

**ORDINANCE NO. 101, AGREEMENT NO. 2000-08
ORDINANCE PROHIBITING OUTDOOR BURNING
THOMPSONS, TEXAS**

WHEREAS, the Town of Thompsons City Council has agreed to prohibit outdoor burning in the city limits of the Town of Thompsons due to the environmental conditions that now exists in Fort Bend County due to extreme deficit in precipitation levels; and,

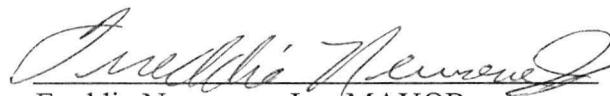
WHEREAS, drought conditions exist, which means the existence of a long-term deficit of moisture creating atypically severe conditions within increased wildfire occurrence as defined by the Texas Forest Services; and,

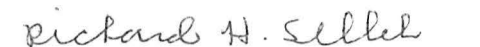
WHEREAS, the V. T. C. A. Local Government Code, §240.906, provides that the Commissioners Court of a county by order may prohibit or restrict outdoor burning in general or of a particular substance in all or part of the unincorporated area of the county if drought conditions have been determined to exist by the Texas Forest Service; and,

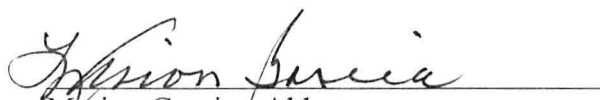
WHEREAS, the Texas Forest Services has determined that the drought conditions exist in all of Fort Bend County and an Order Prohibiting Outdoor Burning in Fort Bend County from the Fort Bend County Commissioners Court is assigned as **Exhibit A** as attached hereto; and,


NOW THEREFORE, BE IT DECLARED BY THE TOWN OF THOMPSONS CITY COUNCIL, THAT THE ORDER PROHIBITING OUTDOOR BURNING IN FORT BEND COUNTY, TEXAS WILL BE DECLARED IN THE TOWN OF THOMPSONS UPON RECEIPT OF NOTIFICATION FROM FORT BEND COUNTY COMMISSIONERS COURT:

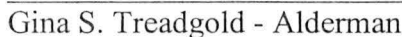
Passed and approved following the First reading hereof this 17th, day of February, 2000.


Freddie Newsome, Jr. - MAYOR


Richard H. Selleh - Mayor Pro Tem


Marion Garcia - Alderman


Rita M. Miller - Alderman

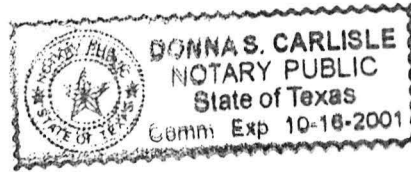

Gina S. Treadgold - Alderman


Carol Gubbels - Alderman

ATTEST

Donna Carlisle

CITY SECRETARY



I, Donna Carlisle, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 101, Agreement 2000-08, finally passed and approved by the Town of Thompsons, following the first reading thereof at a regular meeting held on the 17th day of February, 2000.

Donna Carlisle

City Secretary

STATE OF TEXAS §

COUNTY OF FORT BEND §

ORDER PROHIBITING OUTDOOR BURNING
FORT BEND COUNTY, TEXAS

WHEREAS, specific climate and environmental conditions now exist in Fort Bend County due to an extreme deficit in precipitation levels; and,

WHEREAS, drought conditions exist, which means the existence of a long-term deficit of moisture creating atypically severe conditions within increased wildfire occurrence as defined by the Texas Forest Service;

WHEREAS, the V.T.C.A. Local Government Code, §240.906, provides that the Commissioners Court of a county by order may prohibit or restrict outdoor burning in general or of a particular substance in all or part of the unincorporated area of the county if drought conditions have been determined to exist by the Texas Forrest Service; and,

WHEREAS, the Texas Forest Service has determined that that drought conditions exist in all of Fort Bend County, and

NOW THEREFORE, BE IT DECLARED BY THE COUNTY JUDGE OF FORT BEND COUNTY:

Section I.

That pursuant to V.T.C.A. Local Government Code, § 240.906, a prohibition of outdoor burning of any kind is declared in and for the unincorporated areas of the County of Fort Bend, Texas.

Section II.

That this local prohibition of outdoor burning shall continue until rescinded or until a determination is made by the Texas Forest Service that drought conditions no longer exist, but in no instance shall it continue for a period of more than ninety (90) days except with the consent of the Fort Bend County Commissioners Court.

Section III.

This prohibition does not apply to outdoor burning activities related to public health and safety that are authorized by the Texas Natural Resource Conservation Commission.

IT IS HEREBY ORDERED

1. That no person burn or order another to burn any material outside of an enclosure designed to contain and capable of containing all flames, sparks, embers, cinders, and ash produced by said burning.
2. That this Declaration and Order apply to all unincorporated areas of Fort Bend County.
3. That this Declaration and Order be enforced by a person elected, employed, or appointed as a peace officer under Art. 2.12 Code of Criminal Procedure.
4. That violation of this Declaration or Order be a Class C misdemeanor.
5. That this Declaration and Order remain in effect until rescinded.
6. That this Declaration and Order take effect and be in force from and after its issuance.
7. That this Declaration and Order be given prompt and general publicity and be filed promptly with the County Clerk.

IN WITNESS WHEREOF, I affix my signature this 1st day of February, 2000.

FORT BEND COUNTY COMMISSIONERS COURT

By: *James C. Adolphus*
James C. Adolphus, County Judge

ATTEST:

Dianne Wilson
Dianne Wilson, County Clerk

ORDINANCE NO. 102, AGREEMENT #2001-07

ADOPTION OF BUDGET
FISCAL YEAR 5-1-01 THROUGH
4-30-02

WHEREAS, pursuant to the laws of the State of Texas for General Law cities, the budget covering proposed expenditures for the fiscal year beginning May 1, 2001 and ending April 30, 2002 was filed with the City Secretary and notice of public hearing on same was provided as required; and

WHEREAS, a public hearing was held by the City Council of Alderman of the Town of Thompsons, Texas, on said budget on March 15, 2001, at which time said budget was fully considered, and interested taxpayers were heard by City Council;

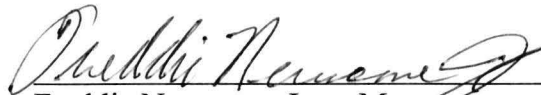
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS:

That the budget estimate of the revenues and expenditures for the Town of Thompsons, Texas as presented by the Mayor and appropriated by the City Council for the fiscal year beginning May 1, 2001 and ending April 30, 2002, be and it is hereby adopted as the budget for such fiscal year:

That the attached "Exhibit A" with written comments of expenditures be declared as necessary for operating expenses for the Town of Thompsons;

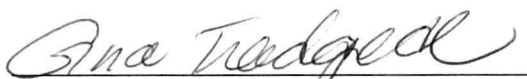
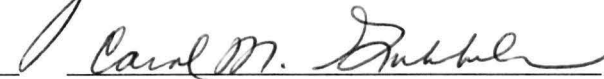
That this Ordinance be in full force and effect from and after its adoption.


PASSED AND APPROVED BY THE CITY COUNCIL OF ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS, upon first and final reading at a Regular Council Meeting on the 19TH day of April, 2001 by a vote of 5 "AYES", 0 "NAYS" and 0 "ABSTENTIONS".


Freddie Newsome, Jr. - Mayor

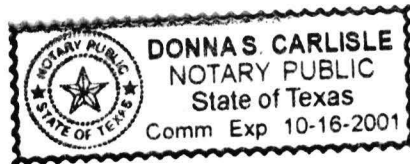
TOWN OF THOMPSONS

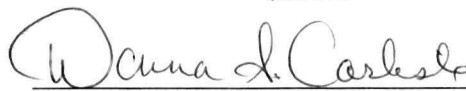
 
Rita M. Miller - Alderman Marion Garcia - Alderman

 
Gina S. Treadgold - Alderman Carol M. Gubbels - Alderman



Sherrie K. Finch - Alderman

ATTEST:




City Secretary

I, Donna Carlisle, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance 102, Agreement No 2001-7, finally passed and approved by the Town of Thompsons, following the First reading thereof at a regular meeting held on the 19th day of April, 2001.


Donna Carlisle - City Secretary

Town of Thompsons Budget Fiscal Year Ending 04-30-02

Ordinary Income/Expense	04-30-01 Budget	04-30-02 Request	Difference	COMMENT
II. REVENUE				
4100 Taxes & Assessment				
4130 Sales & Use Tax	11,300	7,200	(4,100)	Tax receipts less
4140 Franchise Fees/Ind A	459,000	477,864	18,864	Ind Agr Up/ Market Down
Total 4100 Taxes & Asses	470,300	485,064	14,764	
4200 Interest Income				
4201 CD's Income	6,025	6,025	-	Estimated Receipts past 6 mo.
4202 TexPool Interest	17,700	17,700	-	" "
4203 Jones Interest	249,500	354,705	105,205	" "
4200 Interest Income - Oth	180	311	131	" "
Total 4200 Interest Income	273,405	378,741	105,336	
4600 Other Income				
4500 Election Filing Fees	70	80	10	
4600 Other Income	600	600	-	Estimated Receipts past 6 mo.
4601 Summer Park Income	125	125	-	
Total 4600 Other Income	795	805	10	
TOTAL INCOME	744,500	864,610	120,110	
EXPENSES				
5100 Health and Safety				
5300 Trash Services	8,320	10,624	2,304	More residents in city limits
5100 Health and Safety - Ot	200	346	146	
Total 5100 Health and Saf	8,520	10,970	2,450	
5200 Volunteer Fire Dept				
5201 Payroll, Fire Sec	2,640	-	(2,640)	See Payroll Exp. #6560,6561,6562
5204 Other Expenses	6,670	5,980	(690)	
5206 Maint. Improvement F	4,500	5,000	500	
5207 Equipment Fire Dept	1,600	2,400	800	
5299 Equip. Capital Outlay	165,000	-	(165,000)	
Total 5200 Volunteer Fire	180,410	13,380	(167,030)	
5400 Police Dept.				
5401 Payroll, Police	28,000	33,600	5,600	
5402 Police Expenses	7,000	8,620	1,620	
Total 5400 Police Dept.	35,000	42,220	7,220	

AS PER ORIGINAL

5500 Park Services				
5501 - Payroll, Park Dept.	35,328	-	(35,328)	See Payroll Exp. #6560
5502 - Payroll, Vacation	1,472	-	(1,472)	See Payroll Exp. #6561
5503 - Payroll, Holiday	1,472	-	(1,472)	See Payroll Exp. #6562
5504 - Maintenance Park	3,000	3,000	-	
5504 Improvements Park Depart	6,292	11,292	5,000	Beautification Committee
5505 Other Expenses Park	3,800	3,800	-	
5506 Summer Park Program	14,400	14,400	-	
5507 Utilities Park	2,125	2,125	-	*
Total 5500 Park Services	67,889	34,617	(33,272)	
6000 General Government Expenses				
6020- Advertising	100	260	160	Herald Coaster
6050 Automobile Expense	600	600	-	
6060 Bank Service Charges	100	100	-	Wells Fargo Bnk/ED Jones
6170 Contract Labor	2,000	2,000	-	Computer Coordinate
6190 Continue Education	8,000	2,000	(6,000)	
6220 Dues and Subscriptions	1,800	1,800	-	Memberships
6223 Election Expense	1,800	1,800	-	
6380 Insurance	12,000	13,500	1,500	Increased Fire Truck
6500 Licenses and Permits	500	100	(400)	
6530 Miscellaneous	3,800	3,800	-	
6550 Office Supplies	3,900	3,900	-	
6555 Office Equipment	6,670	6,670	-	Printer /Computer
6555 Payroll Salary/Wages Expe	48,832	77,372	28,540	Fire/Park/City Wages Combined
6561 Payroll Vacation Expense	1,568	2,368	800	" "
6562 - Payroll Holiday Pay	1,600	2,944	1,344	" "
6580 Payroll Taxes 7.65%	9,250	8,628	(622)	All Personnel
6610 Postage and Delivery	1,000	1,200	200	
6620 Printing and Reproduction	1,600	1,600	-	
6640 Professional Fees	15,600	20,804	5,204	
6720 Building Repairs	3,000	3,000	-	Duct Work Municipal Bldg
6740 Equipment Repair	2,050	2,050	-	
6880 Telephone	12,100	9,000	(3,100)	
6930 Travel Mayor and Council	5,800	6,200	400	
6940 Utilities - Streetlights	1,050	2,400	1,350	Increase monthly \$100 plus cost
6950 Gas and Electric	2,300	2,300	-	
6960 Water	250	250	-	
6970 - Contingency Fund	25,000	50,000	25,000	
Total 6000 General Governme	172,270	226,646	54,376	
8010 Other Expenses	3,200	3,200	-	
9110 - Y U Jones Bridges	10,090	-	(10,090)	
9112 - Storage Building	12,000	-	(12,000)	4/00 Budget \$12,000 Removal
Total Other Expenses	25,290	3,200	(22,090)	

AS PER ORIGINAL

AS PER ORIGINAL

TOTAL EXPENSES	489,379	331,032	(158,346)
NET INCOME	255,121	533,578	278,456

* Corrected Error Total

Returns:
Town of Thompsons
PO Box 29
Thompsons Tx
77481

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

04-26-2001 04:46 PM 2001034904
DM \$17.00
DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS

ORDINANCE NO. 102, AGREEMENT NO. 2000-09

ADOPTION OF BUDGET
FISCAL YEAR 5-1-00 THROUGH
4-30-01

WHEREAS, pursuant to the laws of the State of Texas for General Law cities, the budget covering proposed expenditures for the fiscal year beginning May 1, 2000 and ending April 30, 2001 was filed with the City Secretary and notice of public hearing on same was provided as required; and

WHEREAS, a public hearing was held by the City Council of Alderman of the Town of Thompsons, Texas, on said budget on March 16, 2000, at which time said budget was fully considered, and interested taxpayers were heard by City Council;


**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS:**

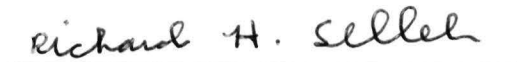
That the budget estimate of the revenues and expenditures for the Town of Thompsons, Texas as presented by the Mayor and appropriated by the City Council for the fiscal year beginning May 1, 2000 and ending April 30, 2001, be and it is hereby adopted as the budget for such fiscal year:


That the attached "Exhibit A" with written comments of expenditures be declared as necessary for operating expenses for the Town of Thompsons;

That this Ordinance be in full force and effect from and after its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS, upon first and final reading at a Regular Council Meeting on the 20th day of April, 2000, by a vote of 5 "AYES", -0- "NAYS" and -0- "ABSTENTIONS".



