

**ORDINANCE NO. 2000-03**

**AN ORDINANCE REPEALING CITY OF TOMBALL, TEXAS, ORDINANCE NO. 98-21, FINALLY ADOPTED THE 2<sup>ND</sup> DAY OF NOVEMBER, 1999, AND BEING AN ORDINANCE PROVIDING THAT TERMS OF OFFICE FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE TOMBALL HOSPITAL AUTHORITY APPOINTED BY THE CITY COUNCIL SHALL BE FOR A PERIOD OF THREE (3) YEARS; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL:**

**Section 1.** City of Tomball, Texas, Ordinance No. 98-21, finally adopted the 2<sup>nd</sup> day of November, 1999, and being AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY STRIKING FROM ARTICLE III OF CHAPTER 42 THEREOF ALL OF SECTION 42-64 AND SUBSTITUTING THEREFOR A NEW SECTION 42-64; PROVIDING THAT THE TERMS OF OFFICE FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE TOMBALL HOSPITAL AUTHORITY SHALL BE FOR A PERIOD OF THREE YEARS; PROVIDING EFFECTIVE DATES; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT, is hereby repealed.

**Section 2.** In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances 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 or 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, whether there be one or more parts.

FIRST READING:

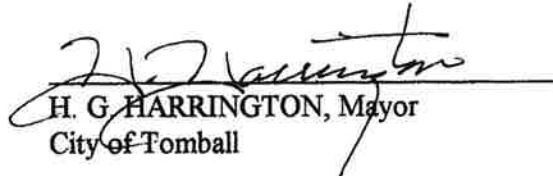
READ, PASSED, AND APPROVED AS SET OUT BELOW AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE 7TH DAY OF FEBRUARY, 2000.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN GATLIN	<u>AYE</u>
COUNCILMAN HOLLAND	<u>AYE</u>
COUNCILMAN STOVALL	<u>AYE</u>
COUNCILMAN MARTIN	<u>AYE</u>


SECOND 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 21ST DAY OF FEBRUARY, 2000.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN GATLIN	<u>AYE</u>
COUNCILMAN HOLLAND	<u>AYE</u>
COUNCILMAN STOVALL	<u>AYE</u>
COUNCILMAN MARTIN	<u>AYE</u>

  
H. G. HARRINGTON, Mayor  
City of Tomball

ATTEST:

  
MARY COKER, City Secretary  
City of Tomball

ORDINANCE NO. 98-21

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY STRIKING FROM ARTICLE III OF CHAPTER 42 THEREOF ALL OF SECTION 42-64 AND SUBSTITUTING THEREFOR A NEW SECTION 42-64; PROVIDING THAT THE TERMS OF OFFICE FOR MEMBERS OF THE BOARD OF DIRECTORS OF THE TOMBALL HOSPITAL AUTHORITY APPOINTED BY THE CITY COUNCIL SHALL BE FOR A PERIOD OF THREE YEARS; PROVIDING EFFECTIVE DATES; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT.

\* \* \* \* \*

WHEREAS, pursuant to Chapter 42 of the Code of Ordinances of the City of Tomball, the terms of office for members of the board of directors of the Tomball Hospital Authority is two years; and

WHEREAS, the City Council now deems it appropriate to amend Chapter 42 of said Code of Ordinances to provide that terms of office for members of the board of directors of the Tomball Hospital Authority be for periods of three years; now therefore

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The Code of Ordinances of the City of Tomball, Texas, is hereby amended by striking from Article III of Chapter 42 thereof all of Section 42-64 and substituting therefor a new Section 42-64 to provide as follows:

Sec. 42-64. Appointment of board members.

The city council shall appoint five board members to serve on the board of directors of the Tomball Hospital Authority. The terms of office for such members, effective as of appointments made on or after September 1, 1999, shall be for terms of three years. The terms of office for such members of the board shall be staggered, with such three year-terms beginning as follows:

(1) For the offices of board member *Position One* and board member *Position Three*, beginning September 1, 2000;

(2) For the offices of board member *Position Two* and board member *Position Four*, beginning September 1, 1999; and

(3) For the office of board member *Position Five*, beginning September 1, 2001. Following expiration of the term of office of board member *Position Five* ending August 31, 2000, the City Council shall appoint a member to serve in such position for a period of one year, from September 1, 2000 until August 31, 2001.

Section 3. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances 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 or 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, whether there be one or more parts.

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 19TH DAY OF OCTOBER 1998.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN GATLIN	<u>AYE</u>
COUNCILMAN HOLLAND	<u>AYE</u>
COUNCILMAN OLDHAM	<u>AYE</u>
COUNCILMAN WILEY	<u>AYE</u>

SECOND 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 2ND DAY OF NOVEMBER 1998.

