ ban hành tất cả các lệnh và văn bản cần thiết cho cuộc bầu cử đó, và kết quả của cuộc bầu cử đó sẽ được gửi cho Bí thư Thành phố sau khi kết thúc các cuộc bỏ phiếu.

Phần 7: Cuộc bầu cử đã nói sẽ được tổ chức theo các quy định của Điều XI, Phần 11 của Hiến pháp Texas, quy định rằng một đô thị có nhiệm kỳ vượt quá hai (2) năm phải lấp đầy bất kỳ chỗ trống nào trong vòng 120 ngày sau khi vị trí trống đó xảy ra, Bộ luật Bầu cử Texas và Đạo luật Quyền Bầu cử Liên bang năm 1965, đã được sửa đổi. Chỉ những đại cử tri cư dân đủ điều kiện hợp lệ của Thành phố Tomball mới đủ điều kiện bỏ phiếu.

Phần 9: Ngày đầu tiên nộp đơn đăng ký bỏ phiếu là ngày 19 tháng 1 năm 2022. Tất cả các ứng cử viên tranh cử vào Văn phòng Thị trưởng và Hội đồng Thành phố, Vị trí 3, phải khai tên của họ với Bí thư Thành phố Tomball, Texas, trước 5:00 chiều vào ngày 18 tháng 2 năm 2022 để tên của họ được đưa vào Lá phiếu chính thức.

Phần 9: Nếu cần có một cuộc Bầu cử Runoff, ngày của Cuộc Bầu cử Runoff được chỉ định là Thứ Bảy, ngày 4 tháng 6 năm 2022. Bỏ phiếu sớm cho Cuộc Bầu cử Runoff sẽ bắt đầu vào ngày 23 tháng 5 năm 2022 và kết thúc vào ngày 31 tháng 5 năm 2022. Tất cả các điều khoản, điều kiện, và các điều khoản được thiết lập cho Cuộc Bầu cử Thường kỳ vào Ngày 7 tháng 5 năm 2022 của các Sĩ quan Thành phố sẽ được áp dụng cho Cuộc Bầu cử Ruộng.

Phần 10: Theo đây, Bí thư Thành phố được ủy quyền và hướng dẫn đưa ra Thông báo về cuộc bầu cử nói trên theo yêu cầu của pháp luật.

ĐÃ XÁC NHẬN, PHÊ DUYỆT và QUYẾT ĐỊNH vào ngày 3 tháng 1 năm 2022 này.

GRETCHEN FAGAN, Thị Trưởng
Thành Phố Tomball

CHỨNG THỰC:

DORIS SPEER, Thư Ký Thành Phố
Thành Phố Tomball

決議號2022-01

德克薩斯州托姆波爾市市議會的一項決議和命令，命令於 2022 年 5 月 7 日星期六在托姆波爾市舉行定期市政官員選舉；指定投票站和任命選舉官員；指導此類選舉通知的發出；如果需要，指定第二輪選舉的日期；並提供有關舉行此類選舉的詳情

* * * * *

是否由德克薩斯州托姆波爾市市議會解決：

第 1 節：特此下令，在 2022 年 5 月的第 7 天，即 5 月的第二個星期六，在德克薩斯州湯博爾市及其各地舉行定期選舉，在選舉中，以下官員應由符合條件的居民選出在和支持上述湯博爾市的選民，即：

位置

市長
理事會立場 3

第 2 節：構成一個選舉區的紐約市目前的邊界，投票從早上七點（7:00）到晚上七點（7:00）開放供投票。在以下投票站，特此委任以下人員在該投票站進行選舉：

投票站

湯博爾市政廳
市場街401號
德克薩斯州湯博爾 77375

選舉官員

Patsy Kinsey, 首席法官
Latrell Shannon, 候補審判長。

特此授權並指示市秘書根據德克薩斯州選舉法典第 32.009 節的要求，向法官提供一份決議副本，作為他們任命的書面通知。如果主審法官或候補主審法官不能履行其分配的職責，市秘書有權根據需要從合格的選舉書記員中選出一名代理主審法官或代理候補主審法官。

審判長有權任命不超過七 (7) 名書記員協助舉行此類選舉，但在任何情況下，審判長任命的書記員不得少於兩名。上述選舉官員還應擔任此類選舉的提前投票選票委員會；該選區的首席法官還應擔任提前投票選票委員會的主席。

選舉法官的報酬為每小時 16.00 美元；根據《州選舉法》第 3 篇第 32.091(a) 節的規定，提前投票的書記員和選舉書記員應按每小時 15.00 美元的標準獲得報酬。選舉法官應根據《州選舉法》第 3 篇第 32.091(a) 條的規定，在需要交付選舉設備和用品時獲得 25 美元的補償。紐約市將支付對紐約市選舉法官和書記員進行的任何必要培訓。法官和書記員的差旅費也將得到報銷，並將按照培訓時間的既定小時費率獲得報酬。

第四節：特此任命市委書記為提前投票選舉書記；市秘書提前投票任命一名或多名副書記應符合第 83.001 條及以下規定。得克薩斯州選舉法典。特此指定提前投票地點為：

市政府
德克薩斯州湯博爾市
市場街401號
湯姆博爾，德克薩斯州 77375。

為了滿足《選舉法》第 85.005 節的要求，在不是星期六、星期日或官方法定假日的每一天，從第十二 (12) 天開始一直持續到第四 (4)) 在此類選舉日期的前一天，上述職員應在周一至週五上午七點四十五分 (7:45) 至下午五點 (5:00) 期間保持市政廳開放，週二除外，2022 年 4 月 26 日，屆時市政廳將開放 12 小時，從早上七點四十五分 (7:45) 到晚上七點四十五分 (7:45)

上述書記員不得允許任何人在非書記員辦公室正常工作日的任何一天以親自出席的方式提前投票，並且在任何情況下都不得允許任何人在該辦公室不開放的任何時間以親自出席的方式提前投票對公眾。上述提前投票的地點也是書記員的郵寄地址，可以將投票申請和郵寄投票的選票發送到該地址。根據德克薩斯州選舉法的規定，提前投票的書記員應保留一份名冊，列出每個通過親自出席提前投票的人和每個郵寄投票的人。名冊應以國務大臣批准的形式保存。

