THE WOODLANDS TOWNSHIP

The Woodlands, TX

EXECUTIVE SUMMARY

MEETING DATE: April 25, 2012

SUBJECT MATTER: Receive, consider and act upon an amendment to Resolution #020-10 to clarify distribution of campaign materials.

BUDGET IMPACT: None

FACTS/HISTORY:

A number of questions were raised at the Township Board Workshop on April 19th regarding the Township's policies as they relate to the distribution of election materials in the Township "town hall" facility as well as in public park areas.

The Woodlands Township has general policies and practices which relate to solicitation on public property and the distribution of solicitation materials on Township property. The Township's Park Orders 019-09 adopted in November 2009 (Attachment 3) do not allow solicitation or the distribution of solicitation materials in public park areas. The only exception to this rule is in situations where Special Event permits are issued to individuals or groups. By obtaining a special event permit, the applicant is able to determine the types of promotional materials that they will allow to be distributed within the area reserved for the special event.

The Board of Directors adopted Resolution No. 020-10 in November of 2010 (Attachment 1) which does not allow the distribution of candidate information or candidate forums through the use of Township resources.

If the Board desires to allow the distribution of materials on Township property, it is recommended to limit the type of material to election and campaign materials only, at specific locations and only during periods of governmental elections. This change can occur by amending Resolution No. 020-10 by adding Paragraph H to Section 3:

Proposed Amendment

H: Designated Township Facilities for Display and Distribution of Election Materials

The purpose of this section is to authorize a defined area at Town Hall and at other Township Facilities which are used during the general election as polling sites, where election signs may be displayed and election materials may be distributed.

The defined area allowed for the placement of election signs and the distribution of election materials will be areas adjacent to the entrances on the south side of the Town Hall facility with said approved areas to be from the parking lot toward the building entrances to a distance of 15 feet from the back of parking lot curb. One sign per candidate, which complies with The Woodlands standards 2.12, may be placed at each of the building entrances. For other Township building used for polling locations for the general election, placement of campaign signs and distribution of election solicitation materials shall be governed by polling place rules as provided by the Montgomery County Elections Office. The time frame for the placement of all signs under this section should comply with the state elections code. Except as provided in section H, the Township's general Rules and Orders regarding the distribution of solicitation materials on Township public property will apply.

RECOMMENDED BOARD ACTION: Amend Resolution #020-10 as presented.

ATTACHMENTS

1 Amended Resolution #020-10/Township Election Polices as presented
2 List of issues Raised at April 19th Workshop
3 Park Orders 019-09
4 Example of special events application form
5 November 16, 2009 Board Meeting minutes approving park orders
6 November 17, 2010 Board Meeting minutes approving Township Election Policies

Attachment 1

~~DRAFT~~

RESOLUTION NO. 020-10 As Amended

WHEREAS, The Woodlands Township (the "Township") has been heretofore duly created and organized and is operating pursuant to the authority of Chapter 289, Acts of the 73rd Texas Legislature, Regular Session, 1993, as amended (the "Act"); and

WHEREAS, the Township is charged by the Act with the responsibility for calling and conducting an annual election for members of the Board of Directors of the Township pursuant to the Act and the applicable provisions of the Texas Election Code; and

WHEREAS, from time to time, the Township is requested by candidates, campaign officials, supporters, voters or other interested persons to permit, restrict or prevent certain election activities by candidates, campaign officials or supporters, including requests which are considered inappropriate or beyond the authority of the Township to accomplish; and

WHEREAS, the Board of Directors of the Township deems it appropriate to establish and memorialize certain policies, procedures and priorities in connection with such elections; Now, therefore,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP, THAT:

Section 1: It shall be the policy of the Township in connection with its duty to call, hold and conduct such annual elections for directors that the Township's foremost responsibility and duty is to call, hold and conduct a fair, free and impartial election and to avoid, where possible, any appearance of bias, partiality or favoritism for or against any candidate, party, slate or cause.

Section 2: It shall be the sole responsibility of the candidates and their respective supporters, campaign treasurers and related officials to secure such legal, ethical, advertising, promotional and other advice and assistance as they may need or desire in connection with such elections, and the Township's duties and responsibilities shall be limited to providing and promulgating on a timely basis such forms, orders, notices and related documents and materials as are essential to the calling, holding and conducting of a fair and impartial election, without regard to the individual responsibilities of the candidates for compliance with ethical, campaign reporting and disclosure, fair campaign practices, advertising and other election laws, standards and guidelines.

Section 3: With respect to certain matters which are, or are commonly perceived to be, within the control and authority of the Township, the Township policies shall be as follows:

A. Use of Township Logo

In keeping with the Township's responsibility to conduct a fair and impartial election and to preserve the Township's control over the use of its logo, candidates or campaigns shall not be permitted to use the Township's logo on any campaign materials unless incidental to, and not in a position of prominence in, an image described in paragraph F. of this Section 3.

B. Use of Township E-mail

An incumbent director who is a candidate in an election may not use a Township provided e-mail account for the purpose of advertising or promoting the candidate's campaign or for endorsing, supporting, raising funds for or promoting the campaign of another candidate. Nothing herein shall be deemed or construed to restrict a director from using a Township provided e-mail account to correspond with constituents on issues related to Township business other than election campaigns.

C. Distribution of Candidate Information or Candidate Forums

In keeping with the Township's responsibility to conduct fair and impartial elections, the Township cannot and does not, directly or indirectly, endorse, promote or support, through in-kind services or otherwise, any specific candidate forum, candidate information exchange or similar activities through the use of Township resources, including The Woodlands Community Magazine, the Township website, WoodlandsAlert or similar means. The Township will timely take all necessary steps to provide notice of candidate names, ballot positions, voting locations and voting times.

D. Political Advertising in The Woodlands Community Magazine

No political advertising shall be permitted in The Woodlands Community Magazine, nor shall business advertisements, names or photos which are similar in style or format to the campaign materials of a candidate be placed in The Woodlands Community Magazine during the period from the

first date of the filing of candidate applications to the conclusion of the election.

