

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



MONDAY, JULY 15, 2013

6:00 P.M.

Notice is hereby given of a meeting of the Tomball City Council, to be held on Monday, July 15, 2013 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Tomball City Council reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1.0 Call to Order

2.0 Invocation

- Led by Dean Unsicker, Director, Rosehill Christian School

3.0 Pledges to U.S. and Texas Flags

- Led by Members of Troop #471

4.0 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.]

5.0 Presentations:

- ***New City of Tomball Police Department Employees***
 - *Police Officer:*
 - Craig Swinghammer
 - Joshua Littell
 - *Public Service Officers:*
 - John Dillon
 - Helen Taylor
 - *Dispatchers:*
 - Brian Blue
 - Avery Harrison

6.0 Reports and Announcements

- **June 10—July 29, 2013, Tomball Kids Club! – Every Monday, Wednesday and Friday.** from 11:00 a.m. to 1:00 p.m. at **MLK Park, 403 Chestnut Street** – Sponsors: **H-E-B, Buffalo Wild Wings, Cisco’s Salsa Company, Salem Lutheran Ministries and Tomball Bible Church**
- **July 19, 2013 – Friday Night Creature Feature – *Invasion of the Body Snatchers***
- **August 5, 2013 – Public Hearing** on FY 2013-2014 Budget – 6:00 p.m.
- **August 6, 2013 – Mayor’s Coffee – 5:00 p.m.-7:00 p.m.** – 207 Commerce (*Sol de Luna*)
- **August 16, 2013 – Friday Night Creature Feature – *THEM!***
- **August 19, 2013 – Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors for Terms Expiring September 1, 2013**
- **September 28, 2013 – *Bugs, Brew & Barbecue, VW Show and MusicFest* – 9:00 a.m.-6:00 p.m.**
- **October 26, 2013 – *Tomball Bluegrass Festival* – 11:00 a.m.-7:00 p.m.**
- ***Walk Tomball!* – Every Saturday at 8:00 a.m. at the Depot**
- **Reports by City staff and members of council about items of community interest on which no action will be taken:**
 - Randy Parr and Mike Baxter – Results of the City of Tomball July 4th Celebration
 - David Kaufman - Update regarding Baker Street Water Well Rehabilitation

7.0 Approve the Minutes of the July 1, 2013 Special City Council Meeting and the July 1, 2013 Regular City Council Meeting.

8.0 New Business:

- 8.1 Adopt, on First Reading, Ordinance No. 2013-08, an Ordinance of the City of Tomball, Texas, Establishing the Tomball Legacy Fund for the Purpose of Receiving Private and/or Corporate Grant Funds; said Funds to be used on

Behalf of the City of Tomball, Texas for Projects serving the Tomball Community; Providing for the Selection of Six (6) Members to Comprise the Tomball Legacy Fund Board of Directors and for the Manner of Selection and Period of Service of Such Members; Providing for Duties and Procedures for the Tomball Legacy Fund Board of Directors; Containing Recitations; Finding that the Meetings at which This Ordinance is Considered are open to the Public; Providing for Severability and the Repeal of Conflicting Ordinances; and Providing Other Details Relating to the Passage of This Ordinance.

- 8.2 Approve **RALEIGH CREEK SECTION ONE FINAL PLAT**: A subdivision of 142.8407 Acres in the Joseph Miller Survey, Abstract Number 50, Harris County, Texas
- 8.3 Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):
- Sec. 551.071 – Private Consultation with Attorney in Closed Meeting regarding Pending or Threatened Litigation or a Matter that the Duty of the Attorney Requires be Discussed in Closed Session.
- 8.4 The Tomball City Council may continue with the Workshop Session regarding the Fiscal Year 2013-2014 Budget

9.0 Adjournment

CERTIFICATION

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 11th day of July 2013 by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Doris Speer _____
Doris Speer
City Secretary, TRMC

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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

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

Regular City Council
Agenda Item
Data Sheet

Meeting Date: July 15, 2013

Topic:

- Led by Dean Unsicker, Director, Rosehill Christian School

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular City Council
Agenda Item
Data Sheet

Meeting Date: July 15, 2013

Topic:

- Led by Members of Troop #471

Background:

Origination:

Recommendation:

Funding:

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

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular City Council Agenda Item Data Sheet

Meeting Date: July 15, 2013

Topic:

- ***New City of Tomball Police Department Employees***
 - *Police Officer:*
 - Craig Swinghammer
 - Joshua Littell
 - *Public Service Officers:*
 - John Dillon
 - Helen Taylor
 - *Dispatchers:*
 - Brian Blue
 - Avery Harrison

Background:**Origination:**

Tomball Police Department

Recommendation:

N/A

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

City Secretary

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular City Council Agenda Item Data Sheet

Meeting Date: July 15, 2013

Topic:

- **June 10—July 29, 2013, Tomball Kids Club! – Every Monday, Wednesday and Friday.** from 11:00 a.m. to 1:00 p.m. at **MLK Park, 403 Chestnut Street** – Sponsors: **H-E-B, Buffalo Wild Wings, Cisco’s Salsa Company, Salem Lutheran Ministries and Tomball Bible Church**
- July 19, 2013 – **Friday Night Creature Feature – *Invasion of the Body Snatchers***
- August 5, 2013 – **Public Hearing** on FY 2013-2014 Budget – 6:00 p.m.
- August 6, 2013 – **Mayor’s Coffee – 5:00 p.m.-7:00 p.m.** – 207 Commerce (*Sol de Luna*)
- August 16, 2013 – **Friday Night Creature Feature – *THEM!***
- August 19, 2013 – Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors for Terms Expiring September 1, 2013
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- October 26, 2013 – ***Tomball Bluegrass Festival*** – 11:00 a.m.-7:00 p.m.
- ***Walk Tomball!*** – Every Saturday at 8:00 a.m. at the Depot
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Randy Parr and Mike Baxter – Results of the City of Tomball July 4th Celebration
 - David Kaufman - Update regarding Baker Street Water Well Rehabilitation

Background:

Origination:

Various

Recommendation:

N/A

Funding:

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

City Secretary

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Tomball Kids Club

Friday Night Creature Feature

August 5, 2013 – Public Hearing on FY 2013-2014 Budget

David Kaufman - Update regarding Baker Street Water Well Rehabilitation



Tomball Kid's Club



Hosted by



Partnership with

Buffalo Wild Wings, Cisco Salsa Company & Salem Lutheran

June 10th - July 29th

Every Monday, Wednesday & Friday

11am-1pm

**MLK Community Park, Tomball
(403 S. Chestnut)**

<u>Date</u>	<u>Activity</u>	<u>Presenter</u>
Monday, June 10th Wednesday June 12th Friday, June 14 th	Lowe's Wiffleball Waterpark Fun	HEB Buffalo Wild Wings Cisco's Salsa Company
Monday, June 17th Wednesday, June 19 th Friday, June 21st	Pet's a Plenty Kickball Parachute Fun	HEB Buffalo Wild Wings Salem Lutheran
Monday, June 24 th Wednesday, June 26th Friday, June 28th	HEB Hut, Hut, Hike Waterpark Fun	HEB Buffalo Wild Wings Cisco's Salsa Company
Monday, July 1st Wednesday, July 3rd Friday, July 5th	YMCA Magnolia/Tomball 3 rd of July Fun Day Trash Can Derby	HEB Buffalo Wild Wings Salem Lutheran
Monday, July 8th Wednesday, July 10th Friday, July 12th	Tomball Police Department Wiffleball Tourney Waterpark Fun	HEB Buffalo Wild Wings Cisco's Salsa Company
Monday, July 15th Wednesday, July 17th Friday July 19th	Centerpoint Energy Kickball Tourney Frisbee Breakout	HEB Buffalo Wild Wings Salem Lutheran
Monday, July 22nd Wednesday, July 24th Friday, July 26th	Lone Star College-Tomball End of Summer BLOWOUT Waterpark Fun	HEB Buffalo Wild Wings Cisco's Salsa company
Monday, August 13 th	End of Program Party	HEB, Buffalo Wild Wings, Cisco's Salsa Company and Salem Lutheran