第 4 節：所有選票都應按照德克薩斯州選舉法進行準備。紙質選票用於郵寄提前投票，eSlate 直接記錄電子 (DRE) 投票系統用於提前親自出席投票和選舉日投票，兩者都是 eSlate 的一部分 DRE 投票系統。市議會特此採用經國務卿批准的 eSlate 直接記錄電子 (DRE) 投票系統用於提前和選舉日投票。特此授權進行選舉、購買材料和僱用所有選舉官員所需的所有支出。

第 5 節：特此授權並指示市秘書提供所有必要的選舉用品以進行此類選舉。

第 6 節：應根據德克薩斯選舉法典的規定發出本次選舉通知，並應按照上述法典的規定返回此類通知。市長應為此類選舉發布所有必要的命令和令狀，並且此類選舉的回報應在投票結束後提交給市秘書。

第 7 節：上述選舉應根據德克薩斯州憲法第 XI 條第 11 節的規定舉行，該條款規定任期超過兩 (2) 年的市政當局必須在出現空缺後的 120 天內填補空缺，德州選舉法典和 1965 年聯邦選舉權法案，經修訂。只有正式合格的湯博爾市居民選舉人才有資格投票。

第 8 節 提交選票申請的第一天是 2022 年 1 月 19 日。所有競選市長和市議會職位 3 職位的候選人必須向 Tomball 市秘書提交姓名，德克薩斯州，下午 5:00 2022 年 2 月 18 日，以便他們的名字被列入正式選票。

第 9 節：如果需要進行決選，決選的日期指定為 2022 年 6 月 4 日星期六。決選的提前投票將於 2022 年 5 月 23 日開始至 2022 年 5 月 31 日結束。所有條款、條件，並且為 2022 年 5 月 7 日普通城市官員選舉制定的規定應適用於決選。

第 10 條：特此授權並指示市秘書根據法律要求發出上述選舉通知。

在 2022 年 1 月的第 3 天通過、批准和解決。

GRETCHEN FAGAN, 市長
Tomball 市

此證：

DORIS SPEER, 市府秘書
Tomball 市

**ORDER OF GENERAL
ELECTION FOR MUNICIPALITIES**
(ORDEN DE ELECCIÓN GENERAL PARA MUNICIPIOS)
(LỆNH YÊU CẦU TỔ CHỨC TỔNG TUYỂN CỬ CHO CÁC CHÍNH QUYỀN THÀNH PHỐ)
大會選舉的自治市的順序

A General Election is hereby ordered to be held on May 7, 2022 for the purpose of: electing Mayor and Council Position 3.

(Por la presente se ordena que una elección general se lleve a cabo el 7 de Mayo de 2022 con el propósito de: un Alcalde y un Concejal para la Posición 3.)

(Theo đây, chúng tôi yêu cầu tổ chức một Cuộc Tổng Tuyển Cử vào ngày 7 tháng Năm, 2022 để bầu chọn Thị Trưởng và Thành viên hội đồng vị trí số 3.)

換屆選舉現命令將於 2022 年 5 月 7 日的目的: 選出市長和理事會位置 3。

Early voting by personal appearance will be conducted each weekday at: 401 Market Street, Tomball, Texas 77375, between the hours of 7:45 a.m. and 5:00 p.m., Monday through Friday, between the hours of 7:45 a.m. and 7:45 p.m. on Tuesday, April 26, 2022.

(La votación anticipada en persona se llevará a cabo de lunes a viernes en: 401 Market Street, Tomball, Texas 77375, entre las 7:45 a.m. y las 5:00 p.m. desde lunes a viernes y, entre las 7:45 a.m. y las 7:45 p.m. y el martes, el 26 de Abril de 2022.)

(Bỏ phiếu sớm theo hình thức cá nhân sẽ được tiến hành mỗi ngày trong tuần tại: 401 Market Street, Tomball, Texas 77375, trong khoảng thời gian từ 7:45 sáng đến 5:00 chiều, từ Thứ Hai đến Thứ Sáu và từ 7:45 sáng đến 7:45 chiều vào Thứ Ba, ngày 26 tháng 4 năm 2022.)

(提前親自出庭投票將在每個工作日進行: 401 Market Street, Tomball, Texas 77375, 週一至週五上午 7:45 至下午 5:00 以及上午 7:45 至晚上 7 點 下午 45 點 2022 年 4 月 26 日, 星期二。)

Applications for ballot by mail shall be mailed to: (Las solicitudes de boletas para votar por correo deben enviarse a:)
(Quý vị có thể gửi đơn xin lá phiếu bầu qua đường bưu điện tới cho:)(郵寄選票申請應寄至以下地址:)


Doris Speer Email: dspeer@tomballtx.gov
(Name of Early Voting Clerk) (Nombre de la Secretaria de Votación Anticipada)
(Tên của Thư Ký phụ trách Bỏ Phiếu Sớm) (提前投票工作人員姓名)

401 Market Street
(Address) (Dirección) (Địa chỉ) (地址)

Tomball, TX 77375
(City) (Ciudad) (Thành phố) (市) (Zip Code) (Código Postal) (Số Zip Code) (郵遞區號)

Applications for ballot by mail presented in person must be received no later than the close of business on April 22, 2022.
(Las solicitudes de boletas para votar por correo hechas en persona deberán recibirse para el fin del horario de oficina el 22 de abril de 2022.) (Đơn xin lá phiếu bầu qua thư đích thân đến nộp phải được nhận không trễ quá cuối giờ làm việc ngày 22 tháng Tư, 2022.) 個人親自遞交郵寄選票申請收到日期不得晚於2022年4月22日下班時間。

Issued this the 1st day of February 2022. (Emitido este día 1 de febrero de 2022.)
(Ban hành ngày 1 tháng Hai, 2022.) 本函於2022年2月1日簽發。


Signature of Mayor (Firma del Alcalde) (Chữ ký của Thị Trưởng) (市長簽名)

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: January 3, 2022

Topic:

Approve Resolution No. 2022-02, a Resolution of the City Council of the City of Tomball, Texas, Designating The Potpourri, Tomball Edition (Houston Community Newspapers/Houston Chronicle) as the Official Newspaper for 2022 for Publication of Matters Pertaining to the City of Tomball

Background:

Tomball Home Rule Charter, Section 3.06, and Texas Government Code, Section 2051.044, require the City Council to annually designate a public newspaper of general circulation in the City as the official newspaper for all legal notices—ordinances, public hearing notices, election notices, and other matters required to be published by the Charter, City of Tomball ordinances, the Constitution or state or federal laws.

