

ORDINANCE NO. #289

**AN ORDINANCE AMENDING ORDINANCES NO. 252 AND 266
AUTHORIZING THE CITY SECRETARY TO EXPEND TECHNOLOGY
AND MUNICIPAL COURT BUILDING SECURITY FUNDS UPON
REQUEST OF THE MUNICIPAL COURT.**

BE IT ORDAINED BY THE CITY COUNCIL for the City of Magnolia,
Texas, as follows:

Section 1.

Ordinances No. 252 and 266 are each amended to include the following language
to each ordinance:

"The City Secretary is authorized to disburse or expend funds collected pursuant
to this ordinance as directed by the municipal court of the City."

PASSED AND ADOPTED on July 10, 2001 by the City Council for the City of
Magnolia, Texas.

Councilmember Richard Anderson
Councilmember Ronnie Chumley
Councilmember Dennis Magee
Councilmember Delbert Bishop
Councilmember Patsy Williams

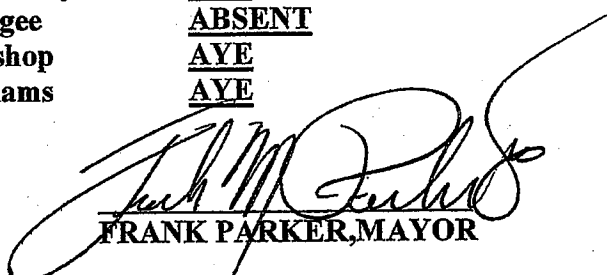
AYE

AYE

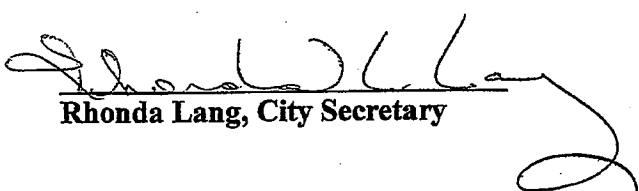
ABSENT

AYE

AYE


FRANK PARKER, MAYOR

ATTEST:


Rhonda Lang, City Secretary

ORDINANCE NUMBER 252

AN ORDINANCE PROVIDING FOR THE CREATION BY THE CITY OF MAGNOLIA OF A MUNICIPAL COURT BUILDING SECURITY FUND AND PROVIDING FOR THE COLLECTION OF A SECURITY FEE FROM DEFENDANTS UPON CONVICTION IN MUNICIPAL COURT FOR MISDEMEANOR OFFENSES.

WHEREAS the Legislature for the State Of Texas has realized the importance for the creation of, and the improvement of, building security for municipal courts throughout the State; and

WHEREAS the Legislature for the State Of Texas has amended Article 102.017, Code Of Criminal Procedure, to provide for the collection by a municipality of a security fee for defendants convicted of misdemeanor offenses in municipal court; and

WHEREAS the City Council of the City of Magnolia realizes the need for improvement in the security of the municipal court of Magnolia, Texas; and

WHEREAS the payment of fees for a municipal court building security fund ought to be a burden which should principally rest on defendants who are convicted of misdemeanors in municipal court;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

Article I.

Section 1.

There is hereby created a municipal court building security fund which fund shall be managed by the municipal treasurer, or by any official designated to discharge the duties commonly delegated to the municipal treasurer.

Section 2.

(a) Any person convicted of a misdemeanor in the municipal court of Magnolia, Texas, shall pay to the clerk of the municipal court, the municipal treasurer, or to any official designated to discharge the duties commonly delegated to the municipal treasurer, a \$3 security fee as a cost of court.

(b) The \$3 security fee shall be in addition to any other fee authorized to be collected as cost of court;

(c) The security fee shall only be recovered from defendants convicted of a misdemeanor offense in which each and every element of the offense occurs after September 1, 1997;

(d) Upon payment of the security fee, the clerk of the municipal court, the municipal treasurer, or any official designated to discharge the duties commonly delegated to the municipal treasurer, shall promptly deposit the fee into the municipal court building security fund.

Section 3.

(a) The fees and funds held in the municipal court building security fund shall be appropriated only to finance the following items which shall be used for the purpose of providing security services for the building or buildings housing the municipal court:

- (1) the purchase or repair of X-ray machines and conveying systems;
- (2) handheld metal detectors;
- (3) walkthrough metal detectors;
- (4) identification cards and systems;
- (5) electronic locking and surveillance equipment;
- (6) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;
- (7) signage;
- (8) confiscated weapon inventory and tracking systems;
- (9) locks, chains, or other security hardware;
- (10) continuing education on security issues for court personnel and security personnel;
- or
- (11) such other items or purposes as the Legislature may herein after enact as appropriate for the municipal court building security fund.