THE CITY OF TOMBALL PRESENTS
**FRIDAY NIGHT
CREATURE FEATURES
AT THE DEPOT**



**Creature From The
Black Lagoon
June 21, 2013**



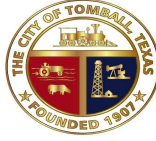
**Invasion Of The
Body Snatchers
July 19, 2013**



**THEM!
August 16, 2013**

FREE ADMISSION * FREE PARKING * BRING YOUR LAWN CHAIR * STARTS AT DARK

**NOTICE OF PUBLIC HEARING
at the
TOMBALL CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



Draft

MONDAY, AUGUST 5, 2013

6:00 P.M.

Notice is hereby given that a **PUBLIC HEARING** will be held by the Tomball City Council, as the Governing Body of the City of Tomball, at a Regular Council Meeting on Monday August 5, 2013 at 6:00 p.m., at City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following:

**Public Hearing for the Purpose of Adopting
the City of Tomball's Budget for
Fiscal Year 2013-2014.**

This Budget will raise LESS total property taxes than last year's Budget by \$10,000 (0.6712%); a portion of that amount will be raised from new property added to the roll this year.

A copy of the Proposed Budget, as submitted to City Council and filed in the City Secretary's office, will be available for public inspection at the office of the City Secretary, 401 Market Street, Tomball, Texas, Monday through Thursday, 7:45 a.m. to 5:00 p.m., and Friday, 7:45 a.m. to 4:00 p.m., beginning on **August 2, 2013**.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the **17th** day of July 2013 by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

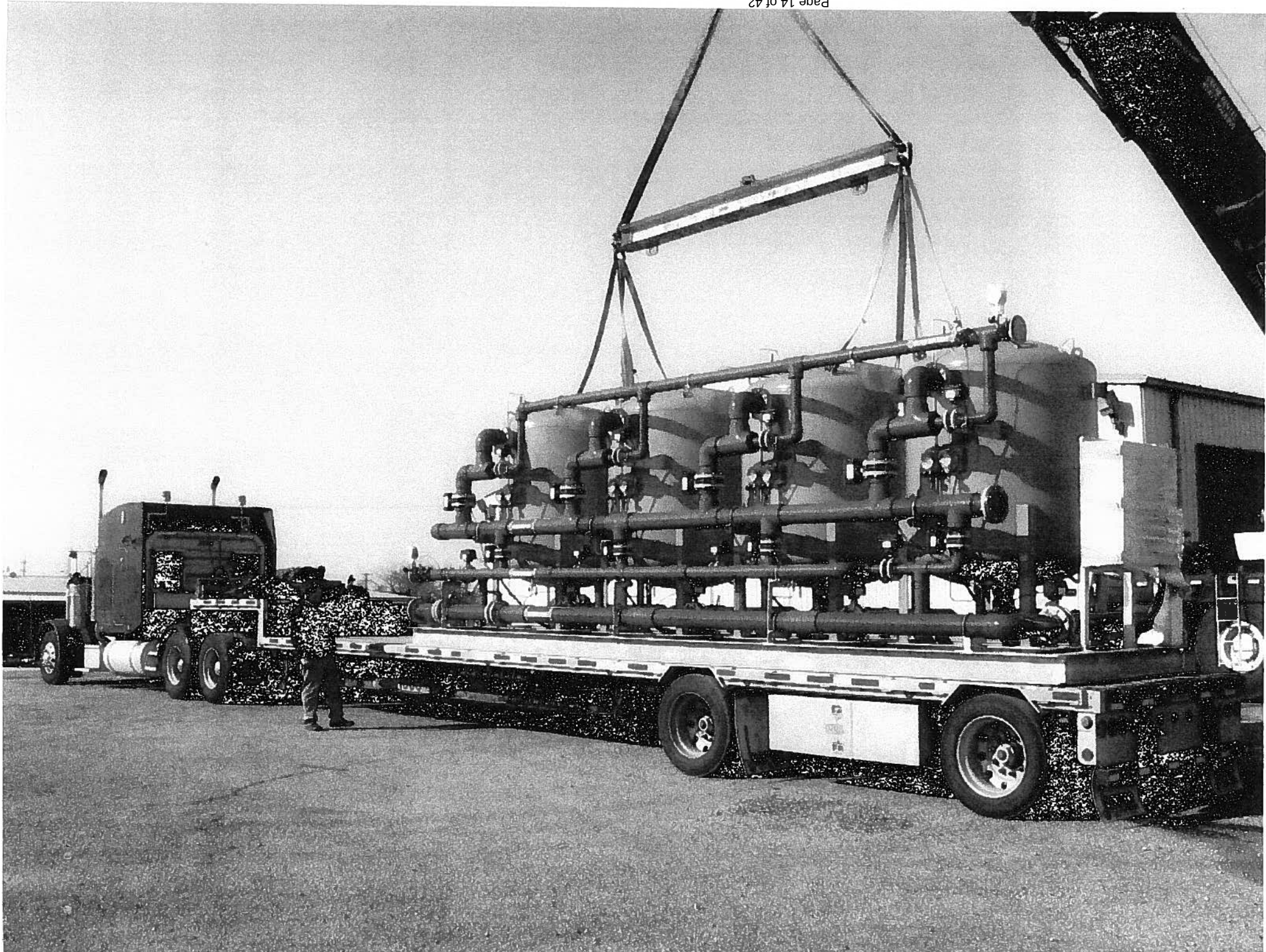
Doris Speer
Doris Speer, City Secretary, TRMC

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 feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Baker St. Water Well Rehabilitation - Expense Summary

Budget = \$120,000.00

Expenses to date	Pull and inspect piping and pump, water quality analysis, brush casing and screens, chem. treatment	\$77,390.00
Mechanical Rehab Options		
Option I	new pump and 560' of pump shaft	\$97,717.50
Option II	new submersible pump - lowering 60'	\$69,260.00
Additional Chemical Treatment	Chlorine washing and flushing	\$10,000.00
Total - Option I	Mechanical rehab only	\$185,107.50
Total - Option II	Mechanical rehab only	\$156,650.00
H2S Treatment System	Removes H2S and Manganese	\$386,000.00
Pilot Study	Required by TCEQ - to determine actual treatment flows per cell and develop final scope	\$25,000.00
Engineering	20%	\$82,200.00
Total Costs	Total mechanical rehab and H2S treatment system - using Option II	\$649,850.00



Regular City Council Agenda Item Data Sheet

Meeting Date: July 15, 2013

Topic:

Approve the Minutes of the July 1, 2013 Special City Council Meeting and the July 1, 2013 Regular City Council Meeting.