Freddie Newsome, Jr. – Mayor

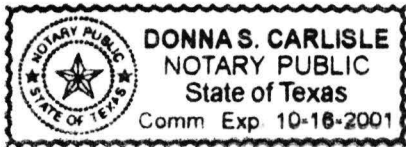

Richard H. Selleh – Mayor Pro Tem


Marion Garcia - Alderman

Rita M. Miller – Alderman


Gina S. Treadgold - Alderman


Carol Gubbels - Alderman



ATTEST


Donna Carlisle – City Secretary/Treasurer

I, Donna Carlisle, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 102, Agreement Number 2000-09, finally passed and approved by the Town of Thompsons, following the First and final reading thereof at regular meetings held on the 16th day of March and the 20th of April.


Donna Carlisle – City Secretary

EXHIBIT A

Town of Thompsons Budget Request Fiscal Year Ending 04-30-01

Ordinary Income/Expense	04-30-00 Budget	04-30-01 Request	Difference
REVENUE			
4100 Taxes & Assessment			
4130 Sales & Use Tax	5,000	11,300	6,300
4140 Franchise Fees/Ind Agrmt	450,775	459,000	8,225
Total 4100 Taxes & Assessment	455,775	470,300	14,525
4200 Interest Income			
4201 CD's Income	5,000	6,025	1,025
4202 TexPool Interest	15,500	17,700	2,200
4203 Jones Interest	225,000	249,500	24,500
4200 Interest Income - Other	364	180	(184)
Total 4200 Interest Income	245,864	273,405	27,541
4600 Other Income			
4500 Election Filing Fees	70	70	-
4600 Other Income	420	600	180
4601 Summer Park Income	125	125	-
Total 4600 Other Income	615	795	180
TOTAL INCOME	702,254	744,500	42,246
EXPENSES			
Health and Safety			
5100 Trash Services	8,320	8,320	-
5100 Health and Safety - Other	200	200	-
Total 5100 Health and Safety	8,520	8,520	-
5200 Volunteer Fire Dept			
5201 Payroll, Fire Secretary	1,525	2,640	1,115
5204 Other Expenses	11,500	6,670	(4,830)
5206 Maint. Improvement FD	1,000	4,500	3,500
5207 Equipment Fire Dept	3,500	1,600	(1,900)
5299 Equip. Capital Outlay	-	165,000	165,000
Total 5200 Volunteer Fire Dept	17,525	180,410	162,885
5400 Police Dept.			
5401 Payroll, Police	28,000	28,000	-
5402 Police Expenses	7,000	7,000	-
Total 5400 Police Dept.	35,000	35,000	-

5500 Park Services			
5501 Payroll, Park Department	30,000	35,328	5,328
5502 - Payroll, Vacation	-	1,472	1,472
- Payroll, Holiday	-	1,472	1,472
Maintenance Park	3,000	3,000	-
5504 Improvements Park Depart	5,292	6,292	1,000
5505 Other Expenses Park	2,800	3,800	1,000
5506 Summer Park Program	12,000	14,400	2,400
5507 Utilities Park	1,700	2,125	425
Total 5500 Park Services	54,792	65,764	12,672
6000 General Government Expe			
6020- Advertising	-	100	100
6050 Automobile Expense	600	600	-
6060 Bank Service Charges	-	100	100
6170 Contract Labor	900	2,000	1,100
6190 Continue Education	3,000	8,000	5,000
6220 Dues and Subscriptions	1,500	1,800	300
6223 Election Expense	1,600	1,800	200
6380 Insurance	9,000	12,000	3,000
6500 Licenses and Permits	500	500	-
6530 Miscellaneous	3,800	3,800	-
6550 Office Supplies	2,400	3,900	1,500
6551 Office Equipment	2,000	6,670	4,670
Payroll Salary/Wages Expe	51,520	48,832	(2,688)
Payroll Vacation Expense	4,939	1,568	(3,371)
6562 - Payroll Holiday Pay	3,000	1,600	(1,400)
6580 Payroll Taxes	8,875	9,250	375
6610 Postage and Delivery	500	1,000	500
6620 Printing and Reproduction	1,600	1,600	-
6640 Professional Fees	12,000	15,600	3,600
6720 Building Repairs	2,500	3,000	500
6740 Equipment Repair	2,050	2,050	-
6880 Telephone	3,600	12,100	8,500
6930 Travel Mayor and Council	4,500	5,800	1,300
6940 Utilities - Other	1,000	1,050	50
6950 Gas and Electric	2,200	2,300	100
6960 Water	250	250	-
6970 - Contingency Fund	-	25,000	25,000
Total 6000 General Governme	123,834	172,270	48,436
8010 Other Expenses	6,000	3,200	(2,800)
9110 - Y U Jones Bridges	70,200	10,090	(60,110)
9111 - Speed Bumps	1,500	-	(1,500)
- Storage Building	-	12,000	12,000
Other Expenses	77,700	25,290	(52,410)

*Note #5507
Total was not
included in
Park Services
Total*

TOTAL EXPENSES

317,371

487,254

169,883

NET INCOME

384,883

257,246

(127,637)

ORDINANCE NO. 103 , AGREEMENT NO. 2000-28

AN ORDINANCE OF THE TOWN OF THOMPSONS, TEXAS, ESTABLISHING RULES AND REGULATIONS GOVERNING THE USE AND OCCUPANCY OF THE CITY'S RIGHTS-OF-WAY BY PROVIDERS OF UTILITY, TELECOMMUNICATION, AND CABLE SERVICES; PROVIDING FOR CONSTRUCTION WORK REGULATION BY CITY; PROVIDING FOR INSURANCE; REQUIRING ALTERATION TO CONFORM WITH PUBLIC IMPROVEMENTS; PROVIDING FOR NOTICE; PROVIDING FOR A PENALTY OF UP TO \$500 PER VIOLATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF THE CONFLICT ONLY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE RIGHT OF THE CITY TO SUBSTITUTE THE PERMIT PROCESS TO THE COUNTY FOR THEIR REQUIREMENTS AND APPROVAL PRIOR TO ACTION BY THE CITY.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF THOMPSONS, TEXAS:

SECTION 1: That Ordinances Number 5, 85 and 86 of the Town of Thompsons are here by amended as follows:

Definitions.

Whenever used in this Ordinance, the following terms shall have the following definitions and meaning, unless the context of the sentence in which they are used clearly indicates otherwise. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the single number include the plural number. The word "shall" is always mandatory and not merely directory.

1. *City* means the Town of Thompsons, Texas
2. *Department* means the Town of Thompsons Mayor or designated person.
3. *Director* means the Mayor of the Town of Thompsons, Texas or his/her Designee.

4. *Emergency* means a reasonably unforeseen situation presenting an imminent hazard to personal or public health or to property.
5. *Facilities*: Personal property, owned by a provider of utility, telecommunications, or cable television services, including, but not limited to pipe, conduit, ducts, cables, wires, lines, towers, wave guides, optic fiber, microwave, laser beams, any associated converters, and all equipment located in the Right-of-Way.
6. *Permittee*: A Person to whom county or city construction permit has been granted hereunder.
7. *Person* means natural persons (individuals), corporations, companies, associations, partnerships, firms, limited liability companies, joint ventures, joint stock companies or associations, and other such entities, and includes their lessors, trustees and receivers.
8. *Public Nuisance*: A condition dangerous to the health, safety, peace, comfort or convenience of the general public.
9. *Registered User*: A Person who has complied with the registration provisions of (*this Ordinance*.)
10. *Public right-of-way* means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest. The term does not include the airways above a right-of-way with regard to wireless telecommunications.
11. *Use and occupancy* means the acquisition, installation, construction, reconstruction, maintenance, repair, or utilization of any Facilities within the Rights-of-Way for any purpose whatsoever.
12. *County* shall mean Fort Bend County.

SECTION 2: General Provisions

01. No Person shall use or occupy Rights-of Way without the permission of the City. No Person shall use or occupy Rights-of-Way within the City for the purpose of providing utility, telecommunications, or cable television services, or any other purposes or services, except in compliance with the provisions of this Ordinance.
02. The provisions of this Ordinance shall apply in the use and/or occupancy of the Rights-of-Way by a Person under the authority granted by a franchise agreement or ordinance as is fully set forth in the franchise agreement or ordinance. The express terms of this Ordinance will prevail over conflicting or inconsistent provisions in a franchise agreement or ordinance unless such franchise agreement or ordinance was in existence prior to July 20, 2000.

03. The provisions of this Ordinance shall be liberally construed in favor of the City in order to effectuate the purposes and objectives of this Ordinance and to promote the public interest.

SECTION 3: Registration of Users and Occupants of Rights-of-Way.

01. **Registration required.** All users and occupants of the Rights of Way shall register with the City pursuant to this Section. For existing users and occupants, such registration shall be accomplished within thirty (30) calendar days following the date of final adoption of this Ordinance. Persons seeking to use or occupy the Rights-of-Way after adoption of this Ordinance shall register with the City prior to initiating any such use or occupancy. All registrations must be renewed annually on or before January 31 of each calendar year. Registration forms shall be provided by the City. The City shall provide notification to the Utility if the Utility does not re-register. For Persons with current franchise from the City, the franchise will be evidence of renewal. If a registration is not renewed, the facilities will be deemed to have been abandoned. Persons who are not certificated telecommunications providers providing access lines, as defined in Chapter 283, Texas Local Government Code, are also required to obtain a franchise or license from the City in accordance with the City Ordinances, in addition to registering under the provisions of this Ordinance prior to entering into the Rights-of-Way.
02. **Purpose of registration.** The purpose of registration under this Section is to:
- a. provide the City with accurate and current information concerning the Users and occupants of the Rights-of-Way;
 - b. assist the City in enforcement of this Ordinance;
 - c. assist the City in monitoring compliance with applicable laws.
03. **Contents of registration.** The registration shall include:
- a. the name of the user and occupant of the Right-of-Way;
 - b. the name, address and telephone number of people who will be contact person(s) for the user and occupant;
 - c. the name(s), address and telephone number of any contractor or subcontractor, if known, who will be working in the Right-of -Way on behalf of the user and occupant;
 - d. the name(s), and telephone number of an emergency contact who shall be available twenty-four (24) hours a day;
 - e. proof of insurance as required in Section 8 hereof; and
 - f. a description of the type of Facilities in the Right-of-Way, for example, electric conduit, telecommunications cables, and the like. This description shall include

a statement of whether the applicant is a certificated telecommunications provider as defined in § 283.002 (2) Texas Local Government Code, and, if so, whether the applicant is providing access lines as defined in § 283.02(1) Texas Local Government Code.

SECTION 4. Use and Occupancy – Regulation by City

- 01. Temporary rearrangement or removal of aerial facilities.** Upon request, a Registered User shall remove, raise, or lower its aerial wires, fiber or cables temporarily to permit the moving of houses or other bulky structures. The expense of such temporary rearrangements shall be paid by the Person requesting them, and the Registered User may require payment in advance. The Registered User shall be given fifteen (15) working days notice to arrange for such temporary arrangements.
- 02. Right to trim trees.** The Registered User, its contractors and agents have the right, permission and license to trim trees upon and overhanging the Right-of-Way to prevent trees from coming in contact with the Registered User's Facilities. Registered Users shall notify the City forty-eight (48) hours prior to tree trimming activities beginning within the City and provide an estimate of the duration of the tree trimming activity. All trimming shall be done in consideration of the health of the trees. When directed by the City, tree trimming shall be done under the supervision and direction of the City or under the supervision of the City's delegated representative. Any tree trimmings generated by the Registered User, its contractors or agents, shall be removed within twenty-four (24) hours. Should the Registered User, its contractors or agents, fail to timely remove such trimmings, the City may remove same or have them removed, and shall bill Registered User for all costs incurred, which costs shall be promptly paid by the Registered User. Nothing herein shall be construed to grant to a Registered User the right of access to private property.
- 03. City work.** The City shall have the right at all times to lay, and to permit to be laid, sewer, gas, water or other pipelines or cables and conduits, as well as drainage pipes and channels and streets and to do and permit to be done any underground and overhead installation or improvement that may be deemed necessary or proper by the governing body of the City, in, across, along, over or under the Right-of-Way occupied by a Registered User, and to change any curb or sidewalk or the grade of any street and to maintain all of the City's facilities.
- 04. Removal of facilities.** Whenever by reason of widening, straightening, relocating, realigning, or closure of streets, or whenever by reason of public work projects (such as the installation or improvement of storm drains, water lines, sewer lines, or similar projects), it shall be deemed necessary by the City to remove, alter, change, adapt, or conform the underground or overhead Facilities of a Registered User, such alterations shall be made by the owner of the Facilities at its expense within ninety

(90) calendar days from receipt of written notice from the City to make such alterations, unless a different schedule has been approved by the Director. Additionally, the City shall have the power at any time to order and require the Registered User to remove and abate any Facility that is dangerous to life and property. In the event the Registered User, after notice, fails or refuses to comply with either type of notice described herein, the City shall have the power to remove the same at the expense of the Registered User, all without compensation or liability for damages to the Registered User. At the City's option, in lieu of removing Registered User's Facilities, the City may deem such Facilities abandoned.