E. Political Activity by Employees

An employee of the Township may not engage in political activity related to a campaign for an elected public office or proposition to be voted on by the public while in Township uniform, on duty or while representing or acting on behalf of the Township, or under circumstances suggesting that such employee is representing or acting on behalf of the Township. Nothing herein shall be deemed or construed to restrict the right of organized labor groups, including firefighters, to form a political action committee to engage in political activity off duty.

F. Images of Township Facilities

Photographs, drawings or other images of public facilities, including administrative facilities, fire stations, parks or other Township facilities, may be used by candidates, supporters or campaigns so long as the taking or making of such images does not interrupt or interfere with access to or the operations of such public facilities.

G. Election Signs on Private Properties

The use of election signs on private properties shall be governed by the Covenants and Standards and all applicable regulations thereunder.

H: Designated Township Facilities for Display and Distribution of Election Materials

The purpose of this section is to authorize a defined area at Town Hall and at other Township Facilities which are used during the general election as polling sites, where election signs may be displayed and election materials may be distributed.

The defined area allowed for the placement of election signs and the distribution of election materials will be areas adjacent to the entrances on the south side of the Town Hall facility with said approved areas to be from the parking lot toward the building entrances to a distance of 15 feet from the back of parking lot curb. One sign per candidate, which complies with The Woodlands standards 2.12, may be placed at each of the building entrances. For other Township building used for polling locations for the general election, placement

of campaign signs and distribution of election solicitation materials shall be governed by polling place rules as provided by the Montgomery County Elections Office. The time frame for the placement of all signs under this section should comply with the state elections code. Except as provided in section H, the Township's general Rules and Orders regarding the distribution of solicitation materials on Township public property will apply.

Section 4: The Township will not undertake to interpret, enforce or provide legal, ethical or other advice in connection with election activities which are beyond the scope and authority of the Township to regulate, including, without limitation, electioneering during primary or general elections near polling places where such elections are administered under the authority of Montgomery County; endorsements of candidates by current or former members of the Board of Directors of the Township, whether with or without use of any officer's title; the use of automated telephone calling; false or misleading advertising or signage; or similar election activities which are beyond the authority of the Township to regulate or control; provided, however, that endorsements of candidates by members of the Board of Directors of the Township, whether with or without the use of officers' titles, should not be made under circumstances suggesting such endorsement is being made by or on behalf of the Township or its Board of Directors; and provided further, that with respect to electioneering at Township polling places in Harris County that are managed by the Township, all candidates, campaigns and supporters must comply with all applicable laws concerning electioneering and signage at the polling place, and any signage or electioneering within the distance markers posted for such polling place will be removed or curtailed by the Township election officials for such polling place or by appropriate law enforcement personnel.

Section 5: Unless inconsistent or in conflict with the Act, the Board of Directors of the Township hereby adopts and approves for usage in all such elections for members of the Board of Directors of the Township held on a general election day the timetable and calendar of events promulgated and published by the Texas Secretary of State for such election.

Section 6: In the absence of a specific initial filing date for candidates in the Act, the Board of Directors of the Township hereby adopts as the first date for filing of a candidate's application in an election for members of the Board of Directors of the Township the ninety-first (91st) day before the date of the election, but the Township offices will not be open for receipt of such filing if such date falls on a Saturday, a Sunday or a State

holiday. The President/General Manager is hereby authorized and directed to provide notice of such first filing date, as well as the last filing date, in the manner required by law at least thirty (30) days in advance of such first filing date.

PASSED and APPROVED this 17th day of November, 2010.

_____
Chairman, Board of Directors

ATTEST:

_____
Secretary, Board of Directors

(SEAL)

Attachment 2

The Woodlands Township

The Woodlands, TX

MEMORANDUM

DATE: April 23, 2012

TO: The Woodlands Township Board of Directors

FROM: Don Norrell, President/General Manager

RE: Election Activities on Township-owned Property

A number of questions were raised at the Board work session regarding the Township's policies as they relate to the distribution of election materials in the Township "Town Hall" facility, as well as in public park areas.

The Woodlands Township has general policies and practices which relate to solicitation on public property and the distribution of solicitation materials on Township property. The Township's Park Rules do not allow solicitation or the distribution of solicitation materials in public park areas. The only exception to this rule is in situations where special event permits are issued to individuals or groups. By obtaining a special event permit, the applicant is able to determine the types of promotional materials that they will allow to be distributed within the area reserved for the special event.

For example, the Township approved a permit for the Crawfish Festival. This festival may have included individuals or groups distributing materials within the special event area. This is allowed under the Township Park Rules. In the past, individuals or groups with certain political affiliations have applied for special event permits at Town Green Park and election types of material (and other materials) have been distributed within the special event area. This is allowed per the Township Park Rules.

In regard to specific questions raised in regard to the distribution of election materials at Township facilities, listed below are three questions that were raised regarding this matter:

Does the Township have a policy regarding the distribution of campaign materials in the Town Hall building?

Individuals are asked not to distribute solicitation materials within the Town Hall facility. This policy applies to all types of solicitation materials. Individuals running for public office may wear

their name tags and can interact with the public within the public areas of the building.
The rationale for this policy is that solicitation within the building is not appropriate because it can disrupt meetings and staff functions being carried out within the building. This policy is not directed toward election materials but toward all types of solicitation materials.

Does the Township have a policy regarding the distribution of solicitation materials in public parks?

The Township Park Rules provide that solicitation and the distribution of solicitation materials is not allowed in public park areas. This policy applies to all types of solicitation materials.
The rationale for this policy is that solicitation and solicitation materials can be disruptive to the public use of the park or public space. This policy is not directed toward election materials but toward all types of solicitation materials.

Does the Township have a policy regarding the distribution of solicitation materials when the use of a public park by an individual or group is under a special event permit?

Individuals or groups pay a fee to reserve and have use of park facilities under the special event permit. This special use permit places certain responsibilities and requirements on a user but allows that user to determine the types of solicitation or solicitation materials (if any) that will be allowed within the special event area.

The rationale for this policy is to allow into park areas festivals, events and other functions that have differing requirements from normal public use. These areas are controlled by the conditions of the special event permit and do allow a wide range of public uses, including election related events.

Summary

This matter has been has been placed on the Board agenda for April 25th.