Background:**Origination:**

City Secretary

Recommendation:

N/A

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

City Secretary

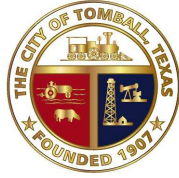
ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Draft Minutes - July 1, 2013 Special City Council Meeting

Draft Minutes - July 1, 2013 Regular City Council Meeting

MINUTES OF SPECIAL CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



MONDAY, JULY 1, 2013

5:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 5:00 p.m. by Mayor Gretchen Fagan. Other members present were:

Councilman Townsend
Councilman Hudgens
Councilman Stoll
Councilman Brown
Councilman Dodson

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
Finance Director – Glenn Windsor
HR Director – Lisa Coe
Police Chief – Robert Hauck
Director of Public Works – David Kauffman
Fire Chief – Randy Parr
Community Development Director – Craig Meyers
Marketing Director – Mike Baxter
City Planner – Rebeca Guerra
City Engineer – Lori Lakatos
IT Director – Doug Tippey
Fire Marshal – Doug Sanguedolce

2.0 No public comments were received.

3.0 Workshop Session:

- 3.1 The Tomball City Council entered into a Workshop Session regarding the Fiscal Year 2013-2014 Budget.

George Shackelford provided an overview/summary of the proposed budget for Fiscal Year 2013-2014

Council input and direction was given regarding changes; revisions to the proposed budget for Fiscal Year 2013-2014 will be presented to Council for consideration at the July 15, 2013 Special Council meeting.

4.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

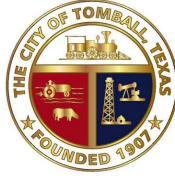
Meeting adjourned.

PASSED AND APPROVED this the _____ day of _____ 2013.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, JULY 1, 2013
6:00 P.M.**

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Gretchen Fagan. Other members present were:

Councilman Townsend
Councilman Hudgens
Councilman Stoll
Councilman Brown
Councilman Dodson

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Loren Smith
Finance Director – Glenn Windsor
HR Director – Lisa Coe
Police Chief – Robert Hauck
Director of Public Works – David Kauffman
Fire Chief – Randy Parr
Community Development Director – Craig Meyers
Marketing Director – Mike Baxter
City Planner – Rebeca Guerra
City Engineer – Lori Lakatos
IT Director – Doug Tippet
Fire Marshal – Doug Sanguedolce
Chief-NWEMS – Raul Reyes

2.0 Invocation

- Led by Rick Brown, Senior Pastor, ChristBridge Fellowship Church

3.0 Pledges to U. S. and Texas Flags

- Led by Randy Parr, Fire Chief

4.0 The following public comment was received:

- | | |
|---|---|
| Tina Roquemore
614 N. Hickory, 77375 | - Expressed her opposition to the proposed BMX facility in Tomball. |
| Pat Bailey
1319 Dove Trails, 77375 | - Expressed her opposition to the proposed BMX facility in Tomball. |

5.0 Reports and Announcements:

- **June 10 thru July 29, 2013 – Tomball Kids Club! Every Monday, Wednesday and Friday**, from 11:00 a.m. to 1:00 p.m. at **MLK Park**, 403 Chestnut Street – Sponsors: ***H-E-B, Buffalo Wild Wings, Cisco's Salsa Company, Salem Lutheran Ministries and Tomball Bible Church***
- July 4, 2013 – **City of Tomball July 4th Celebration** – 3:00 p.m.-10:00 p.m.
- July 13, 2013 – **2nd Saturday at the Depot** – 6:30 p.m.
- July 15, 2013 – **Budget Workshop** on FY 2013-2014 Budget – **5:00 p.m.**
- July 19, 2013 – **Friday Night Creature Feature – *Invasion of the Body Snatchers***
- August 5, 2013 – **Public Hearing** on FY 2013-2014 Budget – 6:00 p.m.
- August 16, 2013 – **Friday Night Creature Feature – *THEM!***
- ***Walk Tomball!*** – Every Saturday at 8:00 a.m. at the Depot (**New Time**)
- Reports by City staff and members of council about items of community interest on which no action will be taken
 - David Kaufman presented TxDOT's Engineering Assessment of Existing Traffic Signals on Main Street.
 - Mayor Fagan presented Glenn Windsor with the **Government Finance Officers Association Distinguished Budget Award** for the City's Budget Document, on behalf of the City of Tomball.

6.0 Motion was made by Councilman Stoll, second by Councilman Dodson, to approve the Minutes of the June 17, 2013 Regular City Council Meeting.

Motion carried unanimously.

7.0 New Business:

- 7.1 Presentation was made by Mike McIntyre and John Purse regarding the proposed BMX facility and request to enter into an agreement with City for use of City-owned property for the proposed facility.

No action taken.

- 7.2 Motion was made by Councilman Dodson, second by Councilman Townsend, to approve Resolution No. 2013-20, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Annual "Dance at the Depot", to be held at the Tomball Depot, Sponsored by the Tomball High School Cheerleader Booster Club, on Saturday, October 5, 2013.

Motion carried unanimously.

- 7.3 Motion was made by Councilman Townsend, second by Councilman Dodson, to approve the Encroachment Agreement for Unimproved Alley Platted as Lot 1 of Northwest Houston Heart Center and Authorize Mayor to Execute Agreement

Motion carried unanimously.

- 7.4 Motion was made by Councilman Brown, second by Councilman Dodson, to approve the Resale Deed for Property acquired by Foreclosure Tax Sale in Cause No. 2001-40381, styled City of Tomball, et al vs. The Delinquent Taxes of Isebell Cranfill Campbell, said Property being described as: Lots 42 and 60, Block 46 in the Town of Tomball, in Harris County, Texas, and being more particularly described in map of said addition recorded in Volume 983, Page 182, of the Map of Records of Harris County, Texas (Account Nos. 035-267-046-0042 and 035-267-046-0060) and Authorize the Mayor to Execute the Resale Deed.

Motion carried unanimously.

- 7.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to award Contract Bid for Project No. 2013-02, the Construction of the Public Works Building Generator to C.F. McDonald Electric, in the amount of \$129,369.00.

Motion carried unanimously.

- 7.6 Motion was made by Councilman Dodson, second by Councilman Brown, to award Contract for Project No. 2013-05 (Annual Asphalt Improvements), in the amount of \$128,400.00, to Low Bidder, Forde Construction Company, Inc.

Motion carried unanimously.

- 7.7 Motion was made by Councilman Townsend, second by Councilman Stoll, to set August 5, 2013 at 6:00 p.m. as the Date for the Public Hearing on the FY 2013-2014 Budget, as presented to Council by the City Manager.

Motion carried unanimously.

- 7.8 Weingarten Realty presented Appeal to the City Council regarding the calculations and resulting first payment in connection with the 380 Agreement between the City of Tomball and Weingarten Realty.

No action taken.

- 7.9 Executive Session: The Tomball City Council recessed at 7:42 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose:

- Sec. 551.071 - Private Consultation with Attorney in Closed Meeting Regarding a Matter that the Duty of the Attorney Requires be Held in Closed Session

Upon reconvening into Regular Session at 8:31 p.m., the following items were considered:

- 7.10 No action was taken by Council regarding Weingarten Realty's appeal to City Council regarding the calculations and resulting first payment in connection with the 380 Agreement between the City of Tomball and Weingarten Realty.
- 7.11 The Tomball City Council did not continue with the Workshop Session regarding the Fiscal Year 2013-2014 Budget.
- 8.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 15th day of July 2013.

Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Mayor

Regular City Council

Agenda Item

Data Sheet

Meeting Date: July 15, 2013

Topic:

Adopt, on First Reading, Ordinance No. 2013-08, an Ordinance of the City of Tomball, Texas, Establishing the Tomball Legacy Fund for the Purpose of Receiving Private and/or Corporate Grant Funds; said Funds to be used on Behalf of the City of Tomball, Texas for Projects serving the Tomball Community; Providing for the Selection of Six (6) Members to Comprise the Tomball Legacy Fund Board of Directors and for the Manner of Selection and Period of Service of Such Members; Providing for Duties and Procedures for the Tomball Legacy Fund Board of Directors; Containing Recitations; Finding that the Meetings at which This Ordinance is Considered are open to the Public; Providing for Severability and the Repeal of Conflicting Ordinances; and Providing Other Details Relating to the Passage of This Ordinance.