The Potpourri, Tomball Edition (Houston Community Newspapers/Houston Chronicle) is the only "local" paper to meet all of the requirements of the City's Charter and state law. The Houston Chronicle's legal section would meet the requirements, however, publication rates are much higher in the Houston Chronicle than in the weekly edition of the Potpourri. The Community Impact newspaper does not meet the state's legal requirements.

The major portion of the City's official advertising involves legal notices, some of which are quarter-page ads that state or federal law require be published as display ads in the main body of the newspaper.

The Potpourri has an Internet site and we have enjoyed an excellent relationship with the Potpourri over the years. The Potpourri's publication date is on Wednesday.

Staff recommends designation of The Potpourri, Tomball Edition (Houston Community Newspapers) as the official newspaper for 2022.

Origination: Home Rule Charter, City Secretary

Recommendation:

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 T. Garcia 12-29-2021 Approved by _____

Staff Member	Date
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City Manager	Date
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RESOLUTION NO. 2022-02

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS, DESIGNATING THE POTPOURRI, TOMBALL
EDITION (HOUSTON COMMUNITY NEWSPAPERS/HOUSTON
CHRONICLE) AS THE OFFICIAL CITY NEWSPAPER FOR 2021 FOR
PUBLICATION OF MATTERS PERTAINING TO THE CITY OF
TOMBALL.**

* * * * *

WHEREAS, the Home Rule Charter of the City of Tomball, Section 3.06 – Official Newspaper, states:

“The Council shall have power to contract with, and by ordinance or resolution, annually designate a public newspaper of general circulation in the City as the official newspaper thereof and to continue as such until another is designated, and shall cause to be published therein all ordinances, notices and other matters required to be published by this Charter, by the ordinances of the City or by the Constitution or laws of the State of Texas.”

NOW, THEREFORE, BE IT RESOLVED that the City of Tomball and its governing body hereby designates The Potpourri, Tomball Edition (Houston Community Newspapers/Houston Chronicle) to be named the official newspaper for 2022 for the City of Tomball, Texas, for the publication of ordinances, notices, and other matters required by law or ordinance to be published, and that this resolution shall take effect upon its passage.

PASSED AND APPROVED BY A VOTE OF ___ TO ___ AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL HELD ON THE 3rd DAY OF JANUARY 2022:

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

GRETCHEN FAGAN, Mayor

ATTEST:

Doris Speer, City Secretary

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: January 3, 2022

Topic:

Discussion of proposed projects and funding allocations for the American Rescue Plan and the Coronavirus Local Fiscal Recovery Fund

Background:

Enacted on March 11, 2021, the American Rescue Plan Act (ARPA) authorized \$1.9 trillion in federal pandemic relief funds. Of that, \$350 billion was authorized in state and local government fiscal assistance.

As a non-entitlement unit (NEU), the City of Tomball requested funds through the Texas Department of Emergency Management (TDEM). Tomball was awarded \$2,918,422.92 in ARP funds. The funds will be distributed through two equal tranches. The first payment of \$1,459,211.46 has been received by the City. The second payment will be delivered in 2022.

Per ARPA, funds could be used by recipients under the following general categories:

- To respond to the pandemic or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality;
- For premium pay to eligible workers performing essential work (as determined by each recipient government) during the pandemic;
- For the provision of government services to the extent of the reduction in revenue due to the pandemic; and
- To make necessary investments in water, sewer, or broadband infrastructure.

The U.S. Department of Treasury has issued guidance on the use of ARP funds through an adopted Interim Final Rule. The Interim Final Rule provided additional guidance on determining if a project “responds” to a “negative economic impact” caused by the pandemic, provided definitions for key terms, provided a formula for calculating lost revenue, and provided a framework for eligible infrastructure projects.

On July 19, 2021, City Council discussed potential uses of the ARP funds and focused on four key areas:

- Grants to nonprofits;
- Improvements to the Depot area;
- Replacement of revenues due to reduced HOT funds; and
- Water infrastructure projects.

A resolution will be brought back to the council for consideration and if approved, will authorize the City Manager to represent the City’s interests in connection with the receipt of the ARP funds, ensure expenditures are in compliance with applicable laws, and proper documentation and reporting is completed. The resolution will also include the “City of Tomball American Rescue Plan Funding Plan,” which outlines the estimated use of ARP funds and proposed projects.

Based on the guidance issued in the final rule, and in accordance with identified needs of the City, staff is recommending these projects and approximate funding amounts outlined below be considered the ARP funds. Staff will prepare a budget amendment for Council consideration to appropriate ARP fund expenditures and allow for proper documentation and tracking in the City's accounting system.

To respond to the pandemic or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality.

Grants to Nonprofits	\$100,000
Improvements to Tomball Depot Plaza Area	\$527,437
Subtotal	\$627,437

For the provision of government services to the extent of the reduction in revenue due to the pandemic (relative to revenues collected in the most recent full fiscal year prior to the emergency).

Revenue Reduction Replacement of HOT Funds (FY20)	\$342,268
Revenue Reduction Replacement of HOT Funds (FY21)	\$182,485
Subtotal	\$524,753

To make necessary investments in water, sewer, or broadband infrastructure.

Replacement of water meters, software, and other necessary components	\$1,766,232
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Total Estimated Expenditures **\$2,918,422**

Origination: City Management

Recommendation:

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

FUNDING (IF APPLICABLE)

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

Yes: _____ No: _____

If yes, specify Account Number: # _____

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

Signed: Jessica Rogers 12/29/2021 **Approved by:** _____
Staff Member Date City Manager Date

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: 1/3/2022

Topic:

Approve the expenditure of \$1,766,231.20 to Aqua Metric for the replacement of water system meters and transmitters.

Background:

Staff is seeking to utilize finds received from the American Rescue Plan (ARP) for a full replacement of ¾" and 1" water meters due to failures causing manual reads. Funds are not currently budgeted; however, staff will bring forward a budget amendment to allocate ARP funds.

Origination: Public Works Department

Recommendation:

Staff recommends approving the expenditure of \$1,766,231.20 to Aqua Metric for the replacement of water system meters and transmitters.