Attachment 3

ORDER NO. 019-09

AN ORDER OF THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP ADOPTING RULES AND REGULATIONS GOVERNING THE USE OF THE PARK, RECREATION AND OPEN SPACE AREAS OF THE TOWNSHIP; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED $500.00 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

WHEREAS, pursuant to Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, as amended (the "Act") the Board of Directors (the "Board") of The Woodlands Township (the "Township") is authorized to regulate the private or public use of the Township's facilities, including parks, to provide for the safe and orderly use thereof; and

WHEREAS, the Township owns and operates Town Green Park and Waterway Square and will in the foreseeable future assume the ownership and operation of a number of community parks, pools, pathways, and open space reserves; and

WHEREAS, in accordance with the authority granted by the Act, and having found and determined that the adoption of rules and regulations governing the use of Town Green Park and Waterway Square was necessary and appropriate and would promote the safe and orderly use of such parks, the Board did, by Order No. 001-007 and Order No. 006-008, passed and approved the 24th day of January, 2007, and the 26th day of March, 2008, respectively (the "Prior Orders"), adopt such rules and regulations governing the use of Town Green Park and Waterway Square; and

WHEREAS, the Board now deems it necessary and appropriate to repeal the Prior Orders and to adopt similar rules and regulations to apply to Town Green Park, Waterway Square and to all other parks, pools, pathways and open space reserves owned or to be owned by the Township, or in which the Township has or may hereafter have a real property interest in order to promote the safe and orderly use of all the parks, pools, pathways and open space reserves; Now, Therefore,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP THAT:

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

SECTION 2. The Board of Directors of The Woodlands Township hereby adopts and promulgates the following rules and regulations:

A. DEFINITIONS. For the purposes of this Order, or the rules and regulations adopted hereby, the following words, terms and phrases shall have the meanings ascribed thereto, unless the context clearly indicates otherwise:

i. **Alcoholic Beverage** means any substance containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable or intended for use as a beverage, either alone or diluted.

ii. **Amplified Sound** means music, sound wave, vibration or speech projected or transmitted by electronic equipment, including amplifiers or other devices.

iii. **Athletic Fields** and **Athletic and Recreation Facilities** mean soccer, football, baseball, softball and rugby fields, tennis, basketball and volleyball courts, swimming pools, activity rooms, the Recreation Center, park pavilions and all similar sport or athletic facilities of the Township.

iv. **Area Park** means a recreational area, usually between 2 and 4 acres in area, and developed centrally within several neighborhoods to encompass an approximate 1/2 mile service radius, which contains tennis and basketball courts.

v. **Daily Use** means one-day use, not to exceed one 24-hour period.

vi. **Department** means the Parks and Recreation Department of the Township.

vii. **Explosives** mean any chemical compound, mixture or device that is commonly used or intended for the purpose of producing an explosion.

viii. **Motor Vehicle** means every device in, upon or by which any person or property is or may be transported or drawn upon a roadway, except devices moved by human power.

ix. **Neighborhood Park** means a small recreational area, usually between 0.5 and 2 acres in area, and developed centrally within the neighborhoods to encompass an approximate ¼ mile service radius, serving as a recreational and social focus of the neighborhoods.

x. **Park** or **Parks** includes, but is not limited to, parks, swimming pools, playgrounds, sports fields, courts, ponds, lakes, open space reserves and similar facilities of the Township.

xi. **Pathway** or **Pathways** means the paved and unpaved area that comprises the Township Pathway System.

xii. **Pet** means a domesticated animal kept for pleasure, rather than utility.

xiii. **Procedures** are guidelines set forth by the President of the Township, or his/her designee, to provide specific directions and instructions and to assign or identify responsibilities towards achieving intended results.

xiv. **Public** means both residents of the Township and non-residents.

xv. **Qualified Organization** means any non-profit organization which promotes or sponsors athletic, recreational or social activities and primarily serves residents of the Township, and which meets the criteria set forth herein.

xvi. **Road** is any public or private road intended for use for the passage of Motor Vehicles within a Park.

xvii. **ROSR** means a restricted open space reserve.

xviii. **Season** or **Seasonal Use** means a period of at least eight weeks with consistent weekly and weekend use.

xix. **Sign** means a sign, placard, commercial or personal advertisement, flag, banner or other similar advertising or promotional device, but does not include directional, instructional, wayfinding or monument signs.

xx. **Special Event** means a single occurrence, an unusual or extraordinary activity or happening of significance, an event deviating from the routine or normal, or a one-time or infrequently occurring event outside the normal program of activities of the sponsoring or organizing body.

xxi. **Town Center** means the area bordered by Grogan's Mill Road on the west, Woodlands Parkway on the south, Research Forest Drive on the north and Interstate 45 on the east.

xxii. **Township** shall mean The Woodlands Township**.**

xxiii. **Township Facility** or **Township Facilities** means any Park, Pathway, Athletic Fields, Athletic and Recreation Facilities, Area Park, Neighborhood Park, Townwide Park, Urban Plaza, Village Park, Waterway Square, open space, ROSR, Specific Use Facility, Road, Recreation Center or any similar or related or appurtenant property or improvement owned or controlled by the Township or in which the Township holds an interest in real property.

xxiv. **Townwide Park** means a large recreational area developed to accommodate large gatherings and events.

xxv. **Urban Plaza** means a public area developed typically in the Town Center to attract residents and visitors and which serves as a recreational or social focus of the Township.

xxvi. **Village Park** means a large recreational area, usually between 6 and 10 acres in area, and developed centrally within a Village to encompass an approximate 1 mile service radius, which includes a swimming pool.

xxvii. **Waterway Square** shall mean that portion of Unrestricted Reserve "D" of The Woodlands Waterway Square tract as recorded in Cabinet "Z" Sheet 392 of the Montgomery County Map Records containing 0.883 acres.

xxviii. **Weapon** means a firearm or any device manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury.

xxix. **Wildlife** means living animals that are not domesticated as a Pet.