Background:

This item is for possible action on the creation of a 501(c)3 non-profit organization to supplement the City of Tomball's ability to fund various programs, projects, events, and other expenditures as approved by the by-laws of the Fund and approved by the Fund's board or directors.

We have been approached by a corporate donor that would like to sponsor some of our events and programs, but their corporate policies require that the donation be made to a non-profit, 501(c)3 organization.

This is done in other cities as a vehicle for accepting funding from corporate donors. If approved by the City Council, Ordinance No. 2013-08 will establish the creation of a board to direct the Fund, the adoption of by-laws for the Fund, and the application with the Internal Revenue Service (IRS) to create the organization. The non-profit designation from the IRS could take several months before the actual creation of the organization.

Origination:

Finance Director

Recommendation:

Adopt Ordinance No. 2013-08 on First Reading

Funding:

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

Glenn Windsor, CPA Finance Director

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Ordinance No. 2013-08

Proposed Bylaws of the Tomball Legacy Fund

ORDINANCE NO. 2013-08

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, ESTABLISHING THE TOMBALL LEGACY FUND FOR THE PURPOSE OF RECEIVING PRIVATE AND/OR CORPORATE GRANT FUNDS; SAID FUNDS TO BE USED ON BEHALF OF THE CITY OF TOMBALL, TEXAS FOR PROJECTS SERVING THE TOMBALL COMMUNITY; PROVIDING FOR THE SELECTION OF SIX (6) MEMBERS TO COMPRISE THE TOMBALL LEGACY FUND BOARD OF DIRECTORS AND FOR THE MANNER OF SELECTION AND PERIOD OF SERVICE OF SUCH MEMBERS; PROVIDING FOR DUTIES AND PROCEDURES FOR THE TOMBALL LEGACY FUND BOARD OF DIRECTORS; CONTAINING RECITATIONS; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE.

* * * * *

WHEREAS, the City Council finds it is appropriate to establish a 501(c)(3) organization, a nonprofit corporation created pursuant to the Nonprofit Corporation Act (the “Act”), for the purpose of receiving private and/or corporate grant funds, to be known as the Tomball Legacy Fund, to supplement the City of Tomball’s ability to fund various programs, projects, events and other expenditures benefitting the Tomball community; **now, therefore**,

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

Section 1.0 Recitations. Recitations stated above are hereby found to be true and correct.

Section 2.0. Members. The Tomball Legacy Fund Board shall be composed of six (6) individuals who shall be the members of the City Council of the City of Tomball.

Section 3.0. Selection and Term. The Mayor and City Council members shall serve in such capacity for a period coinciding with their respective terms of office with the City. Each Director must reside within the City and if such residence ceases, it shall be deemed as a resignation. Directors are removable by the governing body of the City at any time without cause. The Directors shall serve without compensation, unless compensation is proposed and approved by the City’s governing body, said compensation in no event to exceed the compensation of the elected officers of the City’s governing body, except that such Directors shall be reimbursed for their actual expenses incurred in the performance of their duties. Any vacancy occurring on the Board of Directors through death, resignation, or otherwise shall be filled by appointment by the governing body of the City, said appointee to hold office until the expiration of the relinquished term.

3.1 The periods of service of the members shall, for purpose of this Ordinance commence on August 5, 2013 and expire as noted above.

Section 4. Publication; Effective Date; Open Meetings. The City Secretary of the City of Tomball, Texas is hereby directed to publish this Ordinance in the official newspaper of the City of Tomball, Texas, in compliance with the provisions of Section 6.14(A) of the City Charter, which publication shall be sufficient if it contains the caption of this Ordinance. The Ordinance shall be effective after the publication requirement of the City Charter is satisfied.

It is found and determined that the meetings at which this Ordinance was considered were open to the public, as required by the Texas Open Meetings Act and that advance public notice of the time, place, and purpose of the meetings was given.

Section 5. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Tomball, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are to the extent of such inconsistency or conflict repealed.

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 5TH DAY OF AUGUST 2013.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN BROWN	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN DODSON	_____

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 19TH DAY OF AUGUST 2013.

COUNCILMAN HUDGENS	_____
COUNCILMAN STOLL	_____
COUNCILMAN BROWN	_____
COUNCILMAN TOWNSEND	_____
COUNCILMAN DODSON	_____

GRETCHEN FAGAN
Mayor

ATTEST:

DORIS SPEER
City Secretary

BYLAWS
OF THE
TOMBALL LEGACY FUND

These Bylaws govern the affairs of the TOMBALL LEGACY FUND (the "Corporation"), a Texas nonprofit corporation created pursuant to the Texas Non-profit Corporation Act (the "Act"), and other applicable laws.

ARTICLE I

PURPOSE
Public Purpose

- 1.01. The Corporation is incorporated as a nonprofit corporation for the purposes set forth in the Articles of Incorporation. The Corporation is a nonprofit corporation as defined by the Internal Revenue Code of 1986, as amended, and the applicable rulings of the Internal Revenue Service of the United States prescribed and promulgated thereunder.

Powers

- 1.02. In the fulfillment of its corporate purpose, the Corporation shall be governed by the Texas Nonprofit Corporation Act, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed herein.

ARTICLE II

OFFICES
Principal Office

- 2.01. The Corporation's principal office in Texas is located at 401 Market Street, Tomball, Texas, 77375.

Registered Office and Agent

- 2.02. The Corporation shall maintain a registered office and registered agent in Texas. The registered office may, but need not, be identical with the Corporation's

principal office in Texas. The Board of Directors may change the registered office and the registered agent as permitted by law.

ARTICLE III

BOARD OF DIRECTORS Management of the Corporation

- 3.01. The affairs of the Corporation shall be managed by the Board of Directors.

Number, Qualifications and Service of Directors

- 3.02. The business of the Corporation and all corporate powers shall be executed by or under authority of the Board of Directors (the "Board") subject to the limitations imposed by the Texas Nonprofit Corporation Act, the Texas Business Corporation Act, the Articles of Incorporation, and these Bylaws. The Board may, by contract, resolution, or otherwise, give general or limited or special power and authority to the officers and employees of the Corporation to transact the general business or any special business of the Corporation, and may give powers of attorney to agents of the Corporation to transact any special business requiring such authorization. The Board of Directors shall consist of the Mayor and City Council of the City of Tomball, Texas for terms concurrent with the respective terms of each member of the City Council.

Annual Meeting

- 3.03. The annual meeting of the Board of Directors shall be held during the month of May of each year. The Board shall designate the time and location of the annual meeting which shall be held in the principal offices of the corporation or at such other location as the Board may designate.

Regular Meetings

- 3.04. The Board of Directors may provide for regular meetings by resolution stating the time and place of such meetings. The meeting shall be held within the City of Tomball, Texas, and, to the extent practical, at the principal offices of the Corporation or at such other location as the Board may designate.