05. **Public safety.** The City retains the right to move any Facilities within the Rights-of-Way to cure or otherwise address a public health or safety emergency. The City shall cooperate to the extent possible with the Registered User in such instances to assure continuity of service and to afford to the Registered User the opportunity to make such relocation itself.
06. **Third party convenience.** If the City requires a Registered User to adapt or conform its facilities, or in any way or manner to alter, relocate or change its property to enable any other Person, except the City, to use, or to use with greater convenience, any Right-of-Way, a Registered User shall not be required to make any such changes until such other Person shall have undertaken with solvent bond, to reimburse the Registered User for any loss and expense which will be caused by, or arise out of such removal, change, adaptation, alteration, conformance or relocation of the Registered User's facilities; provided, however, that the City shall never be liable for such reimbursement.
07. **Abandonment of facilities.** Whenever a Registered User intends to abandon any of its facilities within the Rights-of-Way, it shall submit to the Director notification of its intent to abandon the facility, describing the facility to be abandoned, and the date of the proposed abandonment. City may require the Registered User, at the Registered User's expense: (a) to remove the Facility from the Rights-of-Way, or (b) to modify the Facility in order to protect the public health and safety. Unless such notification is received or unless otherwise provided in this Ordinance, a Registered User shall remove all abandoned above-ground Facilities and equipment upon receipt of written notice from the City and shall restore any affected Rights-of-Way to their former state at the time such facilities and equipment were installed, so as not to impair their usefulness. In removing its plant, structures, and equipment a Registered User shall refill, at its own expense, any excavation necessarily made by it and shall leave all Rights-of-Way in as good condition as that prevailing prior to such removal without materially interfering with any electrical or telephone cable or other utility wires, poles, or attachments. The City shall have the right to inspect and approve the condition of the Rights-of-Way, cables, wires, attachments and poles prior to and after removal. The liability, indemnity and insurance provisions of this Ordinance shall continue in full force an effect during the period of removal and until full compliance by a Registered User with the terms and conditions of this Section. Upon abandonment of any facilities

in place, a Registered User, if required by the City, shall submit to the City a written instrument, satisfactory in form to the City, transferring to the City the ownership of the abandoned facilities or transferring to the City the right of use of the abandoned facilities. Notwithstanding anything to the contrary set forth in this Ordinance, a Registered User may abandon any underground facilities in place so long as it does not materially interfere with the use of the Right-of-Way or with the use thereof by any public utility, cable operator, or other Registered Users.

SECTION 5. Construction Notification.

01. Notification required:

- (a) No Person shall perform any construction, or installation of structures or Facilities in the Rights-of-Way without notifying the City five (5) working days prior to the commencement of the project or as approved by the Director. Notification will be required in the name of the Person who will own the facilities to be constructed. This notification must be completed and signed by a representative of the owner of the facilities to be constructed.
- (b) The phrase "construction, or installation of structures or facilities" does not include repair or maintenance of existing facilities necessary to install service to customer's property, unless such repair, installation or maintenance requires breaking of pavement, the closure of a non-residential street for a period to exceed four (4) hours, excavation or boring.
- (c) The Registered User has the burden to demonstrate in its notification compliance with all requirements of this Ordinance and with all applicable laws.
- (d) All notifications shall include the names and addresses of Persons authorized to act on behalf of the applicant with respect to the notification on behalf of the Registered User.
- (e) All notifications shall be made available by the City for public inspection.

02. Information to be required in notification. Notification will require the following information:

- i. The proposed, approximate location and route of all Facilities to be constructed or installed and the Registered User's schedule for Right-of-Way construction.
- ii. A copy of construction plans for the proposed project, in accordance with accepted industry standards.
- iii. Two (2) sets of construction plans must be submitted on a maximum 24" X 36" media.
- iv. A description of the construction and installation methods to be employed for the protection of existing structures, fixtures, and facilities within or

adjacent to the Rights-of-Way and the dates and times work will occur, all of which (methods, dates, times, etc.) are subject to the approval of the Director.

- v. A statement that the insurance and bonding requirements contained herein are met.
03. **Surety bond.** The applicant shall file a surety bond that will be valid prior to the commencement of any construction through three (3) full years after the completion of the construction from a surety company authorized to do business in the State of Texas. The surety bond shall be in the amount of the estimated amount of the cost to restore the Right-of-Way for the work anticipated to be done in that year and shall guarantee the restoration of the Right-of-Way in the event the applicant leaves a job site in the Right-of-Way unfinished, incomplete, or unsafe. The surety bond requirement can be waived upon proof of financial responsibility by the applicant.

Section 6. Construction Work – Regulation by City.

01. **Existing facilities.** Before initiating construction on Right-of-Way, a Registered User will make all reasonable efforts to attach its Facilities to existing poles and to share existing conduit space, as appropriate. Nothing contained in this Ordinance shall be construed to require or permit the attachment on or placement in a Registered User's Facilities of any electric light or power wires or Facilities or other systems not owned by the Registered User. If the City desires to attach or place electric light or power wires, communications Facilities or other similar systems or Facilities in or on the Registered User's Facilities, then a further separate, noncontingent agreement with the Registered User shall be required. Nothing contained in this Ordinance shall obligate the Registered User to exercise, or restrict the Registered User from exercising, its right to enter voluntarily into pole attachment, pole usage, joint ownership or other wire space or facilities agreements with any Person authorized to operate in the Rights-of-Way of the City.
02. **Traffic disruptions.** The Registered User shall endeavor to minimize disruptions to the efficient use of the Rights-of-Way by pedestrian and vehicular traffic, and Rights-of-Way shall not be blocked for a longer period than shall be reasonably necessary to execute all construction, maintenance and/or repair work. If traffic signs are required, they will be in accordance with the Manual on Uniform Traffic Control Devices.
03. **Utility/pole placement.** All poles placed shall be of sound material and reasonably straight, and shall be set so that they will not interfere with the flow of water in any gutter or drain, and so that they will not unduly interfere with ordinary travel on the streets or sidewalk. The location and route of all poles, stubs, guys, anchors, conduits, fiber, and cables placed and constructed by the Registered User in the construction and maintenance of its Facilities in the City shall be subject to the lawful, reasonable and proper control, direction and/or approval of the City.

04. **Time for completion.** If the work cannot be completed in the time specified in the submitted schedule, the Registered User shall submit a revised schedule forty-eight (48) hours prior to the end date of the original schedule.
05. **Prior notification.** The Department must be notified twenty-four (24) hours in advance that construction is ready to proceed by either the Registered User, its contractor, or other representative. All construction shall be in conformance with all city codes and applicable local, state, and federal laws. The notification shall include the name, address and phone numbers of the contractor or subcontractor who will perform the actual construction, including the name and telephone number of an individual with the contractor who will be available at all times during the construction.
06. **Signage.** Information signs measuring a minimum of three (3) feet by three (3) feet, stating the identity of the Person doing the work, telephone number and Registered User's identity and telephone number shall be placed at the location where construction is to occur at least twenty-four (24) hours prior to the beginning of work in the Right-of-Way and shall continue to be posted at the location during the entire time the work is occurring.
07. **Erosion and storm water controls.** Erosion control measures (e.g., silt fence) and advance warning signs, markers, cones and barricades must be in place before work begins. Registered User shall be responsible for storm water management erosion control that complies with city, state, and federal guidelines. Upon request, Registered User may be required to furnish documentation submitted or received from federal or state governments relating to erosion or storm water controls.
08. **Lane closures.** Unless in the event of emergency, lane closures on major thoroughfares will be limited to after 8:30 a.m. and before 4:00 p.m. unless the Department grants prior approval. Traffic control signs will comply with the specifications of Manual on Uniform Traffic Control Devices.
09. **Responsibility of Registered Users.** Without affecting the legal relationship between Registered Users and their contractors and subcontractors, Registered Users are responsible for the workmanship of and any damages caused by contractors or subcontractors. A responsible representative of the Registered User shall be available to the Department at all times during construction.
10. **Damage to utilities.** Registered User or its contractor or subcontractor shall notify the Department immediately of any damage to other utilities, either city or privately owned.

11. **Cuts.** Unless in the event of emergency, when a street or sidewalk cut is required, prior approval must be obtained from the Department and all requirements of the Department shall be followed. Repair of all street and sidewalk cuts shall be made promptly to avoid safety hazards to vehicle and pedestrian traffic. In the event of emergency repairs, the Registered User will notify the City as soon as possible.
12. **City utilities.** Installation of facilities must not interfere with city utilities, in particular gravity dependent facilities.
13. **Installed depth.** New non-municipal facilities must be installed at a depth as approved by accepted industry standards.
14. **Line locations.** Registered Users working in the Right-of-Way are responsible for obtaining line locations from all affected utilities or others with Facilities in the Rights-of-Way prior to any excavation. Use of Geographic Information System or The plans or records does not satisfy this requirement. Registered Users shall be responsible for verifying the location of all potentially affected facilities prior to any excavation or boring, with the exception of work involving lane closures, as set forth above.
15. **Manholes.** Placement of all manholes and/or hand holes must be approved in advance by the Department. Hand holes or manholes will not be located in sidewalks, unless approved by the Director.
16. **Pumping.** Construction that requires pumping of water or mud shall be contained in accordance with City ordinances and federal and state law and the directives of the Department.
17. **Restoration.** Restoration of Right-of-Way shall be to the reasonable satisfaction of the Department. Restoration shall be made in a timely manner as specified by approved Department schedules and to the satisfaction of the Director. Registered User shall warrant all pavement repairs for a period of one (1) year after restoration has been completed. If restoration is not satisfactory or is not performed in a timely manner, all work in progress, except that related to the problem, may be halted and a hold may be placed on any further work until all restoration as required herein is complete. The restoration shall include, but not be limited to:
 - i. Installation of all manholes and hand holes, as appropriate;
 - ii. Trenches or any holes shall be covered and fenced as approved by the Director or filed daily, unless other safety procedures are approved by the Department.
 - iii. Leveling of all trenches or backhoe lines to natural ground to be maintained for a period of three (3) months after leveling;
 - iv. Sweeping of streets shall be provided on a daily basis during construction;
 - v. Restoration of all landscaping ground cover, and sprinkler systems.

Section 7 Indemnification.

01. **General Provisions.** The Registered User shall indemnify and hold the City, its officers and employees, harmless from all claims, lawsuits, judgements, costs, liens, losses, expenses, fees (including reasonable attorneys fees and costs of defense), proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal or bodily injury (including death), property damage, or other harm for which recovery of damages is sought that may arise out of or be occasioned or caused solely by the Registered User's negligent act, error, or omissions of the Registered User, any agent, officer, director, representative, employee, or subcontractor of the Registered User, and their respective officers, agents, employees, directors and representatives while in the exercise of or performance of the rights or duties under this Ordinance. The indemnity provided for in this paragraph shall not apply to any liability resulting from the negligence of City, its officers or employees, in instances where such negligence causes personal bodily injury, death, or property damage. In the event Registered User and City are found jointly liable by a court of competent jurisdiction, liability shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.
02. **Notice.** The City shall give the Registered User prompt written notice of any claim for which the City seeks indemnification. The Registered User shall have the right to investigate, defend and compromise any such claim. The Registered User shall promptly advise the City, in writing, of any claim or demand against the City or the Registered User known to the Registered User related to or arising out of the Registered User's activities under this Ordinance.

Section 8. Insurance Requirements.

01. **Certificate of Insurance.** In order to comply with the registration requirements of this Ordinance, the Registered User shall at the time of registration furnish a completed Certificate of Insurance.
02. **Coverage Amounts.** A Registered User shall obtain and maintain in full force and effect for the duration of the use and occupancy of the Rights-of-Way, or of the work to be performed under the permit, respectively, at the Registered User's sole expense, insurance coverage written on an occurrence basis, by companies

authorized and admitted to do business in the State of Texas and rated A or better by A.M. Best Company and/or otherwise acceptable to the City, in the following types and amounts:

	TYPE	AMOUNT
1.	Workers' Compensation Employers' Liability	Statutory \$500,000/\$500,000/\$50,000
2.	Commercial General (public) Liability Insurance to include coverage for the following:	
	a. Premises operations	Combined Single Limit
	b. Independent contractors	for Bodily Injury and
	c. Products/completed operations	Property Damage of
	d. Contractual liability	\$1,000,000 per occurrence;
	e. Explosion, collapse, underground	with an aggregate of
	f. Broad form property damages, to include fire legal liability	\$3,000,000 or its equivalent
3.	Business Automobile Liability	
	a. Owned/leased vehicles	Combined Single Limit for
	b. Non-owned vehicles	Bodily injury and Property
	c. Hired vehicles	\$1,000,000 per occurrence or its equivalent
03.	Required Provisions. All insurance contracts and Certificates of Insurance will contain the following required provisions.	
	i. A cancellation provision in which the insurance company is required to notify the City in writing not fewer than thirty (30) calendar days before canceling, failing to renew, or reducing policy limits.	
	ii. The certificates shall state the policy number, the name of the insurance company, the name and address of the agent or authorized representative of the insurance company, the name, address, and telephone number of the insured, the policy expiration date, and specific coverage amounts.	
04.	Self-Insurance. With respect to the Registered User's obligations to comply with the requirements for Commercial General (public) Liability insurance coverage, the City may allow the Registered User to self-insure upon annual production of evidence that is satisfactory to the City's Mayor or designated party. With respect to the Registered User's obligations to comply with the requirements for automobile liability insurance and for workers' compensation insurance, the Registered User may self-insure, provided the Registered User tender satisfactory evidence of self-insurance as contemplated by the State motor vehicle financial responsibility law,	

Texas Transportation Code §601.124, and the Texas Workers' Compensation Act, Tex. Labor Code §407.001, *et seq.*

05. **Persons with franchise agreements or licenses from the City** may meet the above insurance and bonding requirements if their current franchise adequately provides for insurance or bonds or provides an indemnity in favor of the City.

Section 9. Plans of Record.

Provision of plans. Registered Users shall provide the Mayor or designated party with construction drawings within ten (10) calendar days of completion of Facilities in the Rights-of-Way.