B. GENERAL POLICIES:

i. Park hours are from dawn to dusk unless specifically posted otherwise or designated herein. Lighted play courts and sports fields (e.g., tennis, basketball, soccer) close at 11pm. Northshore Park designated fishing area shall close at 11pm. Park use hours may be reduced or extended by the President or his designee for permitted Special Events, or when deemed appropriate because of Special Events or activities, including maintenance activities. It shall be unlawful for any person other than authorized personnel and contractors to be within any park during hours that the park is closed; provided, however, that the use of Roads or Pathways shall be permitted at any time as a course of transportation.

ii. It shall be the responsibility of the President to submit to the Board of Directors, from time to time as appropriate, revisions to the park hours, as

well as the hours of operation for swimming pools, Riva Row Boat House and the Recreation Center.

iii. All parks of the Township shall be open for public use under such reasonable rules, regulations and policies as prescribed by the Township.

iv. All parks of the Township shall be open to entry and use by all persons regardless of race, color, religion, sex or national origin.

C. MOTOR VEHICLES:

i. It shall be unlawful for any person to operate a Motor Vehicle larger than one ton within any park, except for trucks making deliveries of materials, supplies and equipment for the use of the Township.

ii. It shall be unlawful for any person to operate a Motor Vehicle in a Park except on Roads and in parking lots, in an unsafe manner, or at a speed in excess of 10 mph.

iii. It shall be unlawful for any person to cause a Motor Vehicle to be parked within a park, except in designated parking areas and times.

iv. It shall be unlawful for any person to operate a Motor Vehicle on a Pathway, except for approved maintenance vehicles and wheelchairs or scooters necessary for the physically disabled.

D. DUMPING, LITTERING, VANDALISM:

i. It shall be unlawful for any person to willfully mark, deface, disfigure, injure, tamper with, displace or remove any of the Township's property or any other property within or appurtenant to any Park, swimming pool, open space, Pathway, Athletic Field or Athletic and Recreation Facility. It shall likewise be unlawful for any person to: 1) remove, destroy, damage, mark, cut, break or disfigure any tree, shrub, flower, grass or any other plant; or 2) plant any tree, shrub, vine, wildflower, grass or other types of plant material on or within any such facility without Township approval.

ii. It shall be unlawful for any person to throw, release, discharge or otherwise place or cause to be placed in the air, waters or lands of any Township Facility, including any fountain, stream, pond, lake, open space reserve, storm sewer or drain, any substance or matter, liquid, solid or gaseous, which will or may result in the pollution of such air, water or land.

iii. It shall be unlawful for any person to dump, deposit, discard or leave within any Township facility, any bottles, glass, ashes, boxes, cans, dirt, rubbish, waste, green waste, garbage or other forms of refuse or trash, other than in a Township designated receptacle suitable for such purposes.

E. SAFETY OF USERS:

i. It shall be unlawful for any person to possess or use glass containers on or within a Township Facility.

ii. It shall be unlawful for any person to build, or attempt to build, a fire anywhere within a Township Facility except in barbecue pits provided at a Park or in portable barbecue grills or cooking stoves permitted in designated areas. It shall further be unlawful for any person to drop, throw

or otherwise scatter lighted matches, burning cigarettes or cigars, hot embers or coals or any other similar material that could ignite a fire when placed in contact with a flammable material, except as authorized herein.

iii. Except as otherwise specifically authorized by law, it shall be unlawful for any person to carry, or possess or discharge any firearm of any description, or any air rifle, spring gun, bow and arrow, slingshot, or any other form of weapon potentially harmful to Wildlife or humans, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device, in, along or within any Township Facility. It shall further be unlawful to discharge any firearm or weapon into any Township Facility from areas beyond its boundaries, except by duly authorized peace officers in the lawful exercise of their duties.

iv. It shall be unlawful for any person to bring or possess, or set off, or otherwise explode, discharge or burn any fireworks or other form of Explosives in, along or within any Township facility, unless specifically authorized to do so by the Township.

v. It shall be unlawful for any person to boat, swim, bathe or wade in any pond, open waters or waterways of any Township Facility, except in areas specifically designated for such purpose or by special permit issued by the President or his designee.

vi. It shall be unlawful for any person to camp within any Township facility, except in areas specifically designated for such purpose or by special permit issued by the President or his designee.

vii. It shall be unlawful for any person to cause or permit any wild or dangerous animal, or breed of animal that traditionally displays vicious tendencies, to be within Township facilities, or to cause or permit any domestic Pet to be within any Township facility unless such domestic Pet is under the direct control by the owner or possessor and securely leashed on a leash not to exceed ten (10') feet in length, except for domestic dogs within a designated off-leash dog friendly area or dog park.

viii. It shall be unlawful for any person to fail to immediately remove any feces deposited in, along or within any Township Facility, including facilities including any Pathways, by a domestic Pet that is under the control or possession of such person.

ix. Horseback riding through, on and within any Township facility is prohibited unless duly authorized by action of the Township Board of Directors.

x. It shall be unlawful for any person to consume any Alcoholic Beverage at, in or within any Neighborhood Park, swimming pool or area of Town Center designated by the Township as a "Children's Use" area. For purposes of this Order, the following Parks are not considered Neighborhood Parks: Bonny Branch, Cottage Green, Piper's Green and St. Peter's Gate.

F. PROTECTION OF ENJOYMENT:

i. It shall be unlawful for any person to practice or play at any game of basketball, football, golf, cricket, lacrosse, soccer, polo, hockey or other game of like character in any Park, except at the places or the facility designed, set apart or designated as grounds for such purposes.

ii. It shall be unlawful for any person to paste, glue, tack or otherwise post any sign in, along or within any Township facility, except for identification signs of duly licensed concessionaires or contractors, and then only pursuant to and under the authority and regulation of the Township.

iii. Except in the case of Special Events produced by or permitted by the Township, it shall be unlawful for any person to use, operate or allow to be used or operated any device for the production of Amplified Sound in such a manner as to disturb the peace, quiet, comfort or enjoyment of persons within any Park. The operation of any such Amplified Sound device in such a manner as to be plainly audible at a distance of one hundred feet (100') or more from the source of the sound shall constitute a violation. For the sound to be "plainly audible" words or phrases need not be distinguishable, and bass reverberations are sufficient. This prohibition may be waived pursuant to a Special Event permit issued by the President or his designee if the event normally includes sound production, such as concerts, fireworks displays or similar events.

iv. Except pursuant to Special Events permits and facility reservations permits approved and issued by the President or his designee, no area of a Township Facility shall be reserved or used for organized events, such as sports league games or practices, concerts, weddings, family reunions or group meetings, or any other similar function that would substantially impede access to or use of such Township Facility by members of the general public.

v. It shall be unlawful for any person to solicit funds or donations or to sell or offer to sell any article, services or goods, or to station or place any stand, cart, kiosk or vehicle for the transportation, sale or display of any such article, good or service, or to announce, advertise or call the public's attention to any article, good or service for sale or hire, including the distribution of circulars within any Township Facility, unless such person is operating as a duly licensed concessionaire or contractor pursuant to and under the authority and regulation of the Township, or unless such person has received approval under a Special Event permit.

vi. It shall be unlawful for any person to remove or keep fish or any other aquatic animal from the lakes and ponds owned by the Township. All lakes and ponds are "Catch & Release" fishing areas, and all fish caught must be immediately released back into the lake or pond.

vii. It shall be unlawful for any person to smoke cigarettes, cigars, pipes or other similar devices or products within any swimming pool or related facility.