Special Meetings

- 3.05. Special meetings of the Board of Directors may be called at the request of the president or any two Directors. The person(s) calling the meeting shall fix the time and location of the meeting, which meeting shall be conducted within the City of Tomball, Texas, as provided above for regular meetings. The person(s)

calling a special meeting shall notify the secretary of the Corporation of the information required to be included in the notice of the meeting. In addition to the posting of a meeting notice in accordance with these Bylaws, a copy of each such meeting notice shall be delivered to each Director not less than seventy two (72) hours before the time of the meeting. A meeting notice shall be deemed delivered to any Director when delivered to the Director in person or deposited in the United States mail addressed to the Director at his or her address as it appears on the records of the Corporation. Such additional notice may be waived in writing by a Director at any time either before or after the time of the meeting and such additional notice shall be deemed waived by attendance.

Notice of Meetings; Open Meetings

- 3.06. Meetings of the Board of Directors are subject to the open meetings law, Chapter 551, Government Code.

Quorum

- 3.07. Four (4) Directors shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. The presence of a Director may not be established by proxy. No business shall be conducted, nor shall any action be taken by the Board, in the absence of a quorum.

Duties of Directors

- 3.08. Directors shall exercise ordinary business judgment in managing the affairs of the Corporation. In acting in their official capacity as Directors of the Corporation, Directors shall act in good faith and take actions they reasonably believe to be in the best interests of the Corporation or which would be lawful and shall refrain from actions not in the best interest of the Corporation or which would be unlawful. A Director shall not be liable if, in the exercise of ordinary care, the Director acts in good faith relying on written financial and legal statements provided by an accountant or attorney retained by the Corporation.

Actions of Board of Directors: Proxy Voting Prohibited

- 3.09. The vote of a majority of Directors present at a meeting at which a quorum is present shall be sufficient to constitute the act of the Board of Directors. The president shall be entitled to vote on all matters before the Board. A director may not vote by proxy.

Minutes

- 3.10. The Board of Directors will keep minutes of its meetings, which minutes will constitute the record of such meetings.

Committees of Directors

- 3.11. The Board of Directors may by resolution establish one or more special or standing committees of its members. Such committees shall have the powers, duties and responsibilities established by the Board. The committees shall keep regular minutes of their meetings and report the same to the Board when required. The action of such a committee shall not constitute action by the Board.

Compensation

- 3.12. The duly appointed members of the Board shall serve without compensation, but may be reimbursed for actual or commensurate cost of travel, lodging and incidental expenses while on official business of the Board in accordance with State law and the rules of the Board.

ARTICLE IV

OFFICERS

Officer Positions

- 4.01. The officers of the Corporation shall be a president, a vice president, a secretary, and a treasurer. The Board of Directors may create additional officer positions, define the authorities and duties of such additional positions and appoint persons to fill such positions. No person may hold more than one such office.

Election and Terms of Officers

- 4.02. The officers of the Corporation shall be elected annually by the Board of the Directors at the regular annual meeting.

Removal of Officers

- 4.03. Any officer may be removed by the Board of Directors at any time, with or without cause. The removal of an officer by the Board does not result in the removal of such person as a Director of the Corporation.

Vacancies

- 4.04. A vacancy in any office may be filled by the Board of Directors for the unexpired portion of the officer's term.

President

- 4.05. The president shall be the chief executive officer of the Corporation. The president shall supervise and control all of the business and affairs of the Corporation. The president shall preside at all meetings of Board of Directors. When the execution of any contract or installment shall have been authorized by the Board, then the president shall execute same except where such power is expressly delegated to another officer of the Corporation. The president shall perform other duties prescribed by the Board and all duties incident to the office of president.

Vice President

- 4.06. When the president is absent, is unable to act, or refuses to act, the vice president shall perform the duties of the president. When acting in place of the president, the vice president shall have all the powers and duties as the president and be subject to all of the limitations and restrictions placed upon the president.

Secretary

- 4.07. The secretary shall oversee that the Corporation staff perform the following duties:
- (a) Give all notices as provided in the Bylaws or as required by law.
 - (b) Take minutes of the meetings of the Board of Directors and keep the minutes as part of the corporate records.
 - (c) Maintain custody of the corporate records, authenticate corporate documents and affix the seal of the Corporation as required.
 - (d) Keep a register of the mailing address of each Director and officer of the Corporation.
 - (e) Perform duties as assigned by the president or Board of Directors.
 - (f) Perform all duties incident to the office of secretary.

Treasurer

- 4.08. The treasurer shall oversee that the Corporation staff perform the following duties:
- (a) Have charge and custody of and be responsible for all funds and securities of the Corporation.
 - (b) Receive and give receipts for moneys due and payable to the Corporation from any source.
 - (c) Deposit all moneys in the name of the Corporation in banks, trust companies, or other depositories as provided by these Bylaws.
 - (d) Write checks and disburse funds to discharge obligations of the Corporation.

- (e) Maintain the financial books and records of the corporation.
- (f) Prepare financial reports at least annually.
- (g) Perform other duties as assigned by the Board of Directors.
- (h) Perform all duties incident to the office of treasurer.

Assistant Officers

- 4.09. The following assistant officers are created to assist the Board of Directors in the conduct of the affairs of the Corporation. They are the Assistant Treasurer and the Assistant Secretary, who shall assist those officers in their respective duties. The assistant officers are not required to be residents of the City.

ARTICLE V

TRANSACTIONS OF THE CORPORATION

Contracts

- 5.01. The Board of Directors may by formal action or resolution authorize an officer or agent of the Corporation to enter into a contract or execute and deliver any instrument in the name of or on behalf of the Corporation. This authority may be limited to a specific contract or instrument or it may extend to any number and type of contracts and instruments.

Depository

- 5.02. The Board of Directors of the Corporation shall designate a depository bank. All funds of the Corporation shall be deposited with the depository bank.

Potential Conflicts of Interest; Code of Ethics

- 5.03. The members of the Board of Directors shall be governed by the Code of Ethics of the City of Tomball, Texas. If a Director has a substantial interest in a business entity or real property which is the subject of deliberation by the Board, the Director shall file an affidavit with the secretary of the corporation stating the nature and extent of the interest. Such affidavit shall be filed prior to any vote of decision upon the matter by the Board, and the interested Director shall abstain from any vote or decision upon the matter.

Transactions of the Corporation

Staff Support

- 5.04. The Corporation may contract with the City to provide legal, financial and other services for the Corporation upon terms, conditions and compensation as mutually agreeable.

Gifts

- 5.05. The Board of Directors may accept on behalf of the Corporation any gift or bequest provided for the general purposes of or for any special purpose of the Corporation. Special funds shall include all funds from government contracts and gifts designated by a donor for special purposes. All other funds shall be general funds.

Prohibited Acts

- 5.06. As long as the Corporation is in existence, no director, officer or committee member of the Corporation shall:
- (a) Do any act in violation of the Bylaws or bidding obligations of the Corporation.
 - (b) Do any act with the intention of harming the Corporation or any of its operations.
 - (c) Do any act that would make it impossible or unnecessarily difficult to carry on the intended or ordinary business of the Corporation.
 - (d) Receive an improper personal or business benefit from the operation of the Corporation.
 - (e) Use the assets of the Corporation, directly or indirectly, for any purpose other than carrying on the business of the Corporation.
 - (f) Wrongfully transfer or dispose of Corporation property, including intangible property such as goodwill.
 - (g) Use the name of the Corporation (or any substantially similar) or any trademark or trade name adopted by the Corporation, except on behalf of the Corporation in the ordinary course of the Corporation's business.
 - (h) Disclose any of the Corporation business practices, trade secrets or any other information not generally known to the business community to any person not authorized to receive it.
 - (i) Commit Corporation funds without the prior approval of the Board of Directors.