Section 1: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 2: Any person, firm, corporation, association or other entity that violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not more than \$500 for each violation.

Section 3: If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

Section 4: The City Secretary shall publish the caption of this ordinance within ten days of final passage in the Herald Coaster Newspaper. This ordinance shall take effect and be in full force five days after publication.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN:
The above Ordinance No. 103, Agreement No. 2000-28, governing the use and occupancy of the City's Rights-of-Way by providing of utility, telecommunications and cable services for the Town of Thompsons was passed and approved following the Second reading hereof this 16th day of November, 2000.



Freddie Newsome, Jr.

Mayor

TOWN OF THOMPSONS

Rita M. Miller

Rita M. Miller - Alderman

Marion Garcia

Marion Garcia - Alderman

Gina S. Treadgold - Alderman

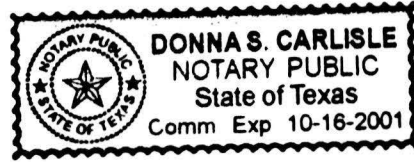
Carol M. Gubbels
Carol M. Gubbels - Alderman

Sherrie K. Finch - Alderman

ATTEST:

Donna Carlisle

City Secretary



I, Donna Carlisle, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 103, Agreement No. 2000-28, finally passed and approved by the Town of Thompsons, following the Second reading thereof at a regular meeting held on the 16th day of November, 2000.

Donna Carlisle

Donna Carlisle - City Secretary

Incorporated 1979

Telephone: 281-343-9929

FAX: 281-343-7786

TOWN OF THOMPSONS

P. O. BOX 29

THOMPSONS, TEXAS 77481

MAYOR

FREDDIE NEWSOME, JR

ALDERMEN

RITA M. MILLER

MARION GARCIA

GINA S. TREADGOLD

CAROL M. GUBBELS

SHERRIE K. FINCH

December 29, 2000

Southwestern Bell
Attention: Mitch Thames
1110 Louise Street, 1st Floor
Rosenberg, Texas 77471

Dear Mr. Thames:

Enclosed you will find one original of Ordinance No. 103 establishing rules and regulations governing the use of the Town of Thompsons rights-of-way.

If you have any questions, please do not hesitate to contact me at 281-343-9929.

Sincerely,

Freddie Newsome, Jr.
Mayor

FN/dsc
swbthames.docs00

Enclosures

Town of Thompsons
Rules & Regulations

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Clyde C. King, Jr. who being by me duly sworn, deposes and says that he is the Publisher of *The Herald-Coaster* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1892.
5. it is generally circulated within Fort Bend County.

LEGAL NOTICE
 An Ordinance of the Town of Thompsons, Texas, establishing rules and regulations governing the use and occupancy of the city's Rights-of-way by the providers of Utility, Telecommunication, and Cable services; providing for construction work regulation by City; providing for insurance; requiring alteration to conform with public improvements; providing for notice; providing for a penalty of up to \$500 per violation; providing for repeal of conflicting ordinances to the extent of the conflict only; providing a savings clause; providing for the right of the City to substitute the permit process to the county for their requirements and approval prior to action by the city.
 The official reading of the notice was presented October 19, 2000. Final presentation of this ordinance will be at the City Council meeting, Thursday, November 16, 2000 at 7:30 P.M. in the Thompsons Municipal Building 134 Thompsons Oil Field Road, Thompsons, Texas.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

11-8 _____, A.D. 2000

 Clyde C. King, Jr.
 Editor and Publisher

SUBSCRIBED AND SWORN BEFORE ME by _____
 Clyde C. King, Jr., who

X a) is personally known to me, or
 _____ b) provided the following evidence to establish his/her identity, _____

on this the 8 day of November, A.D. 2000,
 to certify which witness my hand and seal of office.

Tiffany Williams
 Notary Public, State of Texas



PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Clyde C. King, Jr. who being by me duly sworn, deposes and says that he is the Publisher of The Herald-Coaster and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

- 1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1892.
5. it is generally circulated within Fort Bend County.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

11-20, A.D. 2000

Clyde C. King, Jr. (handwritten signature)

Clyde C. King, Jr. Editor and Publisher

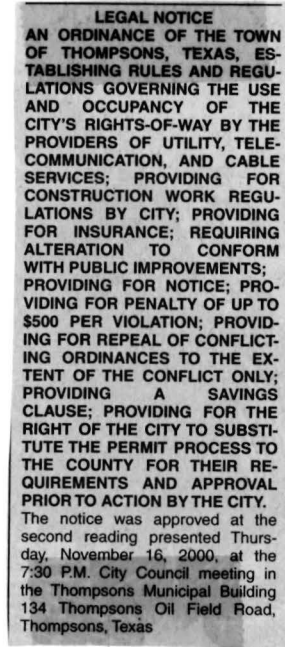
SUBSCRIBED AND SWORN BEFORE ME by

Clyde C. King, Jr., who

X a) is personally known to me, or
b) provided the following evidence to establish his/her identity,

on this the 20 day of November, A.D. 2000, to certify which witness my hand and seal of office.

Tiffany Williams (handwritten signature)
Notary Public, State of Texas



AN ORDINANCE OF THE TOWN OF THOMPSONS, TEXAS, DESIGNATING A PART OF THE AREA LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE TOWN OF THOMPSONS, TEXAS, AS AN INDUSTRIAL DISTRICT; IDENTIFYING SAID INDUSTRIAL DISTRICT AS "THOMPSONS INDUSTRIAL DISTRICT NO. 2"; RESERVING ALL RIGHTS AND POWERS OTHERWISE REPOSING BY LAW IN THE BOARD OF ALDERMEN OF THE TOWN OF THOMPSONS, TEXAS; PROVIDING A SAVING CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the policy of the Board of Aldermen of the Town of Thompsons, Texas, to adopt such reasonable measures, from time to time, as are permitted by law and which will tend to enhance the economic stability and growth of the town of Thompsons and its environs by attracting the location of new, and the preservation and expansion of old industries therein; and

WHEREAS, the Municipal Annexation Act, Chapter 42, Texas Local Government Code, as amended, provides for the creation of industrial districts within the extraterritorial jurisdictions of cities, towns and villages in the State of Texas; and

WHEREAS, the Board of Aldermen of the Town of Thompsons, Texas, has determined that it is in the public interest to adopt the following ordinance pursuant to Section 42.044 of the Texas Local Government Code, as amended, and to therein designate a part of the area located within the extraterritorial jurisdiction of the Town of Thompsons, Texas, as an industrial district;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF THOMPSONS, TEXAS:

Section 1. That, pursuant to Section 42.044 of the Texas Local Government Code, as amended, the Board of Aldermen of the Town of Thompsons, Texas, hereby designates the area

described on Exhibit "A", attached hereto and made a part hereof, as an industrial district of the Town of Thompsons, Texas.

Section 2. The industrial district hereby designated and established shall be known as "Thompsons Industrial District No. 2".

Section 3. It is hereby declared to be the purpose of the Board of Aldermen of the Town of Thompsons, Texas, to treat with such area from time to time as may be in the best interest of said Town of Thompsons, and as may be necessary or desirable for the attraction and maintenance of industry therein.

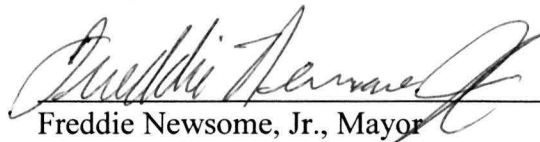
Section 4. The Board of Aldermen of the Town of Thompsons may enlarge or diminish such industrial district from time to time as permitted by law and applicable agreements, and the Town of Thompsons hereby reserves and preserves all rights and powers of the Town of Thompsons with respect to such industrial district, except as expressly otherwise stated herein or in applicable agreements.

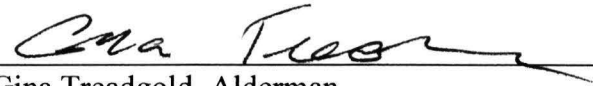
Section 5. Should any portion of the area herein designated as an industrial district be not actually situated within the extraterritorial jurisdiction of the Town of Thompsons, Texas, and not therefore capable of being so designated, such fact shall not affect the validity of this designation as to the remaining portions of said area.


Section 6. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of their conflict only.


Section 7. This ordinance shall take effect and be in force from and after its passage and approval.


Passed and approved this the 16th day of Aug. 2001.

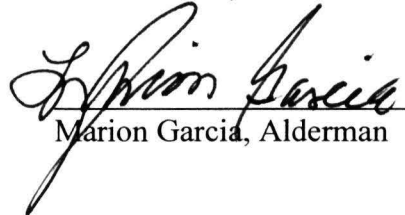

Freddie Newsome, Jr., Mayor


Gina Treadgold, Alderman


Carol Gubbels, Alderman

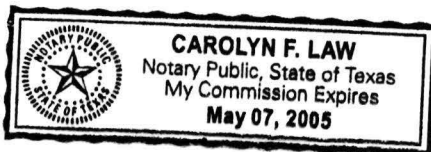

Rita Miller, Alderman


Sherrie Finch, Alderman


Marion Garcia, Alderman

ATTEST:


City Secretary



I, Carolyn F. Law, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 104, finally passed and approved by the Town of Thompsons, following the First reading thereof at a regular meeting held on the 16th day of Aug. 2001.

Carolyn F. Law
City Secretary

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, Carolyn F. Law, the duly appointed, qualified and acting Secretary of the Town of Thompsons, Texas, hereby certify that the above and foregoing ordinance of the Town of Thompsons was passed at a regular meeting of the Board of Aldermen of the Town of Thompsons held on the 16th day of Aug. 2001; that written notice of the date, hour, place and subject of said meeting was posted for at least 72 hours preceding the scheduled time of said meeting on a bulletin board located in a place in the city hall which is convenient and readily accessible to the general public at all times; that the Mayor, Freddie Newsome, Jr., and Aldermen Gina Treadgold, Carol Gubbels, Rita Miller, Sherrie Finch, and Marion Garcia were present at said meeting and acted as the Board throughout; that said ordinance has been approved by the Mayor and is duly attested by the Secretary; and that the same has been duly engrossed and enrolled in the records of the Town of Thompsons, Texas.

EXECUTED under my hand and the official seal of the Town of Thompsons, Texas, this 16th day of Aug. 2001.

Carolyn F. Law
City Secretary of the Town of Thompsons

APPENDIX "A"



Thompson Surveying Company

P.O. Box 801405
Houston, TX 77280

METES AND BOUNDS DESCRIPTION
111.8000 ACRE TRACT
OUT OF THE
SAMUEL YOUNG SURVEY, A-348,
FORT BEND COUNTY, TEXAS

(713) 895-7348
Fax (713) 895-8528

BEING a 111.8000 acre (4,870,011 square feet) tract of land out of the Samuel Young Survey, Abstract 348, Thompsons, Fort Bend County, Texas also being a portion of a 196.2 acre tract of land as described in a deed dated November 6, 1947 from Chas. T. Lockwood to Ethel Clark Lockwood as recorded in Volume 251 at Page 161 in the Fort Bend County Clerk's records also a portion of a 21.94 acre tract of land as described in a deed dated April 16, 1997 from KCT Railway Corporation to Sharp Corporation recorded in Fort Bend County Clerks File Number (FBCC#) 9741162 in the Fort Bend County Clerk's records and being more particularly described by metes and bounds terminology, bearings and coordinates related to the Texas State Plane Co-ordinate System, South Central Zone (NAD83) as follows:

BEGINNING at a wooden fence corner found, at the intersection of the southerly right-of-way of the Cane Belt Railroad (140 feet wide at this point) and the east line of Rabbs Prairie Road (60 feet wide as currently occupied) occupying Texas State Plane Co-ordinate position Y=13,733,447.48 and X=3,039,910.01 and being a point in the west line of said Samuel Young Survey;

THENCE, N 02° 39' 59" W, a distance of 184.30 feet to a 5/8 inch iron rod with cap, found, for the most westerly corner of the herein described tract on the north line of said KCT Railway tract;

THENCE, N 46° 45' 54" E, along and with said north line of KCT Railway, a distance of 625.16 feet to a 5/8 inch iron rod with cap, found, for a corner of the herein described tract, being a point at which the width of the right-of-way of the KCT Railway tract narrows;

THENCE, S 43° 14' 06" E, continuing along and with said north line of KCT Railway, a distance of 20.00 feet to a 5/8 inch iron rod with cap, found, for a change of railroad width and angle point of the herein described tract, (railroad width 100 feet wide at this point);

THENCE, N 46° 45' 54" E, continuing along and with said north line of KCT Railway (100 feet wide), a distance of 3,775.98 feet to a cotton picker spindle, found, at the intersection with the west line of Lockwood Road (60 feet wide) for the most northeasterly corner of the herein described tract;

Page Two - 111.8000 Acres in Ft. Bend County - Brazos Valley Energy LP

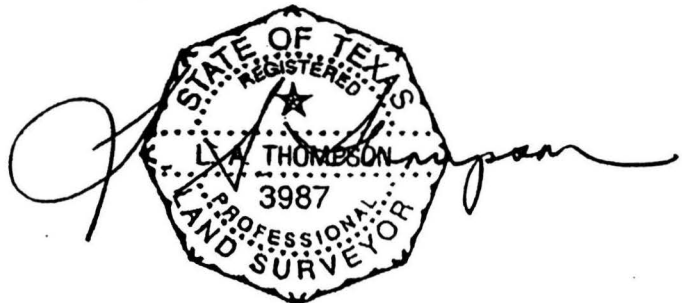
THENCE, S 04° 06' 29" E, along and coincident with the west right-of-way line of said Lockwood Road, passing at a distance of 128.91 feet, a 5/8 inch iron rod with cap, found, continuing along and coincident with the west right-of-way line of said Lockwood Road as occupied, a total distance of 2800.15 feet, to a 5/8 inch iron rod, found, for the southeast corner of the herein described tract;

THENCE, S 85° 53' 31" W, a distance of 3,125.33 feet to a 5/8 inch iron rod with cap, found, for a corner, said point being 80.00 feet southeasterly of and parallel with the southeast line of said Cane Belt Railroad;

THENCE, S 46° 45' 54" W, 80.00 feet southeasterly of and parallel with said Cane Belt Railroad, a distance of 398.01 feet to the point of intersection with the east line of Rabbs Prairie Road (as occupied on the ground) to a 5/8 inch iron rod with cap, found, for the most southwesterly corner of the herein described tract;

THENCE, N 02° 39' 59" W, along and coincident with the east line of said Rabbs Prairie Road, a distance of 105.31 feet to the POINT OF BEGINNING, delineating and encompassing within the metes recited 111.8000 acre (4,870,011 square feet) tract of land more or less based on the Land Title Surveys and plats made by Thompson Surveying Company, Houston, Texas dated June 19, 2001.