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: X _____ 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

**Aqua-Metric Sales Company**

December 28, 2021

Chris Newville

16914 Alamo Parkway, Building 2 | Selma, TX 78154

Phone: (210) 967-6300 | Facsimile: (210) 967-6305

Quote for: City of Tomball, Texas

Attention: Beth Jones

Address: 501 James Street

City, State, ZIP: Tomball, Texas 77375

Phone:

Email:

Quantity	Description	Unit Price	Line Total
	Full System Deployment		
1	M400B Base Station	\$26,333.75	\$26,333.75
1	M400B Base Station Installation	\$20,000.00	\$20,000.00
1	Base Station Magnetic Antenna Mount	\$5,000.00	\$5,000.00
1	Basestation Certification	\$1,750.00	\$1,750.00
1	Communication Backhaul	\$1,000.00	\$1,000.00
1	Network Implementation (Full Deployment)	\$10,000.00	\$10,000.00
1	FlexNet AMI Core Training (Full Deployment)	\$5,500.00	\$5,500.00
1	Annual Hosted RNI SaaS - Water Only	\$8,240.00	\$8,240.00
1	Annual Sensus Analytics Enhanced Water (5,000 Services)	\$8,961.25	\$8,961.25
1	Annual Sensus Analytics Text Message Fee, Water Only	\$1,020.00	\$1,020.00
1	Aqua-Metric Annual Support	\$22,500.00	\$22,500.00
2	Annual Basestation Extended Warranty	\$1,609.38	\$3,218.76
4420	5/8" x 3/4" SRII TR/PL USG	\$146.84	\$649,032.80
300	1" SRII TR/PL USG	\$245.85	\$73,755.00
1920	SmartPoint 520M Pit Mount Single Port Touch Coupled	\$143.16	\$274,867.20
1400	SmartPoint 520M Pit Mount Dual Port Port Touch Coupled	\$190.18	\$266,252.00
1	NovusCenter WOMS Setup Fee	\$7,500.00	\$7,500.00
4420	5/8" x 3/4" Water Meter Replacement with SmartPoint Installation and Activation	\$66.73	\$294,946.60
300	1" Water Meter Replacement with SmartPoint Installation and Activation	\$66.73	\$20,019.00
3320	In-Field Lid Modification: Drill Hole in Plastic Meter Box Lid, Estimated Quantity	\$5.00	\$16,600.00
1	Recommended Contingency Fund for Installation Incidentals	\$49,734.84	\$49,734.84
	Installation Incidental: In-Field Lid Modification: Drill Hole in Metal Meter Box Lid	\$15.00	
	Installation Incidental: Water Meter Box Adjustment, Removal, or Replacement	\$56.25	
	Installation Incidental: Curb Stop Replacement	\$93.75	
	Installation Incidental: Meter Tail Replacement	\$31.25	
	Installation Incidental: Meter Box Lid Replacement	\$3.75	
	Installation Incidental: Replacement or Removal of Bushing Adapters (5/8" - 1" Only)	\$2.50	
	Installation Incidental: Meter Resetter/Riser Replacement	\$31.25	
	Installation Incidental: Door Hanger Distribution (In advance of initial visit), Labor On	\$7.69	
	Installation Incidental: Water Meter Survey for Residential Meters	\$17.06	
	Installation Incidental: Site Visit Fee	\$25.00	
	Installation Incidental: Special Job Hourly Rate, Price per Technician per Hour	\$100.00	
	Installation Incidental: Daily Rate, Price per Technician per Day	\$1,000.00	

Total \$1,766,231.20

This quote for the product and services named above is subject to the following terms:

1. All quotes are subject to the Aqua-Metric Terms of Sale.
2. Quote is valid for thirty days.
3. Freight allowed on single orders exceeding \$10,000.00.
4. Net Thirty Days to Pay



Aqua-Metric Sales Company

December 28, 2021

Chris Newville

16914 Alamo Parkway, Building 2 | Selma, TX 78154

Phone: (210) 967-6300 | Facsimile: (210) 967-6305

Quote for: City of Tomball, Texas

Attention: Beth Jones

Address: 501 James Street

City, State, ZIP: Tomball, Texas 77375

Phone:

Email:

Quantity	Description	Unit Price	Line Total
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5. Returned product may be subject to a 25% restocking fee.

6. Sales Tax and/or Freight charges are approximated and may vary on final invoice.

7. Minimum 5 year term for SaaS Model with Annual 3% price increase

8. Pricing based on 5,000 Water Services and 3,500 Gas Services

9. Customer to provide electricity to basestations and basestation mounting hardware

10. Customer to provide static IP address and monthly data (SIM) for backhaul communication - Aqua-Metric suggests Verizon Wireless or AT&T

11. Customer's Billing System will provide Billing System Integration pricing directly to the City; Aqua-Metric is unable to determine these costs

12. Quantities subject to change based on the actual months of implementation services.

13. Pricing does not include staging, product storage, or consumer outreach program

14. Pricing does not include bonding

15. Any items beyond quote above subject to price negotiations

City Council Meeting Agenda Item Data Sheet

Meeting Date: 1/3/2022

Topic:

Approve annual purchase of gas meters and transmitters for Fiscal Year 2022, from Equipment Controls totaling \$434,780.16.

Background:

During the budget process, staff projected an increase in new construction resulting in the budgeting of additional funds over last year for new gas meters. However, based on current projections, new construction is outpacing the budget projections. In addition, there is also longer lead times to receive meters due to supply chain issues.

Staff recommends issuing a purchase order for the year's anticipated meters to ensure that we will have the necessary supply for our new construction. The total order from Equipment Controls will be placed to ensure the City receives priority on equipment and will be delivered quarterly. Staff will be able to adjust the quantities of equipment as needed. The total amount for the equipment if delivered is \$434,780.16.

Origination: Public Works Department

Recommendation:

Staff recommends approving the purchase of water meters and transmitters totaling \$434,780.16 to Equipment Controls.