ARTICLE VI

BOOKS AND RECORDS **Required Books and Records**

- 6.01. The Corporation shall cause to be kept correct and complete books and records of account. All books and records of the Corporation may be inspected by Directors of the Corporation at any reasonable time. The Corporation's books and records shall include:
- (a) A file endorsed copy of all documents filed with the Texas Secretary of State relating to the Corporation, including, but not limited to, the articles of incorporation, any articles of amendment, restated articles, and statement of change of registered office or agent.
 - (b) A copy of the Bylaws, and any amended versions or amendments to the Bylaws.
 - (c) Minutes of the proceedings of the Board of Directors.
 - (d) A list of names and addresses of the Directors and officers of the Corporation.
 - (e) A financial statement showing the assets, liabilities, and net worth of the Corporation.
 - (f) A financial statement showing the income and expenses of the Corporation.
 - (g) All rulings, letters, and other documents relating to the Corporation's federal, state and local tax status.
 - (h) The Corporation's federal, state and local information or income tax returns for each of the Corporation's tax years.

Public Information

- 6.02. The Board of Directors is subject to the public information law, Chapter 552, Government Code.

Audits

- 6.03. The Board of Directors shall provide for an independent annual audit of the Corporation's books; provided, further, that an annual audit by the City Council of the Corporation's books and records in conjunction with the annual audit of the City's books and records shall be sufficient.

ARTICLE VII

FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of October and end on the last day of September.

ARTICLE VIII

AMENDMENTS TO BYLAWS

The Bylaws may be altered, amended, or repealed by the Board of Directors with the consent of the City Council of the City of Tomball, Texas, as evidenced by a resolution of the City Council with the Bylaws attached.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Legal Authorities Governing Construction of Bylaws

- 9.01. To the greatest extent possible, these Bylaws shall be construed to conform to all legal requirements for obtaining and maintaining all tax exemptions that may be available to nonprofit corporations. Further, the Bylaws shall be constructed in accordance with the laws of the State of Texas. All references in the Bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. It is expressly provided that the provisions of the Development Corporation Act applicable to corporations governed under Chapter 505 of the Texas Local Government Code, are incorporated within these Bylaws by reference. In the event of any conflict between the applicable provisions of the Development Corporation Act and these Bylaws, then the applicable provisions of such Act shall control.

Legal Construction

- 9.02. If any Bylaw provision is held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not affect any other provision and the Bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the Bylaws.

Headings

- 9.03. The headings used in the Bylaws are used for convenience and shall not be considered in constructing the terms of the Bylaws.

Seal

- 9.04. The Board of Directors may provide for a corporate seal. Such seal would contain the words "Tomball Legacy Fund".

Parties Bound

- 9.05. The Bylaws shall be binding upon and inure to the benefit of the Directors, officers and agents of the Corporation and their respective heirs, executors, administrators, legal representatives, successors and assigns except as otherwise provided in the Bylaws.

Effective Date

- 9.06. These Bylaws, and any subsequent amendments, hereto, shall be effective of and from the date upon which approval has been given both by the Board of Directors and the City Council of the City of Tomball, Texas.

Miscellaneous Provisions

- 9.07. The Corporation shall indemnify any Director or officer or former Director or officer of the Corporation for the expenses and costs, including attorney fees, actually and necessarily incurred by said officer or director in connection with any claim asserted against said officer or director by action in court or otherwise by reason of such person being or having been a director or officer, except in relation to matters as to which said person shall have been guilty of negligence or misconduct in respect of the matter in which indemnity is sought.

Corporation May Provide Insurance

- 9.08. The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director, officer, employee or agent of the Corporation to insure such person against any liability asserted against said person by reason of such person being or having been a director, officer, employee or agent of the Corporation. The premiums for such insurance shall be paid for by the Corporation.

Dissolution of the Corporation

- 9.09. The Corporation is a nonprofit corporation. Upon dissolution, all of the Corporation's assets shall be distributed to the City of Tomball.

Signed this _____ day of _____, 2013.

SECRETARY OF THE CORPORATION

Regular City Council Agenda Item Data Sheet

Meeting Date: July 15, 2013

Topic:

Approve **RALEIGH CREEK SECTION ONE FINAL PLAT**: A subdivision of 142.8407 Acres in the Joseph Miller Survey, Abstract Number 50, Harris County, Texas

Background:

The Raleigh Creek Section One Preliminary Plat was presented to the Planning and Zoning Commission on Monday, February 11, 2013, and was approved with contingencies. The preliminary plat was accepted on March 3, 2013. The Raleigh Creek Section One Final Plat was presented to Planning and Zoning Commission on Monday, July 8, 2013, and was approved with contingencies. The comments have been address and the Final Plat is being forwarded to City Council for consideration.

Origination:

Engineering and Planning

Recommendation:

N/A

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

Lori Lakatos, Engineering Division

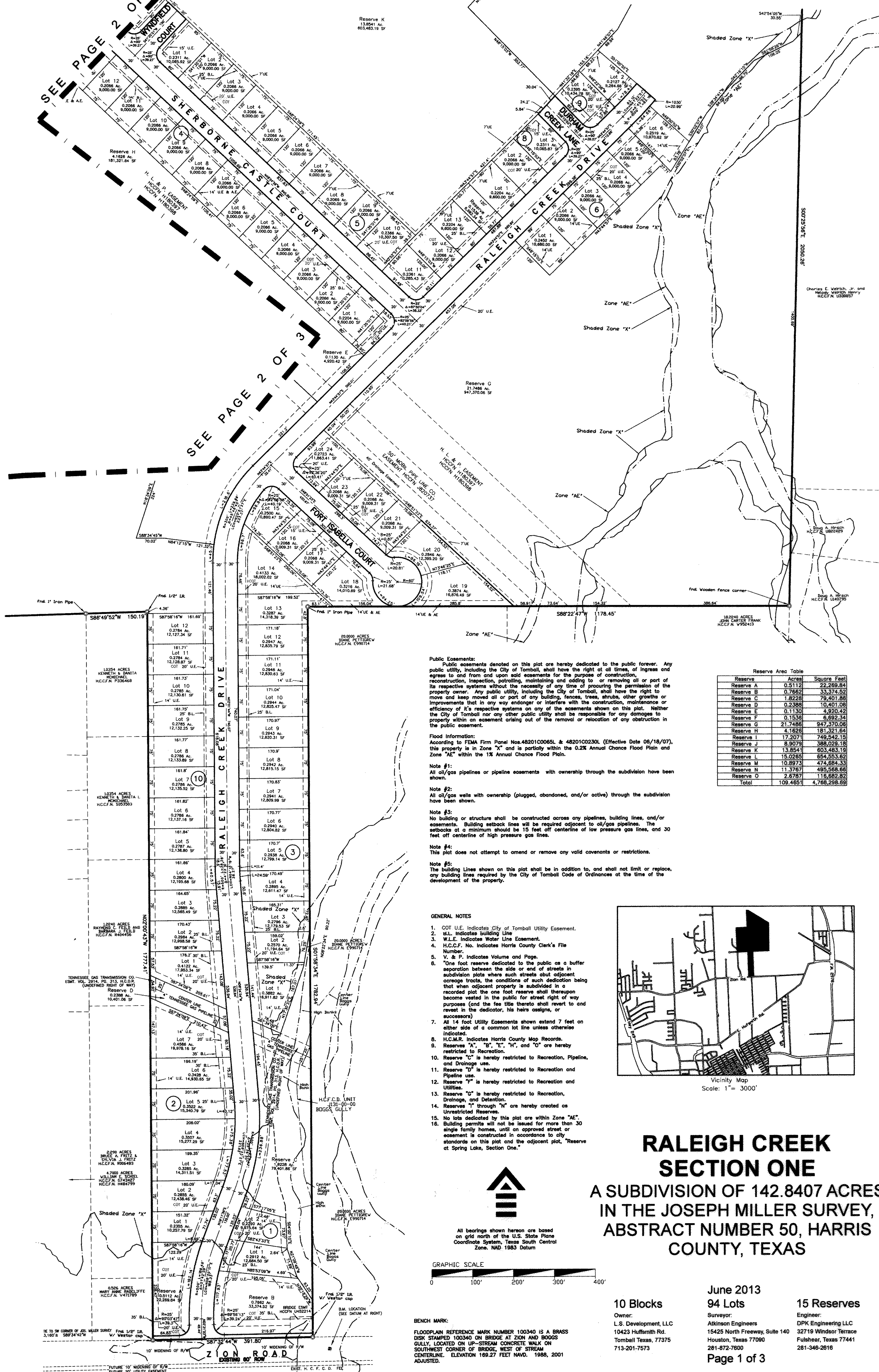
ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

