

ORDINANCE NO. 2016-26

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
TOMBALL, TEXAS CONSENTING TO THE CREATION OF HARRIS
COUNTY IMPROVEMENT DISTRICT NO. 17 AND CONSENTING TO
THE ANNEXATION OF LAND INTO SAID DISTRICT**

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WHEREAS, Harris County Improvement District No. 17 (the "District") was created by special law of the Legislature of the State of Texas in the 81st Regular Session, as codified at Chapter 8391, Special District Local Laws Code, and described on **Exhibit "A"** attached hereto (the "District Legislation"); and

WHEREAS, the Board of Directors of the District (the "Board") submitted to the City of Tomball, Texas (the "City") a Petition for Consent to Creation, attached hereto as **Exhibit "B"** and made a part hereof for all purposes, requesting that the City give its consent to the creation of the District;

WHEREAS, the District and the owner of a tract of land containing 3.2526 acres submitted to the City a Petition for Consent to Annex Land into an Improvement District, attached hereto as **Exhibit "C"** and made a part hereof for all purposes, requesting that the City give its consent to the annexation of the land described said petition into the boundaries of the District; and

WHEREAS, the City Council of the City desires to adopt Ordinance No. 2016-26 as set forth herein for the purpose of consenting to the creation of the District and consenting to the annexation of the land described in Exhibit "C" attached hereto into the boundaries of the District.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals to this Ordinance are true and correct and are incorporated herein and made a part hereof.

Section 2. Consent to Creation of District. The City hereby consents to the creation of Harris County Improvement District No. 17 as described in the District Legislation.

Section 3. Consent to District Annexation of Land. The City hereby consents to the District's annexation of the land described in Exhibit C attached hereto into the boundaries of the District.

Section 4. Consents Effective. The consents granted in this Ordinance are given by the City in full satisfaction of any requirements for district consents contained in any statute or otherwise required by law, rule, regulation or policy including, but not limited to, consents required by the District Legislation, the Texas Water Code, as amended, the Texas Local Government Code, as amended, any rules, regulations, or policies of the Texas Commission on Environmental Quality, or any rules, regulations, or policies of the Texas Attorney General. The consents granted and the provisions set forth in this Ordinance shall supersede any prior consents.

Section 5. Exhibits. All exhibits to this Ordinance are attached hereto and incorporated herein for all purposes.

Section 6. That the City Council officially finds, determines, recites and declares 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 was open to the public as required by law at all times during which this ordinance and the subject matter thereof was discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and is accordingly so ordained.

FIRST READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 3RD DAY OF OCTOBER 2016.

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

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 17TH DAY OF OCTOBER 2016.

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

Gretchen Fagan
GRETCHEN FAGAN, MAYOR
City of Tomball

ATTEST:

APPROVED AS TO FORM:

Doris Speer
Doris Speer
City Secretary

Loren Smith
Loren Smith
City Attorney