Thompson Surveying Company
10034 Clay Road
Houston, Texas 77080
Job No.000512, 001209, 010313
June 25, 2001
Document Id: 010313B.LGL.WPD



COPY

ORDINANCE NO. 105 AGREEMENT NO. 2001-14

APPROVING A PROPOSED INDUSTRIAL AGREEMENT BETWEEN THE TOWN OF THOMPSONS AND BRAZOS VALLEY ENERGY LP; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE, AND DELIVER AND THE TOWN SECRETARY TO ATTEST SAID INDUSTRIAL DISTRICT AGREEMENT; REPEALING ALL AN ORDINANCE OF THE TOWN OF THOMPSONS, TEXAS, ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Texas Local Government Code, Section 42.044, as amended, provides for the creation of industrial districts within the extraterritorial jurisdictions of cities, towns and villages in the State of Texas; and

WHEREAS, pursuant to such legislative enactment and in the interest of further cooperation with industry and the economic enhancement of the Town of Thompsons, the Board of Alderman of the Town of Thompsons adopted Ordinance No. 105 on the 16th day of Aug. 2001, designating a part of the extraterritorial jurisdiction of the Town of Thompsons as an industrial district known as Thompsons Industrial District No.2; and

WHEREAS, Brazos Valley Energy LP owns properties located within Thompsons Industrial District No. 2, and

WHEREAS, The Town of Thompsons and Brazos Valley Energy LP desire to enter into an industrial district agreement;

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF ALDERMAN AND THE TOWN OF THOMPSONS, TEXAS:

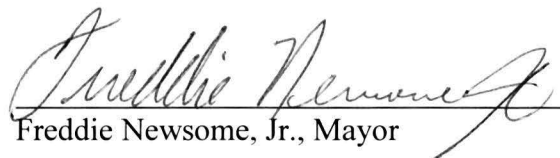
Section 1. That the proposed industrial district agreement between the Town of Thompsons, Texas and Brazos Valley Energy LP, a copy of which is attached hereto and made a part hereof as Exhibit "A", is hereby approved.

Section 2. The Mayor is hereby authorized and directed to execute and deliver, and the Town Secretary to attest, the above-described industrial district agreement with Brazos Valley Energy LP on behalf of the Town of Thompsons, Texas.


Section 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of their conflict only.


Section 4. This ordinance shall take effect and be in force from and after its passage and approval.

Passed and approved this the *16th* day of *Aug.* 2001.

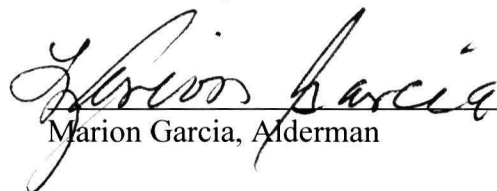

Freddie Newsome, Jr., Mayor


Gina Treadgold, Alderman

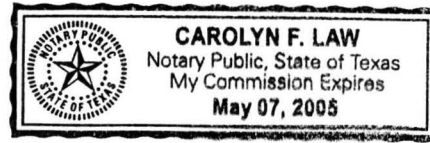

Carol Gubbels, Alderman


Rita Miller, Alderman


Sherrie Finch, Alderman


Marion Garcia, Alderman

ATTEST:



Carolyn F. Law
City Secretary

I, Carolyn F. Law, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 105, finally passed and approved by the Town of Thompsons, following the First reading thereof at a regular meeting held on the 16th day of Aug. 2001

Carolyn F. Law
City Secretary

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, Carolyn F. Law, the duly appointed, qualified and acting Secretary of the Town of Thompsons, Texas, hereby certify that the above and foregoing ordinance of the Town of Thompsons was passed at a regular meeting of the Board of Aldermen of the Town of Thompsons held on the 16th day of Aug. 2001; that written notice of the date, hour, place and subject of said meeting was posted for at least 72 hours preceding the scheduled time of said meeting on a bulletin board located in a place in the city hall which is convenient and readily accessible to the general public at all times; that the Mayor, Freddie Newsome, Jr., and Aldermen Gina Treadgold, Carol Gubbels, Rita Miller, Sherrie Finch, and Marion Garcia were present at said meeting and acted as the Board throughout; that said ordinance has been approved by the Mayor and is duly attested by the Secretary; and that the same has been duly engrossed and enrolled in the records of the Town of Thompsons, Texas.

EXECUTED under my hand and the official seal of the Town of Thompsons, Texas, this 16th day of Aug. 2001.

Carolyn F. Law
City Secretary of the Town of Thompsons

Exhibit "A"

INDUSTRIAL DISTRICT AGREEMENT BETWEEN

BRAZOS VALLEY ENERGY LP

AND

THE TOWN OF THOMPSONS, TEXAS

This Industrial District Agreement ("Agreement") is made and entered into by and between the TOWN OF THOMPSONS, TEXAS, a municipal corporation in Fort Bend County, Texas ("Thompsons" or "the town"), and Brazos Valley Energy LP, a Delaware limited partnership ("Brazos Valley Energy" or "the Company").

WITNESSETH:

WHEREAS, Thompsons has determined that it is in the best interest of the Town and its citizens to adopt such reasonable measures from time to time as are permitted by law and which will tend to enhance the economic stability, well-being and advancement of its residents, present and future, and, growth of the Town and its environs in a reasonable and controlled manner by attracting the location of new residents and industries and the expansion of existing and future industries therein; and

WHEREAS, the Texas Legislature has adopted Texas Local Government Code, Section 42.044, as amended from time to time, which provides for the creation of industrial districts within the extraterritorial jurisdiction of cities, towns and villages in the State of Texas; and

WHEREAS, pursuant to the above-referenced statutory provision and in the interest of enhancing the economic stability and growth of the Town and its environs Thompsons enacted

Ordinance No. *105* dated the *14th* day of *Aug.* 2001, designating a part of its extraterritorial jurisdiction as an industrial district known as Thompsons Industrial District No. 2; and

WHEREAS, Brazos Valley Energy LP is the owner of a certain tract of land, more particularly described in Appendix A attached hereto and incorporated herein for all purposes, which tract is included in the Thompsons Industrial District No. 2 and upon which tract the Company will construct and may in future years expand, remodel, or repair (but not limited thereto) an industrial plant(s) (embracing in general the Company's *electric generating plant*); and

WHEREAS, the Town and Brazos Valley Energy LP desire to enter into an industrial district agreement the term of which expires December 31, 2009 guaranteeing the continuation of the extraterritorial jurisdiction of the district, providing immunity from annexation and containing other terms and conditions mutually agreeable to the parties,

NOW THEREFORE, in consideration of the premises and the mutual agreements of the parties contained herein and pursuant to the authority granted under Section 42.044 of the Texas Local Government Code and the Ordinances of the Town referred to above, the Company and the Town hereby agree as follows

Section 1. Thompsons hereby covenants, agrees and guarantees that all the land, property and improvements thereon owned, used, occupied, leased, rented or possessed by the Company within the area designated as Thompsons Industrial District No. 2 shall continue and retain (as to all of the above) its extraterritorial status as an industrial district and it (all of the above) shall not be annexed by the Town nor shall the Town attempt to annex, or in any way cause or permit to be annexed any of such property during the term of this Agreement.

The Town further covenants, agrees and guarantees that during the term of this Agreement the Town shall not apply or purport to apply any charter provision, ordinance, by-law, rule or regulation to such property, including, without limitation, any charter provision, ordinance, bylaw, rule or regulation: (a) governing places and the subdivision of land; (b) prescribing any zoning, building, electrical, plumbing or inspection code or codes; (c) governing drilling for, producing, gathering, storing, or transporting liquid, solid or gaseous hydrocarbon materials; or (d) attempting to exercise in any manner whatsoever control over the conduct of the Company's or its assigns' business thereon. The Town further agrees that during the terms of this Agreement, the Town shall not levy or purport to levy any taxes or assessments, against any real, personal or mixed property owned, used, occupied, leased, rented, or possesses by the Company or any of its affiliates within Thompsons Industrial District No. 2.

Section 2. Except as otherwise agreed by the parties in writing, during the term of this Agreement the Town shall not be required to furnish municipal services to the Company's properties within the area designated as Thompsons Industrial District No. 2 which are ordinarily and customarily supplied by the Town to property owners within its boundaries, including, without limitation, sewer or water service, police protection, road or street repairs, or garbage pickup service; provided, however, the Town shall continue to furnish such fire fighting services to the area as are ordinarily and customarily supplied by the Town to property owners within its county designated fire district boundaries.

Section 3. (a) The Company hereby covenants and agrees to pay to Thompsons an obligatory annual industrial district payment beginning in 2003. The Company will pay to Thompsons as follows:

1.	Pay on or before December 31, 2003	\$125,000
2.	Pay on or before December 31, 2004	\$128,000
3.	Pay on or before December 31, 2005	\$131,000
4.	Pay on or before December 31, 2006	\$134,000
5.	Pay on or before December 31, 2007	\$137,000
6.	Pay on or before December 31, 2008	\$140,000
7.	Pay on or before December 31, 2009	\$143,000

(b) Should the Town levy or purport to levy any tax or assessment against any real, personal or mixed property owned, used, occupied, leased, rented or possessed by the Company or any of its affiliated within the area described in Appendix A attached hereto and incorporated herein for all purposes, any annual industrial district payment due hereunder shall be reduced by an amount equal to such tax or assessment.

Section 4. This Agreement is effective as of January 1, 2002 and shall continue in effect thereafter until December 31, 2009, unless extended by agreement in writing for an additional period or periods of time upon mutual consent of the Town and the Company as allowed by Section 42.044 of the Texas Local Government Code as it may be then amended. In this connection, the Town and the Company acknowledge and hereby express their belief that industrial district agreements of the kind made herein are conducive to the development of existing and future industry and are in the best interest of all citizens of the Town and the Company and encourage future Boards of Aldermen, upon request of the Company or its assigns, to enter into future industrial district agreements and to provisions as they may be then agreed upon by the parties; provided, however, that nothing herein contained shall be deemed to obligate either party to agree to an extension of this Agreement.

Section 5. All payments to the Town provided for herein shall be made to the Town at the City Hall in Thompsons, Fort Bend County, Texas, by regular mail, postage prepaid, on or before that date.

Section 6. Notwithstanding any provision of this Agreement to the contrary, if during the term of the Agreement, (a) any other municipality should institute proceedings under applicable local, state or federal statutes, rule or regulations to annex any land or property owned, used, occupied, leased, rented or possessed by the Company or any of its affiliates within the area designated as Thompsons Industrial District No. 2, or (b) the creation of any new municipality should be attempted under applicable local, state or federal statutes, rules or regulations so as to include within its limits such land or property, or (c) any other municipality should institute proceedings under applicable local, state or federal statutes, rules or regulations to include within its extraterritorial jurisdiction such land or property, or (d) any person, corporation or other entity should institute legal or administrative proceedings, including, without limitation, proceedings under applicable local, state or federal statutes, rules or regulations to set aside or otherwise abrogate this Agreement, the Town shall, with the cooperation of the Company and attorneys employed or retained by the Company, seek injunctive relief against any such annexation, incorporation, extension or challenge, and shall take such other legal steps as may be necessary or advisable under the circumstances provided, however, that nothing herein shall obligate the Company to seek injunctive relief or take any other legal steps if such annexation, incorporation, extension or challenge is in the best interest of the Company. Until judgment setting aside such annexation, incorporation, extension or challenge becomes final beyond further appeal, the Company may, at its option, suspend its annual industrial district payment obligations hereunder; provided, however, should the Company elect to suspend payments shall thereafter bear interest

at the prime rate announced from time to time by the Chase Manhattan Bank, Houston, Texas, as it changes, until paid; provided, further, the interest on such suspended payments shall be payable to the Town quarterly. At such time as judgment setting aside such annexation, incorporation, extension or challenge becomes final beyond further appeal, the Company shall (a) resume making its annual industrial district payments as provided herein and (b) pay to Town any payments suspended pursuant to this Section. Should the Town refuse or fail to comply with its obligations under this Section, the Company shall have the right to seek such legal or equitable relief as it deems necessary or advisable in its own name or in the name of the Town and, if necessary, the Company may join the Town as a party to such legal action.

If the Town and the Company are unsuccessful in preventing any such annexation, incorporation, extension or challenge, the Company shall have the right to (a) terminate this Agreement in whole or in part, or (b) continue this Agreement in full force and effect; provided, however, that the Company's right to terminate this Agreement must be exercised within six (6) months after judgment upholding such annexation, incorporation, extension or challenge becomes final beyond further appeal; provided, further, in the event of such termination the Town shall have no obligation to refund any industrial district payment previously paid and this Agreement shall become void and cease and all parties hereto shall be fully released and acquitted.

Section 7. The benefits accruing to the Company under this Agreement shall also extend to the Company's "affiliates" and to any properties, real, personal or mixed, owned, used, occupied, leased, rented or possessed by said affiliates within the area designated at Thompsons Industrial District No. 2, and where reference is made herein to land, property and improvements

owned, used, occupied, leased, rented or possessed by the Company it shall also include land, property and movements owned, used, occupied, leased, rented or possessed by its affiliates.