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: #600-615-6106

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

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

EQUIPMENT CONTROLS COMPANY, INC.
4555 S. BERKELEY LAKE ROAD
NORCROSS GA 30071
770-441-6400 Fax 770-448-7312

Quotation

QUOTE DATE	QUOTE NUMBER
12/13/21	S2205588
ORDER TO: EQUIPMENT CONTROLS COMPANY, IN 4555 S. BERKELEY LAKE ROAD NORCROSS GA 30071 770-441-6400 Fax 770-448-7312	PAGE NO. 1

QUOTE TO:
CITY OF TOMBALL
401 MARKET STREET
ATTN: ACCOUNTS PAYABLE
TOMBALL, TX 77375

SHIP TO:
CITY OF TOMBALL
501 JAMES STREET
TOMBALL, TX 77375

CUSTOMER NUMBER		CUSTOMER ORDER NUMBER		RELEASE NUMBER		SALESPERSON	
15382		SMART POINTS		DEWAYNE			
WRITER		SHIP VIA		TERMS		SHIP DATE	FREIGHT ALLOWED
Johnny Smith		UPS REGULAR		NET 30 DAYS		12/13/21	No
ORDER QTY	PART NO	DESCRIPTION				Unit Price	Ext Price
		***** Shipping Instructions *****					
		* CUSTOMER NEEDS ESTIMATED FREIGHT				*	
		* CHARGES WITH EVERY QUOTE				*	
		* **REQUEST LIFTGATE FOR TRUCK				*	
		* SHIPMENTS**				*	

125ea	31589	5399255532100M ELSTER 300GM SMARTPOINT				105.000	13125.00
54ea	26404	5399255510100M SENSUS 100GM-B SMARTPOINT R415/18 TOOTH **FOR RETROFIT METERS ONLY** **IF FACTORY INSTALLED, USE PART # .36703**				105.000	5670.00
60ea	27474	5399353770000M REMOTE MOUNT 700GM SMARTPOINT, 2-CHANNEL				250.000	15000.00
890ea	26357	5399255510000M SENSUS 100GM-A SMARTPOINT R275/11 TOOTH **FOR RETROFIT METERS ONLY** **IF FACTORY INSTALLED, USE PART # .36702**				105.000	93450.00
TAXES NOT INCLUDED							

This is a Quotation.

Price are firm for 30 days, subject to change without notice after 30 days.
Applicable taxes extra.

Amount Due	127245.00
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EQUIPMENT CONTROLS COMPANY, INC.
3935 HARTSDALE
HOUSTON TX 77063
713-974-6400 Fax 713-785-5732

Quotation

QUOTE DATE	QUOTE NUMBER
12/15/21	S2205845
ORDER TO: EQUIPMENT CONTROLS COMPANY, IN 3935 HARTSDALE HOUSTON TX 77063 713-974-6400 Fax 713-785-5732	PAGE NO. 1

QUOTE TO:
CITY OF TOMBALL
401 MARKET STREET
ATTN: ACCOUNTS PAYABLE
TOMBALL, TX 77375

SHIP TO:
CITY OF TOMBALL
501 JAMES STREET
TOMBALL, TX 77375

CUSTOMER NUMBER		CUSTOMER ORDER NUMBER		RELEASE NUMBER		SALESPERSON	
15382		METERS		DEWAYNE OSGOOD			
WRITER		SHIP VIA		TERMS		SHIP DATE	FREIGHT ALLOWED
BILL MALIK		UPS REGULAR		NET 30 DAYS		12/15/21	No
ORDER QTY	PART NO	DESCRIPTION				Unit Price	Ext Price
75ea	542	0702-2 45LT 415 68 45LT 10# MWP (7"WC) DR INDEX				308.520	23139.00
168ea	24125	SONIX 880 STOCK CST NTC 45LT STOCK METER NO DRAIN NO PETE'S PLUG CENTRAL ZONE 100CF PER PULSE (CONTACTOR CABLE TO BE STORED IN BATTERY COMPARTMENT AND GROMMET PLUGGED) 6 DIGIT DISPLAY A3B1C1D1E1F4G1H1J1K2L4M1N1				960.120	161300.16
996ea	515	0522-22 R-275 68 20LT SPUD DIRECT INDEX TAXES NOT INCLUDED				86.000	85656.00
This is a Quotation. Price are firm for 30 days, subject to change without notice after 30 days. Applicable taxes extra.						Subtotal	270095.16
						S&H CHGS	0.00
						Amount Due	270095.16

This is a Quotation.

Price are firm for 30 days, subject to change without notice after 30 days.
Applicable taxes extra.

EQUIPMENT CONTROLS COMPANY, INC.
4555 S. BERKELEY LAKE ROAD
NORCROSS GA 30071
770-441-6400 Fax 770-448-7312

Acknowledgement

ORDER DATE	ORDER NUMBER
09/13/21	S2123198
ORDER TO: EQUIPMENT CONTROLS COMPANY, IN 4555 S. BERKELEY LAKE ROAD NORCROSS GA 30071 770-441-6400 Fax 770-448-7312	PAGE NO. 1

SOLD TO:
CITY OF TOMBALL
401 MARKET STREET
ATTN: ACCOUNTS PAYABLE
TOMBALL, TX 77375

SHIP TO:
CITY OF TOMBALL
501 JAMES STREET
TOMBALL, TX 77375

CUSTOMER NUMBER		CUSTOMER ORDER NUMBER		RELEASE NUMBER		SALESPERSON		
15382		PA7		DEWAYNE OSGOOD				
WRITER			SHIP VIA		TERMS		SHIP DATE	FREIGHT ALLOWED
Luisa Williams			BW BEST WAY		NET 30 DAYS		02/07/22	No
ORDER QTY	PART NO	DESCRIPTION				Net Pro		Ext Pro
		***** Shipping Instructions *****						
		* CUSTOMER NEEDS ESTIMATED FREIGHT				*		
		* CHARGES WITH EVERY QUOTE				*		
		* **REQUEST LIFTGATE FOR TRUCK				*		
		* SHIPMENTS**				*		

54ea	26357	5399255510000M SENSUS 100GM-A SMARTPOINT R275/11 TOOTH **FOR RETROFIT METERS ONLY** **IF FACTORY INSTALLED, USE PART # .36702**				105.000		5670.00
54ea	26404	5399255510100M SENSUS 100GM-B SMARTPOINT R415/18 TOOTH **FOR RETROFIT METERS ONLY** **IF FACTORY INSTALLED, USE PART # .36703**				105.000		5670.00
54ea	27474	5399353770000M REMOTE MOUNT 700GM SMARTPOINT, 2-CHANNEL				250.000		13500.00
120ea	31589	5399255532100M ELSTER 300GM SMARTPOINT				105.000		12600.00
						Subtotal		37440.00
						S&H CHGS		0.00
						Sales Tax		0.00
						Amount Due		37440.00

City Council Meeting Agenda Item Data Sheet

Meeting Date: 1/3/2022

Topic:

Approve annual purchase of water meters and transmitters for Fiscal Year 2022, from Aqua Metrics totaling \$348,990.10.