G. SPECIFIC USE FACILITIES:

i. Specific Use Facilities (Dog Friendly Areas, Wheel Friendly Areas / Skate Parks, Disc Golf Courses, Swimming Pools, Community Gardens, etc.) may have additional rules and regulations that are posted inside or in the vicinity of each facility. The President or his designee shall have the authority to prescribe such rules and regulations for Specific Use Facilities as deemed necessary, provided that said rules are consistent with industry standards and are in compliance with health and safety regulations. It shall be unlawful for any person to violate any posted rules for Specific Use Facilities.

H. TOWN CENTER FACILITIES:

i. The Township Facilities known as Town Green Park, Waterway Square, Riva Row Park, Millennium Park, Koi Pond and The Woodlands Waterway may have additional rules and regulations that are posted inside or in the vicinity of each facility. Due to the nature of these facilities and contractual obligations associated with the use, operation and maintenance authority of the Township for these facilities, all such rules and regulations shall be approved by the Board of Directors of the Township. The President shall have the authority to establish Procedures and guidelines for the administration of all Township Facilities within Town Center, including the granting of Special Event permits and facility reservation permits pursuant to the Procedures established herein for such permits. It shall be unlawful for any person to violate any posted rules for Township Facilities within Town Center.

ii. Town Green Park shall be closed from 12:00 midnight until 6:00 am daily; provided, however, that park use hours may be reduced or extended by the President or his designee for permitted Special Events or activities in other area venues. It shall be unlawful for any person, other than authorized personnel and contractors, to be within Town Green Park during hours that the Park is closed; provided, however, that the use of paved Pathways or tramways within Town Green Park shall be permitted at any time as a course of transportation or for recreational purposes.

iii. Waterway Square shall be closed from 12:00 midnight until 6:00 am daily; provided, however, that Park use hours may be reduced or extended by the President or his designee for permitted Special Events or when deemed appropriate because of Special Events or activities in other area venues. It shall be unlawful for any person, other than authorized personnel and contractors, to be within Waterway Square during hours that the Park is closed; provided, however, that the use of paved Pathways or tramways shall be permitted at any time as a course of transportation or for recreational purposes.

iv. It shall be unlawful for any person to ride or use a bicycle, roller-skate or skateboard within any Town Center facility, other than on a vehicular Road or path designated for that purpose. Bicyclists, skaters and skateboarders shall at all times operate same with reasonable regard for the safety of others.

I. PENALTIES:

i. Any person found guilty of an offense hereunder shall be subject to a fine in an amount not to exceed $500.00. Each day of violation shall constitute a separate offense.

ii. The President, all other employees of the Parks and Recreation Department of the Township and Montgomery and Harris County Sheriff or Constable Deputies providing law enforcement services to the Township are hereby individually and severally authorized and directed for and on behalf of the Township to notify any person who fails or refuses to comply with any applicable provision of this Order, or of any additional posted rules and regulations, to depart from any Township property. Any such person who upon such notice fails to depart from any such property shall be subject to prosecution for criminal trespass in addition to prosecution for any other offense or violation of this Order that such person may have committed. The President or his designee is authorized to file charges against any and all persons for any offense or violation of this Order, and to execute any necessary documents related to such charges.

J. RESERVATIONS OF TOWNSHIP FACILITIES:

i. The following facilities may be reserved by Qualified Organizations and members of the general public in accordance with these rules:

a. Athletic Fields, such as soccer, baseball or other grassy play fields;
b. Outdoor Courts, such as tennis, basketball or volleyball;
c. Indoor Basketball Court at the Recreation Center;
d. Park Pavilions;
e. Swimming Pools;
f. The Woodlands Recreation Center, or portions thereof; and
g. Town Green Park or portions thereof.

ii. Individual facilities may be reserved on a first come, first served basis, but no more than one year in advance of the date requested. When an individual facility or portion within a Park is reserved, members of the public shall have access to all other areas of such Park, other than the reserved individual facility.

iii. No person or organization may schedule regular use of Athletic Fields, courts, pavilions or any other area of a Park on a continuing basis without a facility reservation.

iv. Only Qualified Organizations may reserve Athletic Fields, courts, pavilions or any other areas of a Park for a Season.

v. Permits will be issued subject to the applicant's compliance with the permit requirements, and only if the proposed activity or use of a Township facility will not:
   a. unreasonably interfere with or detract from the general public's enjoyment of the area;
   b. unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
   c. unreasonably conflict with any other scheduled or reserved activity at that day and hour;
   d. substantially interrupt the safe and orderly movement of traffic;
   e. likely cause injury to persons or property, or invite violence, crime or disorderly conduct; or
   f. be used for the purpose of advertising any product, goods or services, except by special permit.

vi. No person or entity shall use any area or facility of a Park for which a reservation or permit was received for any purpose other than the stated purpose on the application for such reservation or permit.

vii. Each person or entity using a Park under a reservation or permit is subject to all other rules and regulations in force at the time of use.

K. QUALIFIED ORGANIZATIONS:

i. Upon application to the Department, an organization shall be designated as a Qualified Organization provided the following requirements are satisfied:
   a. Submission of a current financial statement for the organization;
   b. Provision of a list of the governing body's, including officers' or other authorized representatives' contact information prior to using facilities;
   c. At least 60% of the members of the Qualified Organization and the participants in the programs or activities to be conducted by the Qualified Organization at the Township Facility must be residents of the Township;
   d. Provision of a minimum of $1,000,000 General Liability insurance policy covering each participant and naming the Township as an additional insured.