The word "affiliates" as used herein shall mean (a) any corporation five percent (5%) or more of the voting securities of which is owned or controlled, directly or indirectly, by any person or corporation that owns or controls, directly or indirectly, five percent (5%) or more of the voting securities of the Company and (b) any corporation five percent (5%) or more of the voting securities of which is owned or controlled, directly or indirectly, by the Company. Any reference in this Agreement to any "land" or "improvements" or "property" of the Company shall mean all land and all other real, personal, or mixed property located thereon now owned, used, occupied, leased, rented or possessed by the Company or any affiliate of the Company within Thompsons Industrial District No. 2, and all land and other real, personal or mixed property located thereon hereafter owned, used, occupied, leased, rented or possessed by the Company or any affiliate of the Company within Thompsons Industrial District No. 2.

Section 8. This Agreement shall inure to the benefit of and be binding upon the Company and the Town, and each of them, and upon their respective successors and assigns, and shall remain in force whether the Company sells, assigns (including, without limitation, a collateral assignment) or in any other manner disposes of, either voluntarily or by operation of law, all or any part of the property belonging to it within the territory hereinabove described, provided no disposal by Company, however accomplished, shall relieve Company of any prior breach of the terms and conditions hereof and any subsequent owner deriving any right, title or interest therein (excluding any interest obtained by collateral assignment) shall be required to fully assume all of the Company's obligations hereunder, and the agreements herein contained

shall be held to be covenants with the land owned by the Company situated within said territory, for so long as this Agreement or any extension thereof remains in force.

Section 9. If during the term of this Agreement the terms and conditions of this Agreement are rendered ineffective or their effect changed by statutory or regulatory changes (including, without limitation, legislative, administrative or judicial changes, interpretations or reinterpretations, whether involving the Company's participation or not) both parties mutually agree that said Agreement shall be renegotiated to accomplish the intent of this Agreement.

Section 10. In the event the Town enters into an industrial district agreement or renews any industrial district agreement after the effective date hereof and while this Agreement is in effect, which contains terms and conditions materially more favorable than those contained in the Agreement, the Company and its assigns shall have the right to amend this Agreement and the Town agrees to amend same to embrace the more favorable terms of such agreement or renewal agreement.

Section 11. In the event that the Company has not completed the construction of at least fifty percent (50%) of its electric generating plant by December 31, 2003, this agreement shall become null and void after that date.

EXECUTED IN DUPLICATE ORIGINALS as of the *16th* day of *Aug.* 2001.

ATTEST:

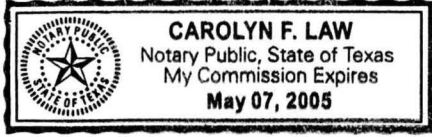
BRAZOS VALLEY ENERGY LP

Assistant Secretary

By: _____
Name: _____
Title: _____

ATTEST:

Carolyn F. Law
Town Secretary



TOWN OF THOMPSONS, TEXAS

By: Freddie Newsome Jr.
Name: Freddie Newsome Jr.
Title: Mayor

APPENDIX "A"



Thompson Surveying Company

P.O. Box 801405
Houston, TX 77280

**METES AND BOUNDS DESCRIPTION
111.8000 ACRE TRACT
OUT OF THE
SAMUEL YOUNG SURVEY, A-348,
FORT BEND COUNTY, TEXAS**

(713) 895-7348
Fax (713) 895-8528

BEING a 111.8000 acre (4,870,011 square feet) tract of land out of the Samuel Young Survey, Abstract 348, Thompsons, Fort Bend County, Texas also being a portion of a 196.2 acre tract of land as described in a deed dated November 6, 1947 from Chas. T. Lockwood to Ethel Clark Lockwood as recorded in Volume 251 at Page 161 in the Fort Bend County Clerk's records also a portion of a 21.94 acre tract of land as described in a deed dated April 16, 1997 from KCT Railway Corporation to Sharp Corporation recorded in Fort Bend County Clerks File Number (FBCC#) 9741162 in the Fort Bend County Clerk's records and being more particularly described by metes and bounds terminology, bearings and coordinates related to the Texas State Plane Co-ordinate System, South Central Zone (NAD83) as follows:

BEGINNING at a wooden fence corner found, at the intersection of the southerly right-of-way of the Cane Belt Railroad (140 feet wide at this point) and the east line of Rabbs Prairie Road (60 feet wide as currently occupied) occupying Texas State Plane Co-ordinate position $Y=13,733,447.48$ and $X=3,039,910.01$ and being a point in the west line of said Samuel Young Survey;

THENCE, $N 02^{\circ} 39' 59'' W$, a distance of 184.30 feet to a 5/8 inch iron rod with cap, found, for the most westerly corner of the herein described tract on the north line of said KCT Railway tract;

THENCE, $N 46^{\circ} 45' 54'' E$, along and with said north line of KCT Railway, a distance of 625.16 feet to a 5/8 inch iron rod with cap, found, for a corner of the herein described tract, being a point at which the width of the right-of-way of the KCT Railway tract narrows;

THENCE, $S 43^{\circ} 14' 06'' E$, continuing along and with said north line of KCT Railway, a distance of 20.00 feet to a 5/8 inch iron rod with cap, found, for a change of railroad width and angle point of the herein described tract, (railroad width 100 feet wide at this point);

THENCE, $N 46^{\circ} 45' 54'' E$, continuing along and with said north line of KCT Railway (100 feet wide), a distance of 3,775.98 feet to a cotton picker spindle, found, at the intersection with the west line of Lockwood Road (60 feet wide) for the most northeasterly corner of the herein described tract;

Page Two - 111.8000 Acres in Ft. Bend County - Brazos Valley Energy LP

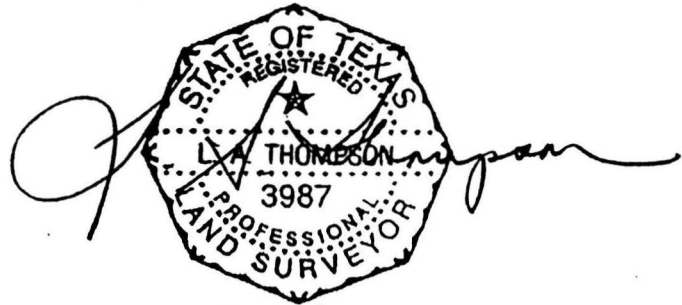
THENCE, S 04° 06' 29" E, along and coincident with the west right-of-way line of said Lockwood Road, passing at a distance of 128.91 feet, a 5/8 inch iron rod with cap, found, continuing along and coincident with the west right-of-way line of said Lockwood Road as occupied, a total distance of 2800.15 feet, to a 5/8 inch iron rod, found, for the southeast corner of the herein described tract;

THENCE, S 85° 53' 31" W, a distance of 3,125.33 feet to a 5/8 inch iron rod with cap, found, for a corner, said point being 80.00 feet southeasterly of and parallel with the southeast line of said Cane Belt Railroad;

THENCE, S 46° 45' 54" W, 80.00 feet southeasterly of and parallel with said Cane Belt Railroad, a distance of 398.01 feet to the point of intersection with the east line of Rabbs Prairie Road (as occupied on the ground) to a 5/8 inch iron rod with cap, found, for the most southwesterly corner of the herein described tract;

THENCE, N 02° 39' 59" W, along and coincident with the east line of said Rabbs Prairie Road, a distance of 105.31 feet to the POINT OF BEGINNING, delineating and encompassing within the metes recited 111.8000 acre (4,870,011 square feet) tract of land more or less based on the Land Title Surveys and plats made by Thompson Surveying Company, Houston, Texas dated June 19, 2001.

Thompson Surveying Company
10034 Clay Road
Houston, Texas 77080
Job No.000512, 001209, 010313
June 25, 2001
Document Id: 010313B.LGL.WPD



ORDINANCE # 106
ESTABLISHING RACIAL PROFILING POLICY
FOR THE TOWN OF THOMPSONS

RACIAL PROFILING POLICY
OF THE
TOWN OF THOMPSONS, TEXAS

I. Policy and purpose

This Racial profiling policy is adopted in compliance with the requirements of Articles 2.131 through 2.136, Texas Code of Criminal Procedure, which prohibits Texas peace officers from engaging in profiling.

II. Definitions

- a. **Racial Profiling:** means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants, persons needing assistance, or other citizen contacts.
- b. **Race or Ethnicity:** means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.
- c. **Acts Constituting Racial Profiling:** are acts initiating law enforcement actions, such as a traffic stop, a detention, a search, issuance of a citation, or an arrest based solely upon individual's race, ethnicity, or national origin or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.
- d. **Pedestrian Stop:** means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.
- e. **Traffic Stop:** means the stopping of a motor vehicle by a peace officer for an alleged violation of law or ordinance regulating traffic.

III Prohibition

Peace officers of the Town of Thompsons are strictly prohibited from engaging in racial profiling. The prohibition against racial profiling does not preclude the use of race, ethnicity, or national origin as factors in a detention decision by a peace officer. Race, ethnicity, or national origin may be legitimate factors in such a decision when used as part of a description of a suspect or witness for whom a peace officer is searching.

IV. Complaint Process and Public Education

Any person who believes that a peace officer employed by the Town of Thompsons has engaged in racial profiling with respect to that person may file a complaint with the Town of Thompsons, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or be discriminated against because they have filed such a complaint.

The Town of Thompsons shall accept and investigate citizen complaints alleging racial profiling by its peace officers. Such complaints shall be in writing, or the Town of Thompsons employee, officer, or official receiving the complaint should reduce the same to writing, and should include the time, place, and details of the incident of alleged racial profiling, the identity or description of the peace officer or officers involved, and the identity and manner of contacting the complainant.

Any peace officer, Town of Thompsons employee, or Town of Thompsons official who receives a citizen complaint alleging racial profiling shall forward the complaint to the Chief of Police within 12 hours of receipt of the complaint. Receipt of each complaint shall be acknowledged to the complainant in writing, all such complaints shall be reviewed and investigated by the Chief of Police within a reasonable period of time, and the results of the Chief of Police's review and investigation shall be filed with the Mayor, City Council, and with the complainant.

In investigating a complaint alleging racial profiling, the Mayor shall seek to determine if the officer who is subject of the complaint has engaged in a pattern of racial profiling that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures. A single act constituting racial profiling may not be considered a pattern of racial profiling, and shall not be grounds for corrective action.

In the event that a complaint of racial profiling filed by an individual involves an occurrence that was recorded on audio or video, the Mayor shall, upon commencement of the investigation of the complaint and upon written request of the officer, promptly provide a copy of the recording to the peace officer that is a subject of the complaint.

The Police Department, City Council, of the Town of Thompsons shall provide education to the public concerning the racial profiling complaint process. A summary of the public

education efforts made during the preceding year shall be included with the annual report filed with the governing body of the Town of Thompsons under Part VI below.

V. Corrective Action

Any peace officer who is found, after investigation, to have engaged in racial profiling in violation of this policy shall be subject to corrective action, which may include reprimand; diversity, sensitivity or other appropriate training or counseling; paid or unpaid suspension; termination of employment, or other appropriate action as determined by the Mayor and City Counsel.

VI. Collection of Information and Annual Report When Citation Issued or Arrest made

For each traffic stop in which a citation is issued and for each arrest resulting from such traffic stops, a peace officer involved in the stop shall collect information identifying the race or ethnicity of the persons detained, stating whether a search was conducted, and if a search was conducted, whether the person detained consented to the search.

The information collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the governing body of the Town of Thompsons no later than March 1 of the following year. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any peace officer involved in a stop or arrest.

VII. Audio and Video Equipment

(a) The Chief of Police, Mayor, City Council of the Town of Thompsons shall, immediately upon enactment of this policy, commence examination of the feasibility of installing video camera equipment and transmitter-activated equipment in each Town of Thompsons motor vehicle regularly used to make traffic stops, and transmitter-activated equipment in each Town of Thompsons motorcycle regularly used to make traffic stops, and shall report to the governing body of the Town of Thompsons on the findings of such examination no later than six months following enactment of this policy. The report shall include funding options available to the Town, including any funding available through the Department of Public Safety.

(b) In event that the findings of such examination support the installation of such equipment, the governing body shall consider and take action on installing the equipment, applying for funding to secure and install such equipment, or such other action as the governing body considers appropriate. In the event the examination does not support installing such equipment, the Mayor of the Town shall periodically update the governing body on such feasibility.

(c) In the event that the governing body determines that funds are needed in order to install the equipment, it shall pass a resolution certifying that fact to the Department of Public Safety. On receipt of either sufficient funds or video and audio equipment, the governing body shall install video and transmitter-activated equipment in each motor vehicle regularly used to make traffic stops, and shall install transmitter-activated equipment on each motorcycle regularly used to make traffic stops, and the governing body shall pass a resolution certifying to the Department of Public Safety that such equipment has been installed and is being used to record each traffic and pedestrian stop made by a peace officer employed by the Town that is capable of being recorded by video and audio or audio equipment, as appropriate.

VIII. Review of Video and Audio Documentation-Standards

In the event that audio and video equipment is installed, each audio and video recording shall be retained for a minimum period of ninety (90) days unless a complaint is filed alleging that a peace officer of the Town has engaged in racial profiling with respect to a traffic or pedestrian stop, in which case the recording shall be retained until final disposition of the complaint.

In conjunction with preparation of the annual report required under Part VI above, the Chief of Police, Mayor, City Council shall periodically conduct reviews of a randomly-selected sampling of video and audio recordings made recently by peace officers employed by the Town of Thompsons in order to determine if patterns of racial profiling exist.

In reviewing audio and video recordings, the Mayor shall seek to determine if the officer who is involved therein has engaged in a pattern of racial profiling that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures. A single act constituting racial profiling may not be considered a pattern of racial profiling, and shall not be grounds for corrective actions.