COUNCILMAN FORD  
COUNCILMAN GATLIN  
COUNCILMAN HOLLAND  
COUNCILMAN OLDHAM  
COUNCILMAN WILEY

AYE

AYE


AYE

AYE

AYE

  
\_\_\_\_\_  
H. G. HARRINGTON, Mayor  
City of Tomball

ATTEST:

  
\_\_\_\_\_  
MARY COKER, City Secretary  
City of Tomball

**ORDINANCE NO. 93-10**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING THE CODE OF ORDINANCES BY ESTABLISHING A PROCEDURE FOR THE APPOINTMENT OF DIRECTORS TO THE TOMBALL HOSPITAL AUTHORITY; FINDING THAT THE MEETINGS AT WHICH THIS ORDINANCE IS CONSIDERED ARE OPEN TO THE PUBLIC; PROVIDING FOR SEVERABILITY AND THE REPEAL OF CONFLICTING ORDINANCES; PROVING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE.**

**WHEREAS, on July 30, 1973, the City Council of the City of Tomball, Texas, adopted an ordinance creating the Tomball Hospital Authority in accordance with the Hospital Authority Act, Article 4437e, Vernon's Annotated Texas Civil Statutes, now Chapter 262 of the Texas Health and Safety Code; and**

**WHEREAS, the City Council of the City of Tomball appoints five (5) members to the eleven (11) member Board of Directors of the Tomball Hospital Authority; and,**

**WHEREAS, the five (5) members of the Tomball Hospital Authority Board of Directors who are appointed by the City of Tomball are currently serving two (2) year terms; and**

**WHEREAS, the terms of all of the Board Members who have been appointed by the City Council who are currently serving expire on August 31, 1993; and**

**WHEREAS, the City Council now desires to stagger said terms so that in the future three (3) Board Members will be appointed in even numbered years and two (2) Board Members will be appointed in odd numbered years; NOW THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS;**

**Section 1.0. The recitations stated above are true and correct.**

**Section 2.0. Amendment of Code. The Code of Ordinances, City of Tomball, Texas, is hereby amended by addition of the provisions of this Ordinance, which shall be renumbered**

to conform to the numbering system of the Code.

**Section 3.0. Appointment of Board Members to the Tomball Hospital Authority.**

The City Council shall appoint five (5) Board Members to serve on the Board of Directors of the Tomball Hospital Authority, as follows:

**3.1.** Upon the passage of this Ordinance, each of the Directors shall thereafter hold a specific position to be known as Position One, Position Two, Position Three, Position Four, and Position Five.

**3.2.** The Board Members who are appointed by the Tomball City Council to begin their terms on September 1, 1993, shall serve as follows:

**Position One**, a term of one year, beginning September 1, 1993, and expiring on August 31, 1994.

**Position Two**, a term of two years, beginning September 1, 1993, and expiring on August 31, 1995.

**Position Three**, a term of one year, beginning September 1, 1993, and expiring on August 31, 1994.

**Position Four**, a term of two years beginning September 1, 1993, and expiring on August 31, 1995.

**Position Five**, a term of one year, beginning September 1, 1993, and expiring on August 31, 1994.

**3.3.** All future appointments of Directors shall be for a term of two years, so that the odd numbered positions, one, three and five, shall be appointed in even numbered years and the even positions, two and four, shall be appointed in odd-numbered years.

**Section 4.0. Notice Given To The Tomball Hospital Authority.** Upon adoption, the City Secretary is hereby directed to provide a copy of this Ordinance to the Tomball Hospital Authority.

**Section 5.0. 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 accordance 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. This 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 Article 6252-17, Vernon's Annotated Texas Civil Statutes, and that advance public notice of the time, place, and purpose of the meetings was given.

**Section 6.0. 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 7.0. 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 2ND DAY  
OF AUGUST 1993.

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN MATHESON	<u>AYE</u>
COUNCILMAN OLDHAM	<u>AYE</u>
COUNCILMAN WILEY	<u>AYE</u>
COUNCILMAN WOOD	<u>AYE</u>

**SECOND READING:**

READ, PASSED, APPROVED, AND ADOPTED AS SET OUT BELOW AT THE  
MEETING OF THE CITY COUNCIL OF THE CITY OF TOMBALL, HELD ON THE  
16TH DAY OF AUGUST 1993.

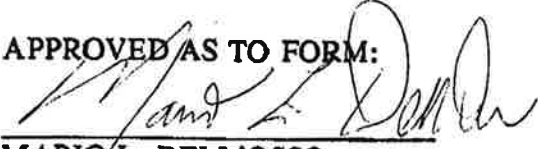
COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN MATHESON	<u>AYE</u>
COUNCILMAN OLDHAM	<u>AYE</u>
COUNCILMAN WILEY	<u>AYE</u>
COUNCILMAN WOOD	<u>ABSENT</u>

  
H.G. HARRINGTON, Mayor

**ATTEST:**

  
MARY REAGAN, City Secretary

**APPROVED AS TO FORM:**

  
MARIO L. DELL'OSSO  
Olson & Olson  
Attorneys for The City of Tomball

ORDINANCE APPOINTING ELEVEN (11) MEMBERS TO  
THE BOARD OF DIRECTORS OF TOMBALL HOSPITAL  
AUTHORITY; CONTAINING OTHER PROVISIONS  
RELATED TO THE SUBJECT; AND DECLARING  
AN EMERGENCY