Background:

During the budget process, staff projected an increase in new construction resulting in the budgeting of additional funds over last year for new water meters. However, based on current projections, new construction is outpacing the budget projections. In addition, there is also longer lead times to receive meters due to supply chain issues.

Staff recommends issuing a purchase order for the year's anticipated meters to ensure that we will have the necessary supply for our new construction. The total order from Aqua Metrics will be placed to ensure the City receives priority on equipment and will be delivered quarterly. Staff will be able to adjust the quantities of equipment as needed. The total amount for the equipment if delivered is \$348,990.10.

Origination: Public Works Department

Recommendation:

Staff recommends approving the purchase of water meters and transmitters totaling \$348,990.10 to Aqua Metrics.

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: #600-613-6106

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

Signed	Meagan Mageo		Approved by		
	Staff Member	Date		City Manager	Date



December 16, 2021

Aqua-Metric Sales Company

Kelsey VanCleave
16914 Alamo Pkwy Bldg 2 | SELMA, TX 78154
Phone: (210) 967-6300 | Facsimile: (210) 967-6305

Quote for: City of Tomball
Attention: Will Goff
Address: ATTN: Accounts Payable, 501 James St
City, State, Zip: Tomball, TX 77375-4623
Phone: (281) 290-411
Email: mmageo@tomballtx.gov

Quantity		Description		Unit Price	Line Total
1300	EA	S202TR	5/8"x3/4" SR II TRPL 8 WHL USG	146.84	190,892.00
20	EA	S502TR	1" SR II TR/PL 8 WHL USG	245.85	4,917.00
10	EA	OMNIR11-2	1 1/2" OMNI R2 8 WHL USG	494.65	4,946.50
20	EA	OMNIR2	2" OMNI R2 8 WHL USG	694.03	13,880.60
75	EA	MXU520MSP	MXU 520 M SINGLE PORT T/C	143.16	10,737.00
650	EA	MXU520MDP	MXU 520 M DUAL PORT T/C	190.18	123,617.00

This quote for the product and services named above is subject to the following terms:

1. All quotes are subject to the Aqua-Metric Terms of Sales.
2. Quote is valid for thirty days.
3. Freight allowed on single orders exceeding \$10,000.00.
4. Net Thirty Days to Pay.
5. Returned production may be subject to a 25% restocking fee.
6. Sales Tax and/or Freight charges are approximated and may vary on final invoice.

Subtotal	348,990.10
Sales Tax	0.00
Total	348,990.10

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: 1/3/2022

Topic:

Approve Resolution No. 2022-04, a Resolution of the City Council of the City of Tomball, Texas, calling for a Public Hearing on February 7, 2022, for the creation of a Public Improvement District 12, also known as Winfrey Estates and being located within the City of Tomball.

Background:

Resolution No. 2022-04 pertains to Tomball Public Improvement District 12, also known as Winfrey Estates, which encompasses approximately 34.4945 acres located on the west side of FM 2978 at Winfrey Lane. The Resolution will accept the PID petition received from CHTA Development, Inc., and call for the Public Hearing on February 7, 2022.

The property was rezoned to Planned Development 15 in April 2021 and will include 115 residential homes with an estimated cost of authorized improvements of \$5,500,000.00.

Origination: CHTA Development Inc.

Recommendation:

Staff recommends approving the PID Petition and calling for the Public Hearing.

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

RESOLUTION NO. 2022-04

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS, CALLING FOR A PUBLIC HEARING
ON THE CREATION OF A PUBLIC IMPROVEMENT
DISTRICT BEING LOCATED WITHIN THE CITY OF
TOMBALL**

* * * * *

WHEREAS, the City Council (the “City Council”) of the City of Tomball, Texas (the “City”) has received a petition (the “Petition”) requesting creation of a public improvement district (the “PID”) under Chapter 372 of the Texas Local Government Code (the “Act”), from the record owners of taxable real property representing more than fifty percent (“50%”) of the appraised value of the real property liable for assessment (as determined by the most recent certified appraisal roll for Harris County) in the proposed PID and the record owners of taxable real property that constitute more than 50% of all of the area of all taxable real property that is liable for assessment in the proposed PID; and

WHEREAS, the Petition, a copy of which is attached hereto as Exhibit 1, has been examined, verified, and found to meet the requirements of Sections 372.005(a) and 372.005(b) of the Act and to be sufficient for consideration by the City Council; and

WHEREAS, the boundaries of the proposed PID are described in the Exhibit A to the Petition and shown on the map attached to the Petition as Exhibit B, said area for the PID being within the City; and

WHEREAS, the City Council accepts the Petition and desires to schedule a public hearing to consider the creation of the PID to finance the following public improvements (collectively, the "Authorized Improvements"): (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization,

landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) design, construction and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction and other allowed costs related to gas, water, wastewater and drainage (including detention) improvements and facilities; (v) design, construction and other allowed costs related to projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property, **NOW, THEREFORE**

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

SECTION 1: That a public hearing is hereby scheduled at 6:00 P.M. on February 7, 2022, in the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375 to receive public comment on the creation of the PID in the area described in Exhibit A to the Petition and as shown on the map attached to the Petition as Exhibit B, pursuant to the Act; and

SECTION 2: That notice of said hearing, in the substantially final form set forth in Exhibit 2 attached hereto, with such changes as may be approved by the City's counsel, shall be published

in a newspaper of general circulation in the City and in a newspaper of general circulation in the City before the 15th day prior to the hearing as required by the Act; and

SECTION 3: That written notice, in the substantially final form set forth in Exhibit 2 attached hereto with such changes as may be approved by the City's counsel, shall be mailed to each property owner, as reflected on the tax rolls, of property subject to assessment within the PID, before the 15th day prior to the date set for the hearing; and

SECTION 4: That all of the above recitals are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein; and

SECTION 5: That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision; and

SECTION 6: That this Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

PASSED, APPROVED, AND RESOLVED this ___ day of January 2022.