IX collection, Compilation, Analysis, and Reporting Requirements in Absence of Either Audio and Video Equipment or Non-Funding Certification by the Governing Body

(a) In addition to the annual report required when citations are issued and arrests made, and so long as the Town of Thompsons has not equipped all motor vehicles and motorcycles regularly used to make traffic and pedestrian stops with audio and video equipment, as applicable, and so long as the Town has not or is not able to certify to the Department of Public Safety that it needs funds for such audio and video equipment but has not received such funds, then each peace officer of the Town shall make the following report for each traffic and pedestrian stop:

- (1) a physical description of each person detained as a result of the stop, including:
 - (A) the person's gender; and
 - (B) the person's race or ethnicity, as stated by the person, or if the person does not state the person's race or ethnicity, as determined by the officer to the best of his or her ability;
- (2) the traffic law or ordinances alleged to have been violated or the suspected offense;
- (3) whether the officer conducted a search as a result of the stop, and, if so, whether the person detained consented to the search;
- (4) whether any contraband was discovered in the course of the search and the type of contraband discovered;
- (5) whether probable cause to search existed and the facts supporting the existence of that probable cause;
- (6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- (7) the street address or approximate location of the stop; and
- (8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

(b) The information in each report shall be analyzed and compiled in a report that covers the period January 1 through December 31 of each year, and shall be submitted to the governing body of the Town of Thompsons no later than March 1 of the following year. Each such report shall include:

- (1) a comparative analysis of the information compiled by each officer under Part IX(a) (1)-(8) to:
 - A. determine the prevalence of racial profiling by peace officers employed by the Town of Thompsons; and
 - B. examine the disposition of traffic and pedestrian stops made by officers employed by the Town of Thompsons, including searches resulting from such stops; and
- (2) information relating to each complaint filed with the Town of Thompsons alleging that a peace officer employed by the Town had engaged in racial profiling.

(c) The report required by the Part IX may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by an officer.

(d) The compilation of information, analysis, and report required by this Part IX shall not be required for any calendar year during which (1) the Town of Thompsons has equipped all motor vehicles and motorcycles regularly used to make traffic and pedestrian stops with audio and video equipment, and each traffic and pedestrian stop made by a peace officer employed by the Town that is capable of being recorded by video and audio


or audio equipment, as appropriate, has been so recorded; or (2) the Town of Thompsons has certified to the Department of Public Safety that it needs funds for such audio and video equipment, as described in Part VII(c) above, but has not received such funds.

X. Peace Officer and Police Chief Training

(a) Each peace officer employed by the Town of Thompsons shall complete the comprehensive education and training program on racial profiling established by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) not later than the second anniversary of the date the officer was licensed, the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.


(b) The Chief of Police shall, in completing the training required by Section 96.6412, Texas Education Code, complete the program on racial profiling established by the Bill Blackwood Law Enforcement Management Institute of Texas.

Passed and approved this the 17 day of January 2002.

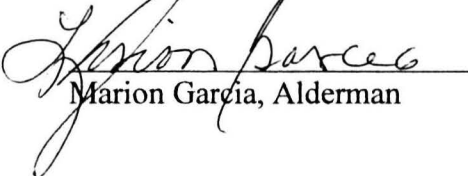

Freddie Newsome, Jr., Mayor

Gina Treadgold, Alderman

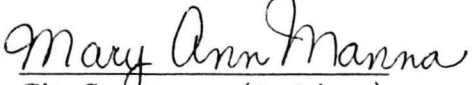

Carol Gubbels, Alderman


Rita Miller, Alderman

Sherrie Finch, Alderman


Marion Garcia, Alderman

ATTEST:


Mary Ann Manna
City Secretary (Acting)

**ADOPTION OF BUDGET
FISCAL YEAR 5-1-02 THROUGH 4-30-03**

WHEREAS, pursuant to the laws of the State of Texas for General Law cities, the budget covering proposed expenditures for the fiscal year beginning May 1, 2002 and ending April 30, 2003 was filed with the City Secretary and was posted in Herald Coaster and bulletin board outside City Hall as required; and

WHEREAS, a public hearing was held by the City Council of Alderman of the Town of Thompsons, Texas, on said budget on February 21, 2002, at which time said budget was fully considered, and interested taxpayers were heard by City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUCIL OF ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS:

That the budget estimate of the revenues and expenditures for the Town of Thompsons, Texas as presented by the Mayor and appropriated by the City Council for the fiscal year beginning May 1, 2002 and ending April 30, 2003, be and it is hereby adopted as the budget for such fiscal year:

That the attached "Exhibit A" with written comments of expenditures be declared as necessary for operating expenses for the Town of Thompsons;

That the Ordinance be in full force and effect from and after its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS, upon first and final reading at a Regular Council Meeting on the 18th day of April, 2002 by avote of 6 "AYES", -0- "NAYS" and -0- "ABSTENTIONS".


Freddie Newsome, Jr., Mayor

TOWN OF THOMPSONS


Gina S. Treadgold-Alderman


Rita M. Miller- Alderman


Marion Garcia-Alderman


Carol M. Gubbels


Sherrie K. Finch-Alderman

ATTEST




Mary Ann Manna-City Secretary

I, Mary Ann Manna, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 107, finally passed and approved by the Town of Thompsons, following the First and final reading thereof at regular meetings held on the 17th day of January and the 21st day of February.


Mary Ann Manna-City Secretary

TOWN OF THOMPSONS, TEXAS		budget fye 4/30/03	
FINAL BUDGET FYE 4/30/2003		Budget	
Ordinary Income/Expense		for the period	
Income		5/1/2002 to 4/30/2003	
4050 · Grants			
4100 · Taxes and Assessments			
4130 · Sales & Use Tax		12,000.00	
4140 · Franchise Fees/ Ind Agrmt		514,000.00	
Total 4100 · Taxes and Assessments		526,000.00	526,000.00
4200 · Interest Income			
4201 · CD'S Income		6,000.00	
4202 · Texpool Interest		12,000.00	
4203 · Jones Interest		257,440.00	
4200 · Interest Income - Other		240.00	
Total 4200 · Interest Income		275,680.00	275,680.00
4600 · Other Income			
4601 · Summer Park Program		125.00	
4600 · Other Income - Other		0.00	
Total 4600 · Other Income		125.00	125.00
Total Income		801,805.00	801,805.00
			TOTAL REVENUE
Expense			
5100 · Health and Safety			
5200 · Volunteer Fire Department			
5201 · Payroll, Fire Secretary		1,391.00	
5204 · Other Expenses Fire Department		5,420.00	
5206 · Maintenance Fire Department		4,224.00	
5207 · Equipment Fire Department		2,400.00	
5299 · Equipment, Capital Outlay		5,000.00	
Total 5200 · Volunteer Fire Department		18,435.00	
5300 · Trash Service		7,800.00	
Total 5100 · Health and Safety		26,235.00	26,235.00
			total health and safety
5400 · Police Department			
5401 · Payroll, Police		38,640.00	
5405 · Other Expenses, Police D		16,400.00	
Total 5400 · Police Department		55,040.00	55,040.00
			total police department
5500 · Park Services			
5501 · Payroll, Park Department		44,012.80	
5503 · Maintenance Park		2,400.00	
5505 · Other Expenses Park		3,600.00	
5506 · Summer Park Program		19,200.00	
5507 · Utilities Park		1,320.00	
Total 5500 · Park Services		70,532.80	70,532.80
			total park service
6000 · General Government Expenses			
6020 · Advertising		250.00	
6060 · Bank Service Charges		100.00	
6170 · Contract Labor		900.00	
6190 · Continue Education		2,400.00	
6220 · Dues and Subscriptions		1,000.00	
6223 · Election Expense		550.00	

CERTIFICATION
OF
CITY SECRETARY

COPY

I hereby certify that I am the city secretary of the City of Thompsons and the authority responsible for having the official ballot prepared for the date May 3, 2003 election. I further certify that the following candidates are unopposed for election to the office of council member in the May 3, 2003 election:

Rita M. Miller
Gina S. Treadgold
Carol M. Gubbels

Mary Ann Manna
City Secretary
Town of Thompsons

March 26, 2003

**TOWN OF THOMPSONS
FORT BEND COUNTY, TEXAS**

ORDINANCE NUMBER 108A

AN ORDINANCE DECLEARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE:

WHEREAS: under Subchapter C, ("Election of Unopposed Candidate"), Section 2.051-2.054 of the Election Code of the State of Texas:

CHAPTER 2 SUBCHAPTER C VERNON'S TEXAS CODES ANNOTATED
ELECTIONS

ELECTION OF UNOPPOSED CANDIDATE

SECTION 2.051: APPLICABILITY OF SUBCHAPTER. This subchapter applies only to an election for officers of a political subdivision other than a county in which write-in votes may be counted only for names appearing on a list of write in candidates and in which:

- (1) each candidate whose name is to appear on the ballot is unopposed;
- and
- (2) no proposition is to appear on the ballot.

SECTION 2.052: CERTIFICATION OF UNOPPOSED STATUS. (a) The authority responsible for having the official ballot prepared shall certify in writing that a candidate is unopposed for election to an office in:

- (1) only one candidate's name is to be placed on the ballot for that office under Section 52.003; and
 - (2) no candidate's name is to be placed on a list of write-in candidates for that office under applicable law.
- (b.) The certification shall be delivered to the governing body of the political subdivision as soon as possible after the filing deadline for placement on the ballot and a list of write-in candidates.

SECTION 2.053: ACTION ON CERTIFICATION: (a) On receipt of the certification, the governing body of the political subdivision by order or ordinance may declare each unopposed candidate elected to office.

(b) If a declaration is made under Subsection (a), the election is not held. A copy of the order or ordinance shall be posted on election day at each polling place that would have been used in the election.

© A certificate of election shall be issued to each candidate in the same manner as provided for a candidate elected at the election.

WHEREAS; as certification has been delivered to the governing body of the Town of Thompsons, Fort Bend County, Texas by the City Secretary stating that there are no opposed candidates and that no proposition is to appear on the ballot.

WHEREAS: all criteria have been met under the Texas Election Code, the Mayor and Aldermen of the Town of Thompsons, Fort Bend County, Texas declare the following unopposed candidate are duly elected to the position listed:

Alderman: Rita M. Miller
Alderman: Gina S. Treadgold
Alderman: Carol M. Gubbels

WHEREAS: If any provision, section, subsection, sentence, clause or phrase of this ordinance, or application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, invalid (or for any reason unenforceable), the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Board of Aldermen of the Town of Thompsons in adopting this ordinance, that no portion thereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation, and to this end, all provisions of this ordinance are declared to be severable.

WHEREAS: Any ordinance or parts of ordinances in conflict: herewith, are repealed to the extent of their conflict only.

NOW THEREFORE BE ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF THOMPSONS, FORT BEND COUNTY, TEXAS: the fact in the preamble of this ordinance are hereby found and determined to be true and correct and this Ordinance shall become effective immediately upon its passage and adoption.

The Town Secretary is hereby directed to keep a file of this ordinance with the City files.

This ordinance shall take effect and be in force from and after its passage and approval. Passed and adopted following the first reading hereof this 26th day of March, A.D., 2003.

MAYOR *Trudie Hernandez* ALDERMAN *[Signature]*
ALDERMAN *Carol Gubbels* ALDERMAN *[Signature]*
ALDERMAN *Rita Miller* ALDERMAN *[Signature]*

ATTEST

Mary Ann Manna

MARY ANN MANNA, SECRETARY
OF THE TOWN OF THOMPSONS, FORT BEND COUNTY, TEXAS

(SEAL)



I, Mary Ann Manna, City Secretary of the Town of Thompsons, Fort Bend County, Texas do hereby certify that the foregoing is a true and correct copy of Ordinance Number 108A, finally passed and approved by the Town of Thompsons, following the first reading thereof at a regular meeting held the 26th day of March 2003, and the statement is duly attested by the Secretary and that same has been duly engrossed and enrolled in the records of the Town of Thompsons, Fort Bend County, Texas.

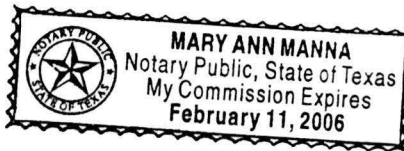
EXECUTED under my hand and official seal of the Town of Thompsons, Fort Bend County, Texas, this the 26th day of March, 2003.

ATTEST:

Mary Ann Manna

SECRETARY
OF THE TOWN OF THOMPSONS, FORT BEND COUNTY, TEXAS

(SEAL)



**PEBLO DE THOMPSONS
FORT BEND COUNTY, TEXAS**

ORDENAZA NUMERO 108B

Una ordenanza declarando cada candidato sin oposicion electado a la oficio:

Mientras que; en Subcapitulo C, ("Eleccion de Candidato Sin Oposicion"), Seccion 2.051-2.054 de el Election Codigo del Estado de Tejas:

CAPITULO 2 SUBCAPITULO C VERNONS TEXAS CODES ANNOTATED
ELECTIONS

ELECCION DE CANDIDATO SIN OPOSICION

SECCION 2.051: APLICABILIDAD DE SUBCAPITULO. Este subcapitulo aplica solamente a una eleccion para oficiales de una subdivision politico otra cosa que un condado en que votos de escrito pueden estar contado solamente para nombres que aparecen en un lista que esta escrito de candidatos y en que:

- (1) Cada candidato que su nombre aparece en la balota es sin oposicion; y
- (2) No proporcion es de aparecer en la balota.

SECCION 2.052: CERTIFICACION DE CONDICION SIN OPOSICION.

- (a) La autoridad responsable de tener labalota preparado oficial para formar certificar en escrito que el candidato es sin oposicion para el eleccion de un oficio en:
 - (1) Solamente uno candidato's nombre estar puesto en la balota por esa oficio en seccion 52.003; y
 - (2) No candidato's nombre es puesto en la lista de candidatos escrito para el oficio aplicable de la ley.
- (b) El certificacion habre estado entregado a la cuerpo de gobernar de un subdivision politico lo mas pronto posible despues del solicitado linea vedada para colocacion en la balota y una lista de candidatos escrito.