WHEREAS, on July 30, 1973, the City Council of the City of Tomball, Texas, adopted an ordinance (the "July 30 Ordinance") creating the Tomball Hospital Authority (the "Hospital Authority") 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 "Hospital Authority Act"); and

WHEREAS, in the July 30 Ordinance, such City Council determined that the Board of Directors of the Hospital Authority would consist of eleven (11) members and in accordance with such determination, on August 28, 1973, the City Council adopted an ordinance appointing eleven (11) members of the Board of Directors of the Hospital Authority for terms expiring on July 30, 1975; and


WHEREAS, the City Council now desires to appoint members of the Board of Directors of the Hospital Authority to succeed the Directors whose terms expire on July 30, 1975

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:

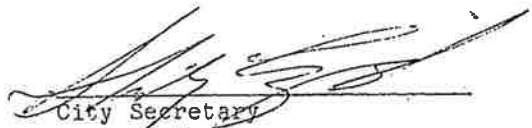
1. That the following persons are hereby appointed as the Directors of the Board of Directors of Tomball Hospital Authority, such appointment to become effective on July 30, 1975, the date on which the terms of office of the existing Directors expire.

5. That the necessity of the Tomball Hospital Authority to transact business at the earliest possible date for the immediate preservation of public health creates an emergency, and, since said Hospital Authority cannot transact business without a Board of Directors, 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 28th day of July, 1975.

  
\_\_\_\_\_  
Mayor  
City of Tomball, Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary  
City of Tomball, Texas

(SEAL)

ORDINANCE APPOINTING ELEVEN (11) MEMBERS TO THE  
BOARD OF DIRECTORS OF TOMBALL HOSPITAL AUTHORITY;  
CONTAINING OTHER PROVISIONS RELATED TO THE SUB-  
JECT; AND DECLARING AN EMERGENCY

WHEREAS, on July 30, 1973, the City Council of the City of Tomball, Texas, adopted an ordinance (the "July 30 Ordinance") creating the Tomball Hospital Authority (the "Hospital Authority") 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 "Hospital Authority Act"); and

WHEREAS, in the July 30 Ordinance said City Council determined that the Board of Directors of the Hospital Authority would consist of eleven (11) members, and this City Council is now desirous of appointing said members as hereinafter set out; Now Therefore,

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

Section 1: That the following persons are hereby appointed as the first Directors of the Board of Directors of Tomball Hospital Authority:

<u>John E. Faris</u>	<u>Irma K. Hooks</u>
<u>Joseph C. Schoolar</u>	<u>J. R. (Jack) Frey</u>
<u>L. June Brown</u>	<u>Thurman Pinkerton</u>
<u>James O. Lovett</u>	<u>Raymond Pryor</u>
<u>Reagan Coe</u>	<u>Karl Wehmeyer</u>
<u>Jack D. Beavers</u>	

Section 2. That, 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, said Directors shall serve for a term of two (2) years from July 30, 1973 (the date of the July 30 Ordinance), and until their successors have been appointed by the governing body of the City of Tomball, Texas, and have duly qualified.

Section 3. That each of said Directors shall qualify by executing the oath of office required of appointed officials of the State of Texas, and after appointment, qualification and organization of said 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, the July 30 Ordinance and other applicable law.

Section 4. 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 to this meeting was posted for at least three (3) days preceding the date of the meeting on a bulletin board located at a place convenient to the public at the City Hall.

Section 5. That the necessity of the Tomball Hospital Authority to transact business at the earliest possible date for the immediate preservation of public health creates an emergency, and, since said Hospital Authority cannot transact business without a Board of Directors, 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 27th day of August, 1973.

/s/ Ben Scholl

Mayor

City of Tomball, Texas

ATTEST:

Carl B. Osborne

City Secretary

City of Tomball, Texas

(SEAL)

CERTIFICATE FOR ORDINANCE

73-6

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

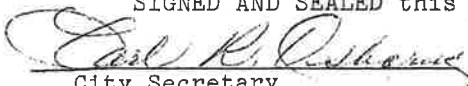
ORDINANCE FINDING IT IS TO THE BEST INTEREST OF THE CITY OF TOMBALL, TEXAS, AND ITS INHABITANTS TO CREATE A HOSPITAL AUTHORITY WITHOUT TAXING POWER UNDER THE HOSPITAL AUTHORITY ACT (COMPILED AS ARTICLE 4437e, VERNON'S ANNOTATED TEXAS CIVIL STATUTES) AND CREATING SUCH A HOSPITAL AUTHORITY; DESIGNATING 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

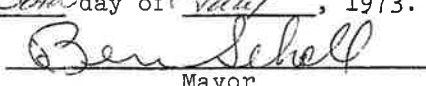
was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said ordinance be adopted; and, after due discussion, said motion, carrying with it the adoption of said ordinance, prevailed and carried by the following vote:

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

  
Mayor

(SEAL)

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   //   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:

/s/ Carl R. Osborne  
Carl R. Osborne  
City Secretary  
City of Tomball, Texas

(SEAL)