Raleigh Creek Section One Final Plat - Sheet 1

Raleigh Creek Section One Final Plat - Sheet 2

Raleigh Creek Section One Final Plat - Sheet 3



Reserve	Acres	Square Feet
Reserve A	0.5112	22,268.84
Reserve B	0.7662	33,374.52
Reserve C	1.8228	79,401.86
Reserve D	0.2388	10,401.06
Reserve E	0.1130	4,920.42
Reserve F	0.1538	6,682.34
Reserve G	21.7486	947,370.06
Reserve H	4.1626	181,321.64
Reserve I	17.2071	749,542.15
Reserve J	8.9079	388,029.18
Reserve K	13.8541	603,483.19
Reserve L	15.0263	654,553.62
Reserve M	10.8973	474,584.33
Reserve N	11.3767	495,568.66
Reserve O	2.6787	116,682.89
Total	109.4551	4,768,298.89

RALEIGH CREEK SECTION ONE

A SUBDIVISION OF 142.8407 ACRES
IN THE JOSEPH MILLER SURVEY,
ABSTRACT NUMBER 50, HARRIS
COUNTY, TEXAS

June 2013

94 Lots

15 Reserves

10 Blocks

Owner:
L.S. Development, LLC
10423 Huffsmith Rd.
Tomball Texas, 77375
713-201-7573

Surveyor:
Atkinson Engineers
15425 North Freeway, Suite 140
Houston, Texas 77060
281-872-7600

Engineer:
DPK Engineering LLC
32719 Windsor Terrace
Fulshear, Texas 77441
281-346-2616

Page 1 of 3

**RALEIGH CREEK
SECTION ONE**
A SUBDIVISION OF 142.8407 ACRES
IN THE JOSEPH MILLER SURVEY,
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June 2013

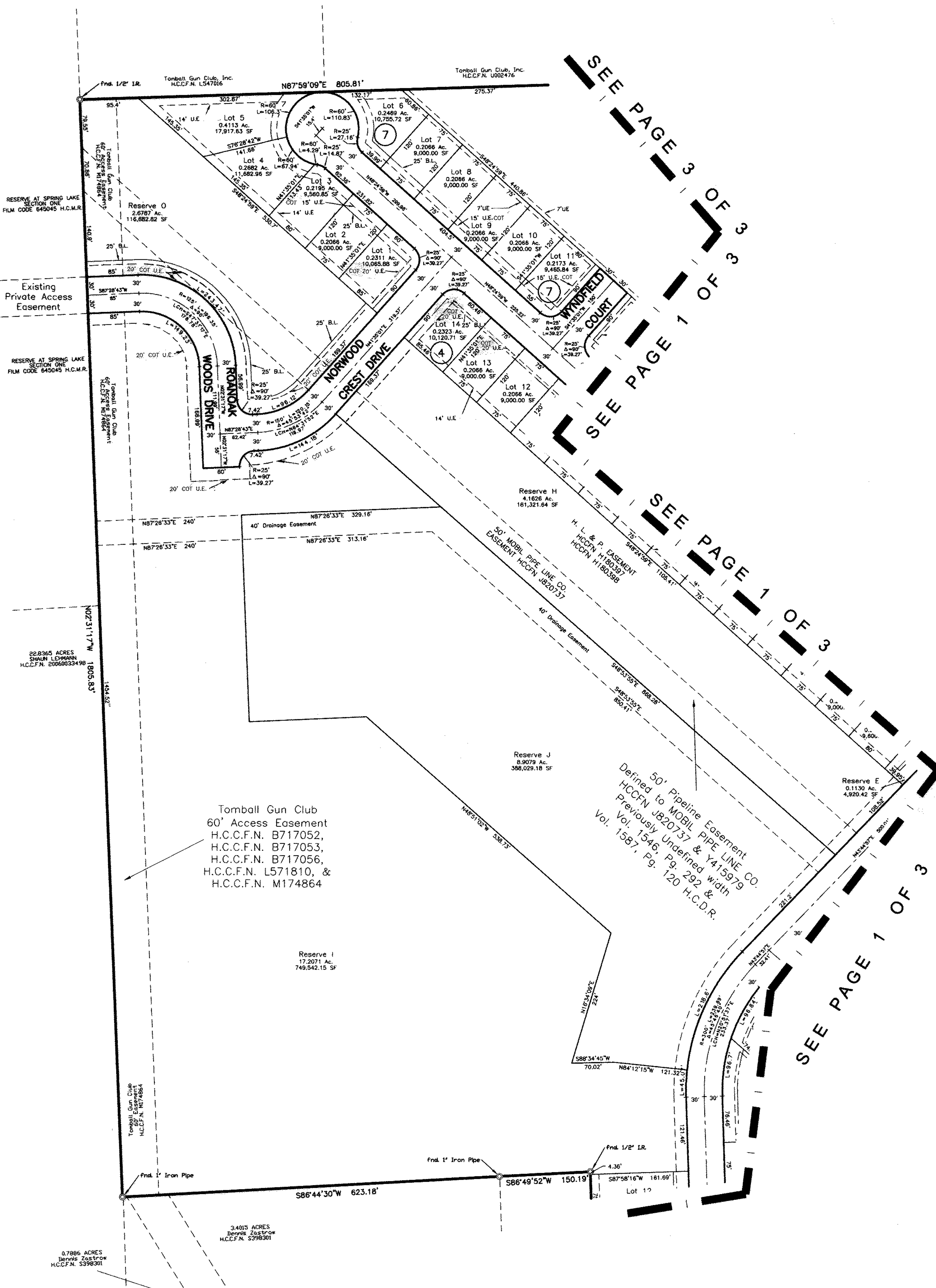
94 Lots

Surveyor:
Atkinson Engineers
15425 North Freeway, Suite 140
Houston, Texas 77090
281-872-7800

15 Reserves

Engineer:
DPK Engineering LLC
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Fulshear, Texas 77441
281-346-2816

Page 2 of 3



All bearings shown hereon are based
on grid north of the U.S. State Plane
Coordinate System, Texas South Central
Zone, NAD 1983 Datum



THE STATE OF TEXAS
COUNTY OF HARRIS

WE, L S DEVELOPMENT, LLC., acting by and through, JIM SPURLIN, President and ALISON SPURLIN, Secretary, being officers of L S DEVELOPMENT, LLC., hereinafter referred to as owners of the 142.8635 Acre Tract described in the above and foregoing plat of RALEIGH CREEK, SECTION ONE, do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements, and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five feet in width from a plane twenty feet (20') above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net opening area of sufficient size to permit the free flow of water without backwater and in no instance have drainage opening of less than one and three quarters square feet (18-inch diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby dedicate to the public a strip of land fifteen feet (15') wide on each side of the center line of any and all bayous, creeks, ravines, draws, sloughs, or other natural drainage courses located and depicted upon said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement, except by means of an approved drainage structure.

