

Ordinance 737

ORDINANCE FINDING IT IS TO THE BEST INTEREST OF THE CITY OF TOMBALL, TEXAS, AND ITS INHABITANTS TO CREATE A HOSPITAL AUTHORITY WITHOUT TAXING POWER UNDER THE HOSPITAL AUTHORITY ACT (COMPILED AS ARTICLE 4437e, VERNON'S ANNOTATED TEXAS CIVIL STATUTES) AND CREATING SUCH A HOSPITAL AUTHORITY; DESIGNATING THE NAME BY WHICH THE HOSPITAL AUTHORITY SHALL BE KNOWN; DEFINING THE BOUNDARIES OF THE HOSPITAL AUTHORITY; DETERMINING THAT THE HOSPITAL AUTHORITY SHALL BE GOVERNED BY A BOARD OF DIRECTORS OF 11 MEMBERS; CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY

WHEREAS, under the provisions of the Hospital Authority Act (Acts 1957, 55th Legislature Chap. 472 at 1379 as amended by Acts 1963, 58th Legislature, Chap. 487 at 1273) compiled as Article 4437e, Vernon's Annotated Texas Civil Statutes, the governing body of any incorporated city or town in this State is authorized and empowered to create a hospital authority without taxing power if the creation is to the best interest of the city and its inhabitants; and

WHEREAS, the City Council of the City of Tomball is the governing body of the City of Tomball within the meaning of the Hospital Authority Act and the City of Tomball is an incorporated city or town within the meaning of the Hospital Authority Act and the City Council of the City of Tomball has caused an investigation to be made, has found and now finds, determines and declares that it is to the best interest of the City of Tomball and its inhabitants to create a hospital authority under the provisions of the Hospital Authority Act; Now Therefore:

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

Section 1. That it is hereby found that it is to the best interest to the City of Tomball, Texas, and its inhabitants to create a hospital authority under and pursuant to the Hospital Authority Act.

Sec. 2. That a hospital authority be and is hereby created under and pursuant to the Hospital Authority Act and the name by which such hospital authority shall be known is hereby designated to be TOMBALL HOSPITAL AUTHORITY (hereinafter called the "Hospital Authority").

Sec. 3. That the Hospital Authority shall comprise only the territory included within the boundaries of the City of Tomball, Texas, as such boundaries lawfully exist on the date of this Ordinance, provided, however, that no defect in the definition of the boundaries of the City of Tomball, Texas, or in any proceedings for annexation or disannexation of territory shall affect the validity of the creation and existence of the Hospital Authority or any of its powers, duties and functions.

Sec. 4. That the Hospital Authority shall be without taxing power; shall be a body politic and corporate; shall have the power of perpetual succession, have a seal, have the power to sue and be sued and have the power to make, amend and repeal its by-laws, all as authorized by the Hospital Authority Act, and shall have all other power, duties and functions conferred upon a hospital authority by the Hospital Authority Act and by law.

Sec. 5. That it is hereby determined that the Hospital Authority shall be governed by a Board of Directors consisting of ELEVEN (11) members.

Sec. 6. The first directors for the Hospital Authority shall be named by the City Council of the City of Tomball, Texas, at a later meeting of this City Council, after which each of said Directors shall, unless other provision is made in the bond resolution or trust indenture executed in connection with the issuance of bonds as provided in the Hospital Authority Act or some other provision of law, serve for a term of two (2) years from the date of this Ordinance and until their successors have been appointed by the governing body of the City of Tomball, Texas, and have duly qualified. Each of the Directors first appointed shall qualify by executing the oath of office required of appointed officials of the State of Texas. After appointment, qualification and organization of the Board of Directors, the Hospital Authority shall be authorized to transact business and to exercise its powers, duties and functions pursuant to the Hospital Authority Act and other applicable law.

Sec. 7. All ordinances, resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as a conflict herewith.

Sec. 8. That it is hereby found and determined that this meeting of the City Council of the City of Tomball, Texas, has been open to the public as required by law and that notice of the date, place and subject of this meeting was posted for at least three (3) days preceding the day of the meeting on a bulletin board located at a place convenient to the public at the City Hall.

Sec. 9. That the proposed hospital authority is needed at the earliest possible date and is necessary for the immediate preservation of public health, creates an emergency, and this Ordinance shall be in full force and effect upon and after its passage at this meeting of the City Council.

PASSED AND APPROVED this 30th day of July; 1973.

/s/ Ben Scholl
Ben Scholl
Mayor, City of Tomball, Texas

ATTEST:

1st Carl R. Osborne
Carl R. Osborne
City Secretary
City of Tomball, Texas

(SEAL)

CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS §
COUNTY OF HARRIS §

WE, the undersigned, officers of the City Council of the City of Tomball, Texas, hereby certify as follows:

1. The City Council of the City of Tomball, Texas, convened in special meeting on the 30th day of July, 1973, at the City Hall within said City, and the roll was called of the duly constituted officers and members of said City Council and the City Secretary, to-wit:

Ben Scholl	Mayor
Carlos Lafayette	Alderman
D. L. Nicholson	Alderman
R. H. Snyder	Alderman
A. F. Simpson	Alderman
F. G. Archer	Alderman
Carl R. Osborne	City Secretary

and all of said persons were present, except the following absentees: — none —, thus constituting a quorum. Whereupon, among other business, the following was transacted as said meeting: a written ordinance entitled

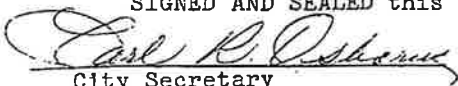
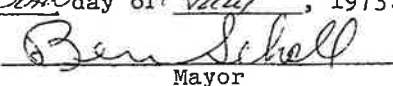
ORDINANCE FINDING IT IS TO THE BEST INTEREST OF THE CITY OF TOMBALL, TEXAS, AND ITS INHABITANTS TO CREATE A HOSPITAL AUTHORITY WITHOUT TAXING POWER UNDER THE HOSPITAL AUTHORITY ACT (COMPILED AS ARTICLE 4437e, VERNON'S ANNOTATED TEXAS CIVIL STATUTES) AND CREATING SUCH A HOSPITAL AUTHORITY; DESIGNATING THE NAME BY WHICH THE HOSPITAL AUTHORITY SHALL BE KNOWN; DEFINING THE BOUNDARIES OF THE HOSPITAL AUTHORITY; DETERMINING THAT THE HOSPITAL AUTHORITY SHALL BE GOVERNED BY A BOARD OF DIRECTORS OF 11 MEMBERS; CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY

was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said ordinance be adopted; and, after due discussion, said motion, carrying with it the adoption of said ordinance, prevailed and carried by the following vote:

AYES: All members of said City Council shown present above voted "Aye."
NOES: None.

2. That a true, full and correct copy of the aforesaid ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that said ordinance has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that said ordinance would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public, as required by law; and that public notice of the time, place and subject of said meeting was given as required by Vernon's Article 6252-17, as amended.

SIGNED AND SEALED this 30th day of July, 1973.

 City Secretary (SEAL)	 Mayor
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