L. PARK USER FEES:

i. Fees and charges for Park concessions, rentals, reservations, equipment, vending licenses and permits, admissions, ceremonies, Special Events, commercial filming or movie production, as well as program registration fees associated with athletics, recreation, aquatics and other classes sponsored by the Department (collectively denoted "park user fees") shall be established by the Board of Directors of the Township.

ii. A different fee schedule may be adopted for residents of the Township and those who are not residents of the Township, but at no time shall a non-resident fee be more than three times the fee for residents.

iii. User fees shall be waived one time per year upon the request of a duly constituted Village Association to allow free use of a Park, including swimming pool, located within the village for the purposes of a one-day event produced by the Village Association designed for the residents of that village. For the purposes of the Village Association event, pool use must be scheduled during regular operating hours for that pool.

iv. It shall be the responsibility of the President to submit to the Board of Directors, from time to time as appropriate, revisions to the schedule of park user fees.

v. The President or his designee shall establish uniform Procedures relating to permits, reservations, deposits and the manner for paying park user fees.

vi. The President may waive park user fees for any Township sponsored or co-sponsored function or event. For purposes of this subsection, the President is authorized to declare Township sponsorship.

vii. The President is authorized to approve special promotions, rates and fees for Parks and recreation facilities that are designed to market and maximize utilization of such facilities.

viii. Rates and/or admission policies for special civic, educational, non-profit and guided tour groups may be established by the President or his designee.

ix. Additional Park user fees and/or admission policies may be established by other agreements or contracts approved by The Township.

x. The President may establish Procedures relating to refunds of park user fees.

M. AUTHORITY OF THE PRESIDENT:

i. The President shall have the authority to prescribe written Procedures for the administration of and use of Parks, provided that such Procedures do not conflict with this Order, or any valid and applicable law or ordinance. A copy of such Procedures shall be maintained for public inspection in the offices of the Township.

ii. The President or his designee shall be authorized to contract for instructors for athletic, recreation and aquatic classes, programs or events, coaches, referees, entertainers, performers and others for the purposes of carrying out the programs and services provided by the Township. Fee schedules establishing payments to or revenue sharing with such instructors, coaches, referees, entertainers, performers and others shall be submitted from time to time as appropriate to the Township Board of Directors for review.

iii. The President or his designee shall be authorized to contract for concessionaires licensees and others for the production of Special Events that occur at a Township facility. Fees or cost-sharing/revenue-sharing agreements for such Special Events shall be approved by the President and shall be submitted from time to time as appropriate to the Township Board of Directors for review.

iv. The President or his designee shall be authorized to solicit sponsorships, donations and in-kind services that contribute to the quality and financial performance of Township Parks, facilities, programs and Special Events.

Reports on these sponsorships, donations and in-kind services shall be submitted from time to time as appropriate to the Township Board of Directors for review.

N. CUL-DE-SAC ISLAND MAINTENANCE:

i. Cul-de-sacs islands 3,400 square feet and larger in size within the Road rights-of-way within the Township shall be treated as open spaces and will be maintained by the Township not less than eleven times per year. Maintenance service is limited to mowing, edging, litter and trash removal and dead tree removal. The Township assumes no responsibility or maintenance for cul-de-sacs smaller than 3400 square feet.

O. RESTRICTED OPEN SPACE RESERVES:

i. It shall be unlawful for any person to willfully remove, damage, mark, deface, disfigure, injure, tamper with, displace or remove any of the Township's property, including trees, shrubs, vines, plants, groundcover and grass in an ROSR, or to place, construct or cause to construct any improvement, change, alteration or utility within an ROSR, except as provided by written agreement approved by the Township. For such purposes, the President or his designee is authorized to approve temporary access agreements for the purposes of residential and commercial construction occurring on property adjacent to an ROSR if there is no other reasonable access to the adjacent property's improvement location. Access fees may be established by the President for such purposes.

SECTION 3. The Board of Directors hereby finds, determines and declares that the foregoing rules and regulations have been adopted after a public hearing duly called and held within the Township.

SECTION 4. The Prior Orders are hereby repealed, revoked and rescinded and shall be of no further force and effect.

SECTION 5. In the event any clause, phrase, provision, sentence or part of this Order, or of the rules and regulations adopted hereby, or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Order, or the rules and regulations adopted hereby, as a whole or as to any part or provision hereof other than the part declared to be invalid or unconstitutional.

SECTION 6. It is further found, determined and declared that notices of a public hearing concerning the adoption of the foregoing rules and regulations and of the meeting of the Board of Directors have been published, given and posted as required by law, and that this meeting has been open to the public, as required by law.

PASSED, APPROVED AND ADOPTED this 16th day of November, 2009.

_____
Chairman, Board of Directors

ATTEST:

_____
Secretary, Board of Directors

(SEAL)

Attachment 4

SPECIAL EVENT APPLICATION

Applications must be received by the Parks and Recreation Department no later than (90) days prior to the actual date of your event and may be submitted as early as two years before the event. In general, any organized activity involving the use of, or having impact upon the parks, lakes, ponds or pathway system requires an application for a special event. It is our goal to assist event organizers in planning safe and successful events that create a minimal impact on the communities surrounding the events. When planning special events the following chart displays estimated times to develop a quality event:

Event Type	Time To Develop
Fundraiser	6 months
Carnival/Festival	9 months
5K Run, Walk	9 months
10 Mile Run	1 year
Triathlon	1 year

Keep in mind that submitting your application should in no way be construed as final approval or confirmation of your request. Throughout the review process you may be notified if your event requires any additional information, traffic control plans, permits, licenses or certificates. Delays in providing these items often delay our ability to finish the review process and approve the application for the special event.

Special rules, regulations and restrictions unique to each site or facility may apply. Most park areas cannot be reserved for the exclusive use of one group, and access to the area by the general public must be available at all times. The Parks and Recreation Department may not approve special event applications when other events are presently scheduled.