Gretchen Fagan
Mayor

ATTEST:

Doris Speer
City Secretary

EXHIBIT 1

PETITION
(see attached Petition)

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT
WITHIN THE CITY OF TOMBALL, TEXAS**

This petition ("Petition") is submitted and filed with the City Secretary of the City of Tomball, Texas ("City"), by CHTA Development, Inc., a Texas corporation (the "Petitioner"), the owner of the approximately 34.4945 acres described in Exhibit "A" ("Property") located within the proposed boundaries of the District, as hereinafter defined. Acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), the Petitioner requests that the City create a public improvement district (the "District"), encompassing the Property, which Property is located wholly within the corporate limits of the City. In support of this Petition, the Petitioner would present the following:

Section 1. General Nature of the Authorized Improvements. The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) design, construction and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction and other allowed costs related to gas, water, wastewater and drainage (including detention) improvements and facilities; (v) design, construction and other allowed costs related to projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 2. Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire, and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment administration and operation of the District, is \$8,500,000. The City will pay none of the costs of the proposed improvements from funds other than such assessments. The remaining costs of the proposed improvements will be paid from sources other than the City or assessments of property owners.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Section 5. Proposed Apportionment of Costs between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District and possible tax increment reinvestment zone revenue. The Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

Section 6. Management of the District. The Petitioner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. The Petitioner Requests Establishment of the District. The person(s) signing this Petition request(s) the establishment of the District, is duly authorized, and has the corporate authority to execute and deliver the Petition.

Section 8. Advisory Board. The Petitioner proposes that the District be established and managed without the creation of an advisory board. If an advisory board is created, the Petitioner requests that a representative of the Petitioner be appointed to the advisory board.

Section 9. Landowner(s). This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City, or other officer performing the functions of the municipal secretary, in support of the creation of the District by the City Council of the City as herein provided. The undersigned request that the City Council of the City call a public hearing on the advisability of the Authorized Improvements, give notice thereof as provided by law and grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner may show itself to be entitled.

RESPECTFULLY SUBMITTED, on this the 29 day of December, 2021.

PETITIONER

CHTA Development, Inc., a Texas corporation


By: 
Name: Eric Kymowitz
Title: President

EXHIBIT A

Metes and Bounds Description

All of Peck Station, a subdivision of 34.4945 acres in Harris County, Texas, according to the map or plat thereof recorded in/under Film Code No. 666109 of the Map/Plat Records of Harris County, Texas.

Exhibit B

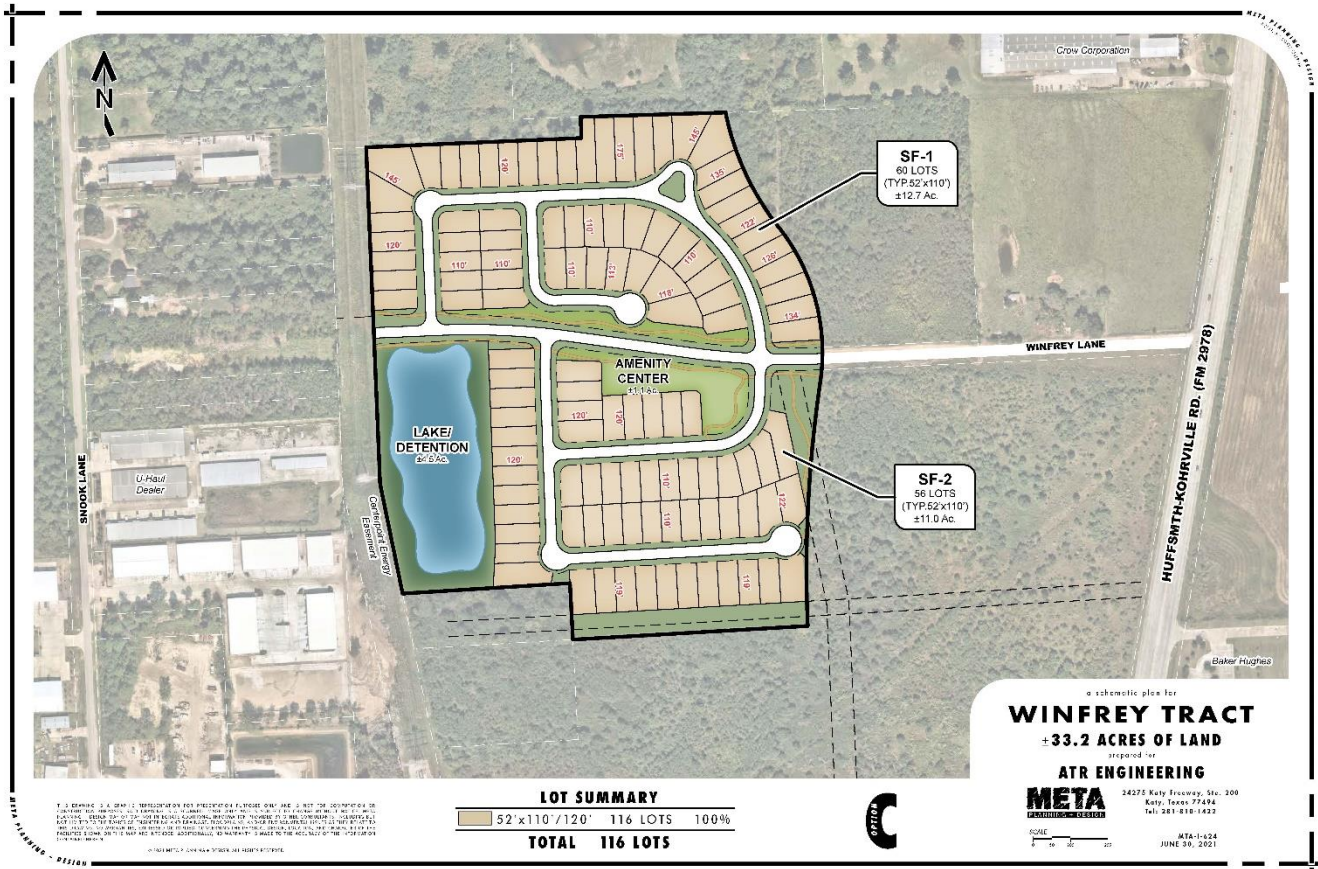


EXHIBIT 2

NOTICE OF PUBLIC HEARING OF THE CITY OF TOMBALL, TEXAS TO CONSIDER THE ADVISABILITY OF THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO MAKE CERTAIN IMPROVEMENTS OVER CERTAIN PROPERTY LOCATED WITHIN THE CITY.