SECCION 2.053: ACCION DE CERTIFICACION:

- (a) En ricibo de certificacion, el cuerpo de gobenar de un subdivision de orden o ordenanza puede declarar cada candidato sin oposicion para elegido a la oficio.
- (b) Si una declaracion es inventado en subseccion (a), no hay elecciones. Una copia del orden or ordenanza sera puesto en el dia de eleccion a cada cabina de votar que fue usado en la eleccion.
- (c) Un certificacion de eleccion sera dado para cada candidato en el mismo manera a condicion para un candidato electado a la elecciones.

Mientras que; una certificacion ha entregado al cuerpo de gobernar del Pueblo de Thompsons, Fort Bend County, Texas por el Secretario de la Ciudad diciendo que no hay candidatos de oposicion y que no hay proporcions en la balota.

Mientras que: todo criterio ha encontrado por el Texas Election Code, el Alcalde y Concejal del Pueblo de Thompsons, Fort Bend County, Texas declarar el proximo candidato sin oposicion estan electado a el posicion:

Concejal: Rita M. Miller
Concejal: Gina S. Treadgold
Concejal: Carol M. Gubbels

Mientras que; Si hay provision, seccion, subseccion, frase, clausula o fase de este ordenanza, o aplicacion de misma persona o circunstancia, es para alguna razon esta inconstitucional, vacio, invalido (o por una razon inejecutable), el valido de la porcions restante de esta ordenanza o de su aplicacion a otras personas o de circunstancia no sera afectado de este modo, es el intento del Consejo de Concejal del Pueblo de Thompsons en adoptando este ordenanza, que no porcion o provision o regulacion contenido hay hecho inoperante o faltar por razon de algun anticonstitucional o invalido de algun porcion, provision o regulacion, y asta el fin, todo provisions de este ordenanza son declarar de estar separado.

Mientras que; Algun ordenanza o partes de ordenanzas en conflicto estan revocando al la extension de su conflicto solamente.

Ahora por eso ordenando por el Consejo de Concejal del Pueblo de Thompsons, Fort Bend County, Texas: el facto en el preambulo de este ordenanza son por estas fundar y determinado estar verda y correcto y esta Ordenanza sera efecto inmediatamente encima de pasaje y adopcion.

La Secretaria del Pueblo esta directado a poner en fila un copia certificado de este ordenanza con la oficina de Secretaria de State Elections Divisions para el State of Texas.

Esta ordenanza sera efecto y hacer cumplir de y despues de pasaje y aprobacion.
Pasado y adoptado despues de primero leyendo este 26th dia de Marzo, A.D., 2003.

ALCALDE *Quelli Newman* CONCEJAL *GP*
CONCEJAL *Carol Gubbels* CONCEJAL *John Parson*
CONCEJAL *Rita Miller* CONCEJAL _____

ATESTIGUAR:

Mary Ann Manna

MARY ANN MANNA, SECRETARIA

DEL PUEBLO DE THOMPSONS, FORT BEND COUNTY, TEXAS



Yo, Mary Ann Manna, Secretaria de la Ciudad del Pueblo de Thompsons, Fort Bend County, Texas ha certificado que todo es verdad y copia correcto de Ordenanza numero 108B, finalmente pasado y aprobado para el Pueblo de Thompsons, despues de primero leyendo en la junta regular el 26th dia de Marzo, 2003 y el declaracion es astestiguado por la secrectaria y que mismo ha absorbido y alistado en los registraros del Pueblo de Thompsons, Fort Bend County, Texas.

Ejecutado, debajo de mi mano y sello oficial del Pueblo de Thompsons, Fort Bend County, Texas, este 26th, dia de Marzo, 2003.

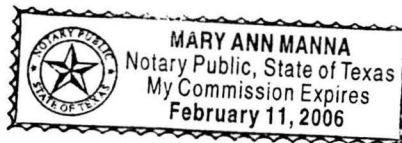
ATESTIGUAR:

Mary Ann Manna

SECRETARIA

(SEAL)

DEL PUEBLO DE THOMPSONS, FORT BEND COUNTY, TEXAS



Incorporated 1979

Telephone: 281-343-9929
FAX: 281-343-7786

TOWN OF THOMPSONS

P. O. BOX 29

THOMPSONS, TEXAS 77481

MAYOR
FREDDIE NEWSOME, JR

ALDERMEN
RITA M. MILLER
MARION GARCIA
GINA S. TREADGOLD
CAROL M. GUBBELS
SHERRIE K.KNOEPFEL

May 19, 2003

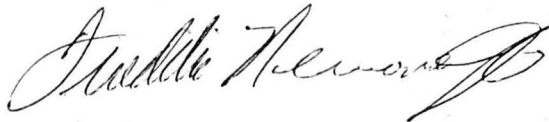
Dianne Wilson
Fort Bend County Clerk
301 Jackson
Richmond, Texas 77469

Dear Ms. Wilson:

Please find enclosed the Town of Thompsons Fiscal Budget for May 1, 2003 through April 30, 2004, for your files.

If you have any questions, please do not hesitate to contact me at 281-343-9929.

Sincerely,



Freddie Newsome, Jr.
Mayor

FB/mam
budgtcl.doc03

Enclosures

ORDINANCE NO. 109

**ADOPTION OF BUDGET
FISCAL YEAR 5-1-03 THROUGH 4-30-04**

WHEREAS, pursuant to the laws of the State of Texas for General Law cities, the budget covering proposed expenditures for the fiscal year beginning May 1, 2003 and ending April 30, 2004 was filed with the City Secretary and was posted in Herald Coaster and bulletin board outside City Hall as required; and

WHEREAS, a public hearing was held by the City Council of Alderman of the Town of Thompsons, Texas, on said budget on February 20, 2003, at which time said budget was fully considered, and interested taxpayers were heard by City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUCIL OF ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS:

That the budget estimate of the revenues and expenditures for the Town of Thompsons, Texas as presented by the Mayor and appropriated by the City Council for the fiscal year beginning May 1, 2003 and ending April 30, 2004, be and it is hereby adopted as the budget for such fiscal year:

That the attached "Exhibit A" with written comments of expenditures be declared as necessary for operating expenses for the Town of Thompsons;

That the Ordinance be in full force and effect from and after its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS, upon first and final reading at a Regular Council Meeting on the 17th day of April, 2003 by a vote of 3 "AYES", -0- "NAYS" and -0- "ABSTENTIONS".


Freddie Newsome, Jr.-Mayor

TOWN OF THOMPSONS


Rita M. Miller- Alderman

Gina S. Treadgold-Alderman


Carol M. Gubbels-Alderman

Marion Garcia-Alderman


Sherrie K. Knoepfel-Alderman

ATTEST




Mary Ann Manna-City Secretary

I, Mary Ann Manna, City Secretary of the Town of Thompsons, Texas, do hereby certify that the foregoing is a true and correct copy of Ordinance Number 109, finally passed and approved by the Town of Thompsons, following the First and final reading thereof at regular meetings held on the 16th day of January and the 20th day of February.


Mary Ann Manna-City Secretary

TOWN OF THOMPSONS, TEXAS		Budget	Budget	
WORKING BUDGET FYE 4/30/2003		Budget	Budget	
Ordinary Income/Expense		for the period	for the period	
Income		5/1/2002 to 4/30/2003	5/1/2003 to 4/30/2003	
4050	Grants			REFERENCE
4100	Taxes and Assessments			
4130	Sales & Use Tax	12,000.00	29,000.00	A
4140	Franchise Fees/ Ind Agrmt	514,000.00	650,000.00	B1&B2 125 + 525 + 650
Total 4100	Taxes and Assessments	526,000.00	679,000.00	679,000.00
4200	Interest Income			
4201	CD'S Income	6,000.00	6,000.00	C
4202	Texpool Interest	12,000.00	7,000.00	D
4203	Jones Interest	257,440.00	272,726.00	E 303,029 less 10% = 272,726
4200	Interest Income - Other	240.00	100.00	
Total 4200	Interest Income	275,680.00	285,826.00	285,826.00
4600	Other Income			
4601	Summer Park Program	125.00	125.00	
4600	Other Income - Other	0.00	0.00	
Total 4600	Other Income	125.00	125.00	125.00
Total Income		801,805.00	964,951.00	964,951.00 TOTAL REVENUE
Expense				
5100	Health and Safety			
5200	Volunteer Fire Department			
5201	Payroll, Fire Secretary	1,391.00	1,500.00	M
5204	Other Expenses Fire Department	5,420.00	9,480.00	F
5206	Maintenance Fire Department	4,224.00	8,500.00	F
5207	Equipment Fire Department	2,400.00	0.00	
5299	Equipment, Capital Outlay	5,000.00	0.00	
Total 5200	Volunteer Fire Department	18,435.00	19,480.00	
5300	Trash Service	7,800.00	8,150.00	P
Total 5100	Health and Safety	26,235.00	27,630.00	27,630.00 total health and safety
5400	Police Department			
5401	Payroll, Police	38,640.00	37,410.00	M
5405	Other Expenses, Police D	16,400.00	29,250.00	G
Total 5400	Police Department	55,040.00	66,660.00	66,660.00 total police department
5500	Park Services			
5501	Payroll, Park Department	44,012.80	42,931.20	M
5503	Maintenance Park	2,400.00	3,000.00	H
5505	Other Expenses Park	3,600.00	6,000.00	L
5506	Summer Park Program	19,200.00	22,160.00	K 14,600 YMCA, 7500 Summer, 1000, 4th
5507	Utilities Park	1,320.00	1,750.00	J
Total 5500	Park Services	70,532.80	75,841.20	75,841.20 total park service
6000	General Government Expenses			
6020	Advertising	250.00	250.00	Q
6060	Bank Service Charges	100.00	100.00	
6170	Contract Labor	900.00	900.00	R
6190	Continue Education	2,400.00	2,400.00	S
6220	Dues and Subscriptions	1,000.00	1,000.00	T
6223	Election Expense	550.00	550.00	U
6380	Insurance	32,489.20	37,292.00	N
6550	Office Supplies	3,000.00	2,800.00	V
6560	Payroll Salary Office Staff	40,185.60	38,064.00	M
6580	Payroll Taxes All Staff	9,116.42	9,939.75	M
6610	Postage and Delivery	600.00	1,000.00	W
6620	Printing and Reproduction	300.00	2,000.00	X
6640	Professional Fees	26,100.00	27,600.00	O
6710	Repairs			
6720	Building Repairs	500.00	600.00	Y
6740	Equipment Repairs	600.00	600.00	Z
6710	Repairs - Other	119,142.14	0.00	
Total 6710	Repairs	120,242.14	1,200.00	DD
6880	Telephone	6,000.00	7,500.00	
6900	Travel & Expense			
6930	Travel Meal- Mayor/Counc/Emp	3,800.00	2,500.00	AA
6900	Travel & Expense - Other			
Total 6900	Travel & Expense	3,800.00	2,500.00	
6940	Utilities - Street Lights	4,080.00	11,200.00	CC add \$6000. Per meeting
6945	Capital improvements, Street Light	11,000.00	0.00	
6950	Gas and Electric	2,160.00	2,200.00	BB
6970	Contingency Fund	50,000.00	50,000.00	
Total 6000	General Government Expenses	314,273.36	198,495.75	198,495.75 total general government
6999	Uncategorized Expenses			
Total Expense		466,081.16	368,626.95	368,626.95 TOTAL EXPENSE
Net Ordinary Income		335,723.84	596,324.05	596,324.05 SUBTOTAL
Expense				
8010	Other Expenses	3,000.00	3,000.00	
Total Other Expenses		3,000.00	3,000.00	3,000.00 OTHER EXPENSES
Net Income		332,723.84	593,324.05	593,324.05 REVENUE OVER EXPENSES

ORDINANCE #110

**ORDINANCE TO FUND AND REPAIR MARTIN LUTHER KING STREET
FOR EMERGENCY RESPONSE**

WHEREAS, the Town of Thompsons and county of Fort Bend are responsible for emergency response, to and for, the citizens of Thompsons, Texas; and


WHEREAS, as the street known as Martin Luther King Street was recognized and named in response to a request by the county of Fort Bend for recognition and mapping to be used by emergency services; and

WHEREAS, there are recorded easements for Martin Luther King Street; and


WHEREAS, the street has become impassable during inclement weather and is in need of maintenance to provide for fire and other emergency access for those residents located there.

NOW, therefore be it ordained that the Town of Thompsons shall expend funds to repair and maintain said street to the extent needed to guarantee access by and for emergency services vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF THOMPSONS, FORT BEND COUNTY, TEXAS: THAT ORDINANCE NO. 110 IS HEREBY PASSED, ADOPTED, AND APPROVED BY THE ALDERMAN OF THE TOWN OF THOMPSONS, TEXAS EFFECTIVE THE 18TH DAY OF DECEMBER, 2003.


Freddie Newsome, Jr. Mayor, Town
of Thompsons, Texas

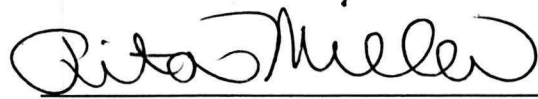
ATTEST:


Town Secretary
Town of Thompsons, Texas

(Seal)

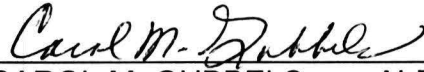


TOWN OF THOMPSONS, TEXAS,
ALDERMEN:

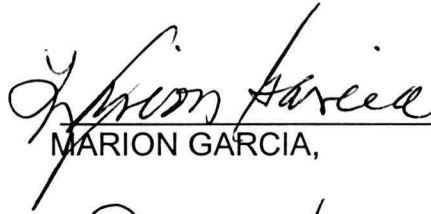


RITA MILLER, ALDERMAN

GINA S. TREADGOLD, ALDERMAN



CAROL M. GUBBELS, ALDERMAN



MARION GARCIA, ALDERMAN



SHERRIE KNOEPFEL, ALDERMAN