Section 4.

(a) The City Secretary is directed to publish this ordinance as required by law.

(b) This ordinance shall be in full force and effect on February 1, 1998.

ENACTMENT

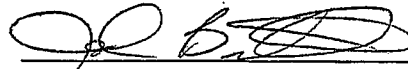
Ordinance, Read, Passed and Approved as set forth at a regular meeting of the City Council of the City Of Magnolia, Texas on this 9th day of December 1997.

Councilwoman Ogden:	<u>Aye</u>
Councilman Smith:	<u>Aye</u>
Councilman Green:	<u>Absent</u>

Councilwoman Cloyd:
Councilman Sullivan:

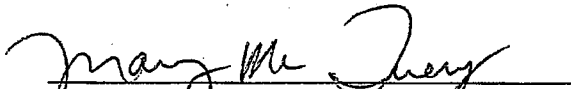
Aye

Aye



Hon. John Bramlett, Mayor

ATTEST:


Mary McQuerry, City Secretary

RENT/LEASE continued from page 19

Large or small mobile homes.
Free: garbage pick-up, water,
satellite hook-up. No pets. (409)
372-9414 or (409) 931-1310.

1/1 furnished condo at Walden
on Lake Conroe. \$525/mo. All
utilities paid. No pets. (409) 348-
3216.

1 bedroom mobile for rent be-
tween Cypress & Tomball. \$300/
mo. (713) 468-5320 or pgr. (713)
765-1862

For rent: 3/2 house in Decker
Prairie, TISD. \$600/mo., \$300/
dep. 1st, last & dep. required.
(281) 356-5343.

Townhomes
Prices Starting At:
1 Bedroom \$299/Mo.
2 Bedroom \$460/Mo.
3 Bedroom \$595/Mo.
Call A S A P
351-0299 agent

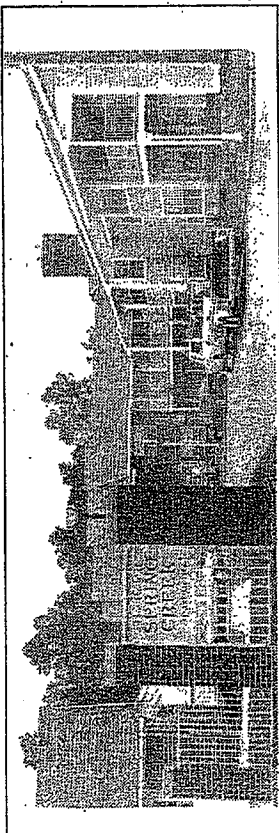
Roommate Special \$495
2 Bedroom 2 Bath
W/D Connections, Fireplace,
Ceilings Fans, Private Patio
5 Minutes From Hospital
Great Neighbors
(281) 357-8833 (281) 357-8020
(281) 350-8785

TELL YOUR LANDLORD "ADIOS"

If you're paying \$500 to \$700 a month to rent - You CAN
EASILY OWN FOR MUCH LESS! New 3 BED/2 BATH
home on a fully landscaped 1 acre estate - own w/little \$\$\$
down. FREE details. Call toll-free 888-356-9006, ext. 5593.

"Tomball's Newest Community"

THE PARK At Spring Creek



1 and 2 Bedrooms

- Fireplaces*
- Patios or Balconies
- Covered Parking
- 24 Hr Emergency Service
- On-Site Management
- Dishwashers
- Ice Makers
- Washer & Dryer
- Connections
- (Stackable Style)
- Large Walk-in Closets
- Close To Tomball College

*selected units only

29807 Tomball Parkway at Brown Road (281) 357-8800
(15 minutes from Compaq)

LEGALS

be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement; (4) a brief description of how you or the persons you represent, would be adversely affected by granting of the application for CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing. The Executive Director will issue this CCN unless one or more persons file a written protest and/or a request for a hearing within 30 days after this notice is provided. Persons who wish to intervene or comment should write the: Texas Natural Resource Conservation Commission, Water Utilities Division, Utility Rates and Services Section, MC-153, P.O. Box 13087, Austin, TX 78711-3087 within thirty (30) days from the date of this publication of notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Tomball, Texas (the "City"), will meet at the City Hall, Tomball, Texas, at 7:00 p.m. on the 2nd day of February, 1998, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City's certificates of obligation, payable from ad valorem taxation and revenues of the City's waterworks, sanitary sewer and natural gas system, in the maximum aggregate principal amount of \$4,050,000.00 bearing interest at any rate or rates, not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Tomball, Texas (the "City"), will meet at the City Hall, Tomball, Texas, at 7:00 p.m. on the 2nd day of February, 1998, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City's certificates of obligation, payable from ad valorem taxation and revenues of the City's waterworks, sanitary sewer and natural gas system, in the maximum aggregate principal amount of \$4,050,000.00 bearing interest at any rate or rates, not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the