ATTN: Development Division
The Woodlands Township
Parks and Recreation Department
8203 Millennium Forest Drive
The Woodlands, TX 77381
281.210.3900 office
936.273.4995 fax
parkrec@thewoodlandstownship-tx.gov

APPLICANT INFORMATION

***Required Information**
*** Date of Application** _____

*** Organizations Name (if applicable):** _____

*** Type of Organization:**
- ☐ **Individual**
- ☐ **Church/Non Profit Group** ***(Include copy of certification)***
- ☐ **Schools**
- ☐ **Other**_____

*** Applicant Name:**_____

*** Address:** _____ ***City/State/Zip:** _____

*** Phone:** _____ **Cell:**_____

*** Email Address:** _____ **Fax:**_____

*** 2nd Point of Contact:** _____

*** Address:**_____ *** City/State/Zip:** _____

*** Phone:** _____ **Cell:**_____

*** Email Address:** _____ **Fax:**_____

This section of the application is intended to provide us with an overview of your event.
(Mark all that are applicable to your event)

Event Name: _____

Event Category:
- ☐ **Sports/Recreation**
- ☐ **Concert/Performance**
- ☐ **Race/Walk**
- ☐ **Fair/Festival**
- ☐ **Parade/March**
- ☐ **Village Association Event**

Date/Time:

Setup Begins	Date: _____	Time: _____	Day of Week: _____
Event Starts	Date: _____	Time: _____	Day of Week: _____
Event Ends	Date: _____	Time: _____	Day of Week: _____
Breakdown Starts	Date: _____	Time: _____	Day of Week: _____
Breakdown Ends	Date: _____	Time: _____	Day of Week: _____

Rain Date (*if applicable*): _____

Event Location:
Park(s) _____

Village(s):
- ☐ **Grogan's Mill**
- ☐ **Panther Creek**
- ☐ **Indian Springs**
- ☐ **Cochran's Crossing**
- ☐ **Alden Bridge**
- ☐ **College Park**
- ☐ **Sterling Ridge**
- ☐ **Creekside Park**

Anticipated Attendance:
Participants:_____ ***Spectators:***_____ ***Total:*** _____

Applicant Initials: _____ Date: _____

EVENT INFORMATION

- Is this an annual event? ☐ Yes ☐ No ☐ N/A If yes, how many years has the event been hosted? _____
- Will there be vendors with merchandise available for sale at the event? ☐ Yes ☐ No ☐ N/A

  If yes, how many vendors? _____ *Additional insurance per vendor may be required.*

  If so, a written request must be submitted with a description of items for sale. This does not mean approval will be granted.
- Will there be concessions at the event? ☐ Yes ☐ No ☐ N/A
- **Concessions/Food:** *Health Permits are required with food concessions. Please check with your vendors to make sure all of their permits are current and on hand the day of the event. To acquire a permit in Montgomery County please contact the Montgomery County Health Department at 936.539.7839. To acquire a permit in Harris County please contact the Harris County Health Department at 713.439.6000*
- Does this event involve the sale of alcoholic beverages? ☐ Yes ☐ No ☐ N/A

  If so, NO glass containers are allowed in the parks and events with alcohol will require a minimum of 2 peace officers and additional depending on size of event.
- Will participants and/or spectators be charged admission? ☐ Yes ☐ No ☐ N/A If so, how much?_____
- Will any pamphlets, handbills, or advertising matter be distributed at the event? ☐ Yes ☐ No ☐ N/A
- Does your event need vehicular access to restricted park areas? ☐ Yes ☐ No ☐ N/A

  This will depend on surface conditions and is subject to approval.
- How will parking for the participants be set up? _____
- Do you need authorization for additional parking? ☐ Yes ☐ No
- Does your event need water hook-up? ☐ Yes ☐ No ☐ N/A If yes, desired amount? _____
- Does your event need electricity? ☐ Yes ☐ No ☐ N/A
- Does your event require use of the pathway system? ☐ Yes ☐ No ☐ N/A

  If yes, please attach a map or provide a narrative in the Route Map section.
- Will the event have amplified sound? ☐ Yes ☐ No ☐ N/A
- Amplified sound timeframe Start Time: _____ End Time: _____
- Will the event have portable restrooms? ☐ Yes ☐ No ☐ N/A
- *If yes, how many and please attach a map of where the portable restrooms will be placed.*
- Will the event have tents, pop-ups, amusement or inflatables? ☐ Yes ☐ No ☐ N/A

  If yes, how many and these will be subject to approval. _____

SITE PLAN/ROUTE MAP

As an event organizer, you are required to provide a safe and secure environment for your event. The size, type, time of day and location of your event, as well as the overall activities, are all areas that need to be analyzed in depth and addressed through your site plan/route map. For any event crossing intersections or utilizing right of ways, a traffic control plan will be required for approval 30 days prior to the special event. Please provide a risk assessment through Montgomery County or Harris County Sheriff's Department to determine points of concern and anticipated potential problems. Utilization of county roads requires approval from the County Commissioner's office to by a traffic control plan.

Applicant Initials: _____ Date: _____

- Will the event utilize any streets/right of ways or cross intersections? ☐ Yes ☐ No ☐ N/A
- Will the event require traffic control officers? ☐ Yes ☐ No ☐ N/A *If yes, how many* Time: _____
- Will the event require a traffic control plan? ☐ Yes ☐ No ☐ N/A
- Will the event involve the use of traffic safety equipment? ☐ Yes ☐ No ☐ N/A
- Will the event require medical staffing? ☐ Yes ☐ No ☐ N/A

  If yes, please attach your medical plan.
- Will the event involve the use of a parking or shuttle plan? ☐ Yes ☐ No ☐ N/A
- Will there be a clear path of travel throughout the event venue? ☐ Yes ☐ No ☐ N/A
- Has the event developed a Handicap Parking and/or Transportation Plan? ☐ Yes ☐ No ☐ N/A
- Will any signs or banners be associated with the event? ☐ Yes ☐ No ☐ N/A *If yes, please list below.*

Type	Quantity	Size	Phrase	Location
EX. Corrugated	*10*	*3' x 4'*	*Race Traffic May 3, 2010 7 am – 10 am*	*Research and Gosling*

INSURANCE REQUIREMENTS

As a condition of use of Parks and Recreation facilities or properties, your organization must provide, at its sole expense, the following items as indicated:

1. Proof of insurance comprised of certificates of insurance and original endorsements. You must provide the Parks and Recreation Department evidence of insurance at least 30 days prior to the start of your event/program.

