

ORDINANCE NO. 2014-05

AN ORDINANCE OF THE CITY COUNCIL OF THE TOMBALL, TEXAS, APPROVING THE FIRST AMENDED AND RESTATED SERVICE AND ASSESSMENT PLAN FOR THE CITY OF TOMBALL PUBLIC IMPROVEMENT DISTRICT (PID) NO. 2, FOR THE RALEIGH CREEK SUBDIVISION

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WHEREAS, the City of Tomball (“City) is authorized pursuant to Tex. Local Government Code, Ch. 372, as amended to create public improvement districts for the purposes described therein; and

WHEREAS, the City has received a petition requesting the creation of the PID Number Two, held a public hearing and created the PID in accordance with the applicable provisions of Chapter 372; and

WHEREAS, in April 2007, the City of Tomball City Council approved Resolution No. 2007-22 establishing the City of Tomball PID Number Two; and

WHEREAS, On September 3, 2013, the City of Tomball City Council approved Ordinance No. 2013-13 approving the Service and Assessment Plan for the City of Tomball PID Number Two; and

WHEREAS, the City Council wishes to adopt a First Amended and Restated the Service and Assessment Plan with respect to the PID; **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 hereby found to be true and correct.

Section 2. The First Amended and Restated Service and Assessment Plan attached to this Ordinance as Exhibit A is hereby approved and adopted on behalf of the PID and 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. 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 Act, 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 3RD DAY OF MARCH 2014

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN DODSON	<u>AYE</u>

SECOND READING:

READ, PASSED AND APPROVED AS SET OUT BELOW AT THE MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 17TH DAY OF MARCH 2014

COUNCILMAN HUDGENS	<u>AYE</u>
COUNCILMAN STOLL	<u>AYE</u>
COUNCILMAN DEGGES	<u>AYE</u>
COUNCILMAN TOWNSEND	<u>AYE</u>
COUNCILMAN DODSON	<u>AYE</u>

Gretchen Fagan
GRETCHEN FAGAN, MAYOR

ATTEST:

Doris Speer
DORIS SPEER, CITY SECRETARY

Approved as to form:

Scott Bounds
SCOTT BOUNDS, City Attorney