NOTICE OF PUBLIC SALE
Pursuant of Chapter 59 of the Texas property code, the abandoned goods stored at Magnolia Self Storage facility will be sold to satisfy landlord's lien on Friday, January 16, 1998 at 9 a.m. at the Magnolia Self Storage, 39009 FM 1774, Magnolia, TX 77355. Payment in cash only. Magnolia Self Storage reserves the right to reject any unit or items from sale. Abandoned goods are household goods, assorted furnishings & boxes of unknown contents. Unit #29 - Kevin T. Muney, Unit #26 - Aimee A. Akage.

NOTICE OF PUBLIC SALE
Pursuant of Chapter 59 of the Texas property code, the abandoned goods stored at Tomball Mini-Storage facility will be sold to satisfy landlord's lien on Friday, January 16, 1998 at 10 a.m. at the Tomball Mini-Storage, 31350 SH 249, Pinehurst, TX, 77362. Payment in cash only. Tomball Mini-Storage reserves the right to reject any unit or items from sale. Cooking range, power sander, vacuum cleaner, boat & motor, household goods & boxes of unknown contents. Unit #27 - Kenneth W. Ostos, Unit #33 - Tamra J. Gaona-Curt, Unit #100 - Paula A. Clark, Unit #10 - Teresa M. Abshier.

ORDINANCE #252
An ordinance of the City of Magnolia, Texas, providing for the creation by the City of Magnolia a municipal court building security fund and providing for the collection of a security fee from defendants upon conviction in Municipal Court for misdemeanor offenses. Read, passed and approved Dec. 9, 1997. Effective date Feb. 1, 1998.

**NOTICE OF APPLICATION
FOR CERTIFICATE OF
CONVEYANCE AND NEEDED
SITY (CCN) TO PROVIDE
WATER UTILITY SERVICE IN
MONTGOMERY COUNTY**
Johnston Utilities, Inc. has filed an application to amend CCN No. 12788 with the Texas Natural Resource Conservation Commission to provide water utility service in Montgomery County. The proposed utility service area is located approximately 4 miles south of downtown Magnolia

discretion of the City Council at the time of issuance and maturing over a period of years not to exceed twenty-five (25) years from the date thereof, for the purpose of evidencing the indebtedness of the City for all or any part of the cost of waterworks system improvements and street and related drainage improvements and the cost of professional services incurred in connection therewith.

AVISO DE INTENCION DE EMITIR CERTIFICADOS DE OBLIGACION

POR LA PRESENTE, SE DA AVISO que el Consejo Municipal de la Ciudad de Tomball, Texas (la "Ciudad"), se reunira en la Municipalidad de Tomball, Texas, a las 7:00 de la tarde del dia 2 de febrero de 1998, que son la hora y el lugar tentativamente establecidos para aprobar una ordenanza y para cualquier otra accion que se considere necesaria para autorizar la emision de los certificados de obligacion de la Ciudad, pagaderos de los impuestos de avaluo y de los ingresos del sistema de agua potable, alcantarillado sanitario y natural gas de la Ciudad, en un valor de capital maximo agregado de 4,050,000 dolares, acumulando intereses a una tasa o tasas que no excedan la maxima autorizada por la ley en la actualidad o en el futuro, como sea determinado a discrecion del Consejo Municipal en el momento de la emision y venciendo en un plazo no mayor de veinticinco (25) años a partir de dicha fecha, con el proposito de demostrar la deuda de la Ciudad por todo o parte del costo de los mejoramientos del sistema de agua potable, mejoramientos de las calles y el drenaje relacionado con ello, y el costo de servicios profesionales incurrido en relacion con ello.

DIVORCE
\$99 & UP
Forms/Documents To Include:
Name Changes - child/adult
Wills
Hutton Paralegal Sys.
(281) 356-9219

1-14-98

AN ORDINANCE ESTABLISHING A MUNICIPAL COURT TECHNOLOGY FUND; ESTABLISHING PROCEDURES FOR COLLECTION OF FEES FOR SUCH FUND; IMPOSING A MUNICIPAL COURT TECHNOLOGY FEE UPON CERTAIN PERSONS CONVICTED OF A MISDEMEANOR IN MUNICIPAL COURT; AND REQUIRING THAT FEES COLLECTED FOR THE MUNICIPAL COURT TECHNOLOGY FUND BE USED ONLY FOR CERTAIN SPECIFIC PURPOSES. PROVISIONS PROVIDING FOR THE SUNSET OR TERMINATION OF THIS ORDINANCE.