NOTICE IS HEREBY GIVEN THAT the City Council (the "City Council") of the City of Tomball, Texas (the "City"), pursuant to Chapter 372 of the Texas Local Government Code, as amended (the "Act"), will hold a public hearing at 6:00 p.m. on February 7, 2022, in the City Council Chamber at Tomball City Hall, 401 Market Street, Tomball, Texas 77375 for the purpose of considering the establishment by the City of a public improvement district to be located within the extraterritorial jurisdiction of the City.

In accordance with the Act, the City Council has received a petition (the "Petition") from certain property owners within the extraterritorial jurisdiction of the City (the "Petitioners"), that requests the establishment of a public improvement district (the "PID"). The Petition and the legal description of the property to be included in the PID are on file and open for public inspection in the office of the City Secretary at 401 Market Street, Tomball, Texas 77375. The public hearing is being held with respect to the advisability of creating the PID and the improvements to be made therein.

GENERAL NATURE OF THE AUTHORIZED IMPROVEMENTS: The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) design, construction and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction and other allowed costs related to gas, water, wastewater and drainage (including detention) improvements and facilities; (v) design, construction and other allowed costs related to projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

ESTIMATED COST OF THE AUTHORIZED IMPROVEMENTS: The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment, administration and operation of the PID is \$8,500,000 plus the annual cost of supplemental services and operation and maintenance costs, if any. The City will pay no costs of the Authorized Improvements, supplemental services or operation and maintenance costs from funds other than assessments levied on property within the PID. The remaining costs of the proposed improvements will be paid from sources other than those described above.

PROPOSED METHOD OF ASSESSMENT: The City shall levy assessments on each parcel within the PID in a manner that results in the imposition of an equal share of the costs of the Authorized Improvements on property similarly benefitted by such Authorized Improvements. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot, or per square foot of property benefiting from the Authorized Improvements, as determined by the City, (ii)

ad valorem taxable value of the property benefiting from the Authorized Improvements, with or without regard to improvements on the property, or (iii) in any manner that results in imposing equal shares of the cost on property similarly benefitted.

PROPOSED APPORTIONMENT OF COSTS BETWEEN THE CITY AND THE PID: The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the PID and from other sources of funds available to the Petitioners.

BOUNDARIES OF THE PROPOSED PID: 34.495 Acres of Land within the City of Tomball, Harris County, Texas, Said Property Being Generally Located 0.2 miles from the future intersection of Winfrey Lane (unimproved) and FM 2978, and is APPROXIMATELY 3,275 FEET North of FM 2920, APPROXIMATELY 3,375 FEET South of E. Hufsmith Rd, APPROXIMATELY 845 FEET East of Snook Lane and APPROXIMATELY 1,100 FEET West of FM 2978 (Hufsmith Kohrville Rd.). **A metes and bounds description is available for inspection at the offices of the City Secretary at the location described above.**

All interested persons are invited to attend such public hearing to express their views with respect to the establishment of the PID and the Authorized Improvements to be made therein.

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

THE CITY OF TOMBALL, TEXAS

PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF TOMBALL, TEXAS

This petition ("Petition") is submitted and filed with the City Secretary of the City of Tomball, Texas ("City"), by CHTA Development, Inc., a Texas corporation (the "Petitioner"), the owner of the approximately 34.4945 acres described in Exhibit "A" ("Property") located within the proposed boundaries of the District, as hereinafter defined. Acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), the Petitioner requests that the City create a public improvement district (the "District"), encompassing the Property, which Property is located wholly within the corporate limits of the City. In support of this Petition, the Petitioner would present the following:

Section 1. General Nature of the Authorized Improvements. The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) design, construction and other allowed costs related to street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) design, construction and other allowed costs related to improvement of parks and open space, together with any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) design, construction and other allowed costs related to sidewalks and landscaping and hardscaping, fountains, lighting and signage; (iv) design, construction and other allowed costs related to gas, water, wastewater and drainage (including detention) improvements and facilities; (v) design, construction and other allowed costs related to projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (v) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (v) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 2. Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire, and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment administration and operation of the District, is \$8,500,000. The City will pay none of the costs of the proposed improvements from funds other than such assessments. The remaining costs of the proposed improvements will be paid from sources other than the City or assessments of property owners.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

Section 4. Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Section 5. Proposed Apportionment of Costs between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District and possible tax increment reinvestment zone revenue. The Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

Section 6. Management of the District. The Petitioner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. The Petitioner Requests Establishment of the District. The person(s) signing this Petition request(s) the establishment of the District, is duly authorized, and has the corporate authority to execute and deliver the Petition.

Section 8. Advisory Board. The Petitioner proposes that the District be established and managed without the creation of an advisory board. If an advisory board is created, the Petitioner requests that a representative of the Petitioner be appointed to the advisory board.

Section 9. Landowner(s). This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City, or other officer performing the functions of the municipal secretary, in support of the creation of the District by the City Council of the City as herein provided. The undersigned request that the City Council of the City call a public hearing on the advisability of the Authorized Improvements, give notice thereof as provided by law and grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner may show itself to be entitled.

RESPECTFULLY SUBMITTED, on this the 29 day of December, 2021.

PETITIONER

CHTA Development, Inc., a Texas corporation


By: 
Name: Eric Hymowitz
Title: President

EXHIBIT A

Metes and Bounds Description

All of Peck Station, a subdivision of 34.4945 acres in Harris County, Texas, according to the map or plat thereof recorded in/under Film Code No. 666109 of the Map/Plat Records of Harris County, Texas.

City Council Meeting

Agenda Item

Data Sheet

Meeting Date: January 3, 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. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session

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

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>12-27-2021</u>	Approved by	_____
	Staff Member	Date		City Manager
				Date

City Council Meeting Agenda Item Data Sheet

Meeting Date: January 3, 2022

Topic:

Confirm the Appointment of the Director of Public Works by the City Manager

Background:

Origination: David Esquivel, City Manager, per Section 7.10, Home Rule Charter

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>12-27-2021</u>	Approved by	_____
	Staff Member	Date		City Manager Date