L S DEVELOPMENT, LLC.

IN TESTIMONY WHEREOF, L S DEVELOPMENT, LLC., has caused these presents to be signed by JIM SPURLIN, its President, thereunto authorized, attested by its Secretary, ALISON SPURLIN, and its common seal hereunto affixed this 25 day of June, 2013.

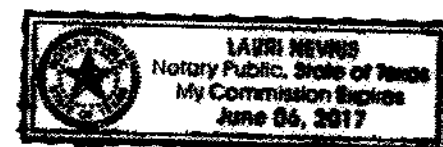
By: Jim Spurlin By: Alison Spurlin
JIM SPURLIN, President ALISON SPURLIN, Secretary

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared JIM SPURLIN and ALISON SPURLIN, President and Secretary respectively of L S Development, LLC., known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE
this 25 day of June, 2013.

Laurie Nemis
Notary Public In and For the State of Texas
My Commission Expires: 4/6/17



I, Neil M. Atkinson, am registered under the laws of the State of Texas to practice the profession of Surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature, and other points of reference have been marked with iron rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'); and that the plat boundary corners have been tied to the nearest survey corner.



Neil M. Atkinson
Registered Professional Land Surveyor
Texas Registration No. 5897

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of RALEIGH CREEK, SECTION ONE in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 20____.

WE, the City Manager and City Engineer for the City of Tomball, do hereby certify that this plat complies with the City of Tomball ordinance.

By: George Shackelford By: Lori Lakatos, P.E.
City Manager City Engineer

This is to certify that the City accepts the Planning Commission's authorized approval and acceptance of all dedicated public easements in conformance with the laws of the State of Texas and the ordinance of the City of Tomball as shown hereon and authorized the recording of this plat this _____ day of _____, 20____.

By: Gretchen Fagan By: Doris Speer
Mayor City Secretary

I, Stan Stanart, County Clerk of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____ 20____ at _____ o'clock _____, and duly recorded on _____, 20____, at _____ o'clock _____, and under film code number _____ of the map records of Harris County for said County.

Witness my hand and seal of office, at Houston, the day and date last above written.

Stan Stanart
County Clerk of
Harris County, Texas

By: _____
Deputy

By: Barbara Tague
Chairman

By: Darrell Roquemore
Vice Chairman

**RALEIGH CREEK
SECTION ONE**
A SUBDIVISION OF 142.8407 ACRES
IN THE JOSEPH MILLER SURVEY,
ABSTRACT NUMBER 50, HARRIS
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10 Blocks

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June 2013
94 Lots

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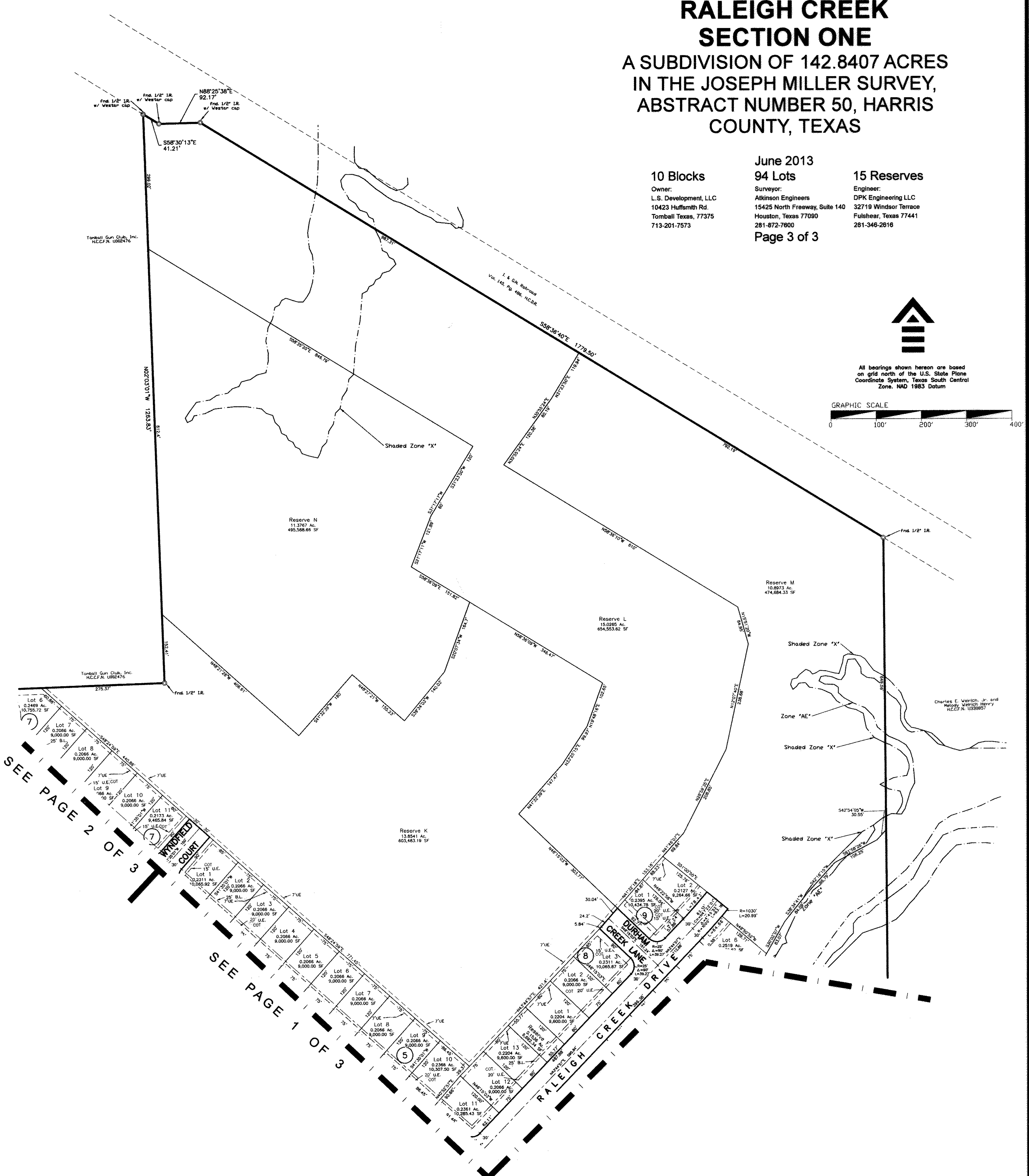
15 Reserves

Engineer:
DPK Engineering LLC
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Fulshear, Texas 77441
281-346-2616

Page 3 of 3



All bearings shown herein are based
on grid north of the U.S. State Plane
Coordinate System, Texas South Central
Zone, NAD 1983 Datum



Regular City Council Agenda Item Data Sheet

Meeting Date: July 15, 2013

Topic:

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

- Sec. 551.071 – Private Consultation with Attorney in Closed Meeting regarding Pending or Threatened Litigation or a Matter that the Duty of the Attorney Requires be Discussed in Closed Session.

Background:**Origination:**

City Manager

Recommendation:

N/A

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

City Secretary

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular City Council Agenda Item Data Sheet

Meeting Date: July 15, 2013

Topic:

The Tomball City Council may continue with the Workshop Session regarding the Fiscal Year 2013-2014 Budget

Background:

Origination:

City Manager

Recommendation:

N/A

Funding:

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

City Secretary

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	