WHEREAS, the State Legislature has enacted Article 102.0172 of the Code Of Criminal Procedure authorizing municipalities to enact ordinances for the establishment of a municipal court technology fund and the collection from defendants of a municipal court technology fund fee;

WHEREAS, the city council for the City Of Magnolia, Texas, deems it appropriate to establish such a fund and finds it necessary for a fee to be collected from persons convicted in municipal court of misdemeanors in order to fund the municipal court technology fund;

NOW THEREFORE, be it ordained by the City Council for the City Of Magnolia, Texas, as follows:

1. A fund is hereby established as a "Municipal Court Technology Fund." The fees or funds collected for the municipal court technology fund are to be administered by the municipal treasurer. Where no office of municipal treasurer exists, the duties imposed herein upon the municipal treasurer shall be imposed upon the City Secretary.

2. In addition to other costs of court which may be imposed, a municipal court technology fund fee of \$4.00 shall also be imposed upon any person convicted of a class C misdemeanor in the municipal courts of the City Of Magnolia, Texas.

3. For purposes of this ordinance, a person is deemed convicted if:

- A) a sentence is imposed on the person;
- B) the person is placed on community supervision, including deferred adjudication community supervision; or
- C) the court defers final disposition of the person's case;

4. Upon conviction, the municipal court clerk shall collect the municipal court technology fund fee imposed herein from the person convicted and shall pay such fees to the municipal treasurer.

5. Funds collected from the municipal court technology fund fees shall be used as may be deemed appropriate by the city council from time to time, or by the City Coordinator as directed by the city council, but only for the following purposes:

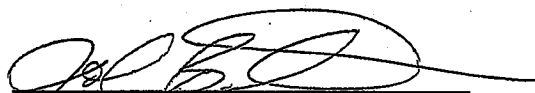
- A) municipal court computer systems;
- B) municipal court computer networks;
- C) municipal court computer hardware and software;
- D) imaging systems for use by municipal court personnel and officers;
- E) electronic kiosks for municipal courts;
- F) electronic ticket writers;
- G) docket management systems; and
- H) other technological enhancements for the municipal courts.

6. This ordinance shall be effective immediately and shall apply only to offenses committed on or after September 1, 1999. This ordinance shall expire and be of no effect after September 1, 2005, except that funds collected prior to the expiration of this ordinance shall continue to be administered as provided for herein.

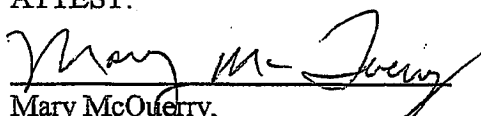
PASSED this 10th day of AUGUST, 1999.

Councilwoman Ogden
Councilman Mattern
Councilwoman Cloyd
Councilwoman Clapp
Councilman Smith

AYE
AYE
AYE
AYE
AYE


John Bramlett, Mayor

ATTEST:


Mary McQuerry,
City Secretary

AFFIDAVIT OF PUBLICATION

BEFORE ME, the undersigned authority, on this day personally appeared Nancy Nygaard who on her oath stated:

ORDINANCE
City of Magnolia, an ordinance establishing a Municipal Court Technology Fund; establishing procedures for collection of fees for such fund imposing a Municipal Court Technology Fee upon certain persons convicted of a misdemeanor in municipal court; and requiring that fees collected for the Municipal Court Technology Fund be used only for certain specific purposes. Provisions providing for the sunset or termination of this ordinance. Fee \$4.00. Passed and approved August 10, 1999. Effective 9/1/99.

Ord # 266

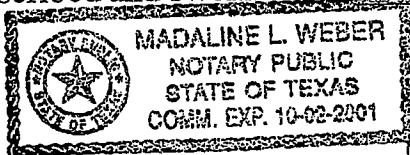
I am the publisher of the TOMBALL MAGNOLIA TRIBUNE a newspaper published in the Harris County, Texas and know the facts stated in this affidavit. The attached matter is a true and correct copy of the publication of the citation of which it purports to be a copy, as the same appeared in such newspaper in the respective issues of:

August 18th, 1999

_____, 1999

Nancy Nygaard
Nancy Nygaard, Publisher

Subscribed and sworn to this 19 day of October, 1999



Madaline L. Weber
Notary Public, Harris County, Texas