2. All events require a minimum of one million dollar general liability and some or all of the following organizations may be required to be listed as additional insured:
TWT (The Woodlands Township), LWPOA (Lake Woodlands Property Owners Association) and/or TWLDC (The Woodlands Land Development Company).

Please sign and return this original Notice of Conditions to indicate your receipt and understanding of each of the conditions listed above.

Organization's Name: _____

Signature of Designated Official: _____

Title: _____

Applicant Initials: _____ Date: _____

VENDOR LIST

Company Name	Contact	Phone #	Purpose	Insurance On File
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No
				☐ Yes ☐ No

Applicant Initials: _____Date: _____

MARKETING/PR

Please ensure that you have conditional approval of your event before you begin to promote, market or advertise the event. Conditional approval may be made after your Special Event Application has been submitted to The Woodlands Township Parks and Recreation Department and initially screened by appropriate personnel. Acceptance of your special event application by the Parks and Recreation Department is not a guarantee of the date and location, or automatic approval of your event. The event organizer must complete the application requirements entirely before the Parks and Recreation Department will consider approval of such event. Event organizer shall be notified within 15 days of receiving completed application.

If you plan to include signage along streets and throughout the community, it is important that you understand applicable laws. Violation of the applicable laws in reference to sign placement may void the application process.

Will this event be marketed, promoted or advertised in any manner? If yes, please describe.

_____

_____

_____

Will there be live media coverage during the event? If yes, please describe.

_____

_____

_____

Will media vehicles be parked within the event venue? If yes, please describe and attach staging plan.

_____

_____

If the event utilizes The Woodlands Township logo in any manner, use of the logo needs approval through The Woodlands Township Community Relations Department? If yes, please describe.

_____

_____

Does your event marketing plan address routine day to day activities (i.e. traffic control as it affects the residents and park usage)? If yes, please describe.

_____

_____

Applicant Initials: _____ Date: _____

AFFIDAVIT OF APPLICANT

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief that I have read, understand and agree to abide by the rules and regulations governing the proposed Special Event under The Woodlands Township Parks and Recreation Department. I understand that failure to do so may lead to the cancellation of the event, the denial of future permit applications, or other legal action by The Woodlands Township Parks and Recreation Department.

Print Name of Applicant/Host Organization: _____

Title: _____

Signature of Applicant: _____ Date: _____

Print Second Point of Contact Name: _____

Title: _____

Signature of Second Point of Contact: _____Date: _____

APPLICANT CHECKLIST

- ☐ **Signed and dated your application?**
- ☐ **Attach your event site plan or layout? Including restroom location**
- ☐ **Narrative use of pathway system?**
- ☐ **Attach your traffic control plan?**
- ☐ **Attach your event parking plan?**
- ☐ **Attach your event schedule?**
- ☐ **Provide samples of communications that will be distributed to impacted residents, businesses, schools and other entities?**
- ☐ **Attach your Certificate of Insurance?**
- ☐ **Attach a copy of your IRS 501c tax exemption letter?** ***If applicable***
- ☐ **Attach of your contracted police coordinator? Along with rain date confirmation**
- ☐ **Rain date time line**
- ☐ **Health Permits (vendor/copies)**
- ☐ **Medical Plan**
- ☐ **Vendor list**
- ☐ **Written request of vendor items for sale**

Submit your completed application to:

The Woodlands Township
Parks and Recreation Department
Attn: Special Event Coordinator
8203 Millennium Forest Drive
The Woodlands, TX 77381

Applicant Initials: _____Date: _____

Attachment 5

Richmond moved to accept the Financial Report as presented. The motion was seconded by Secretary Sutton and passed unanimously. A copy of the Financial Report as of and for the ten months ended October 31, 2009 is attached hereto as Exhibit "G".

The Board was then asked to receive and consider a report from the Community Associations of The Woodlands. Chairman Blair called on John Powers, Co-Interim General Manager of the Woodlands Community Associations, to present this item. Packets of information containing a written summary of the Community Associations' Board agenda matters, Monthly Report for October 2009, and The Woodlands Community Policing Report for October 2009 were distributed to Board members. Additionally, a report on Media Coverage for the dates October 24-November 13, 2009 was presented. The Community Associations' reports are attached hereto collectively as Exhibit "H". No action was necessary on this item.

Next, Chairman Blair recessed the regular meeting of the Board of Directors at 9:12 a.m. to convene and conduct a public hearing on proposed Order Nos. 019-09 and 020-09 adopting rules and regulations governing the use of park, recreation and open space areas and adopting related user fees, respectively. Mike Page was called on to present background information on this item. Following Mr. Page's comments, Chairman Blair called for public comment. A few minor changes to Order No. 019-09 were noted during the public comment period. As there were no further comments, the Chair then ended the public hearing and reconvened the regular meeting of the Board of Directors at 9:19 a.m.

Board members then considered and acted upon adopting Order No. 019-09 relating to rules and regulation governing the use of park, recreation, and open space areas. The Chair called for a motion to adopt the Order. Secretary Sutton moved to adopt Order No. 019-09 relating to rules and regulations governing the use of park, recreation, and open space areas with the provision that the changes discussed earlier be made. Director Campbell seconded the motion and it passed unanimously. Order No. 019-09 is attached hereto as Exhibit "I".

Chairman Blair then asked the Board to consider and act upon adopting Order No. 020-09 relating to user fees for park, recreation, and open space areas. The Chair called on John Powers to present this item. Mr. Powers commented that a user fee structure was added for Town Green Park that is the same user fee charged for Rob Fleming Park. Director Campbell then moved to adopt the Order and the motion was seconded by Vice-Chairman Matthews. The motion passed unanimously. Order No. 020-09 is attached hereto as Exhibit "J".

The Board was next asked to consider and act upon candidate nomination for the Montgomery Central Appraisal District (MCAD) and approve a resolution in connection therewith. Chairman Blair called on Don Norrell, President for The Woodlands Township, to present this item. Mr. Norrell summarized the MCAD election process and then called on Biff Picone, who asked the Board to vote for him as the only "Special District" candidate running for a seat on the MCAD Board of Directors. Following Mr.

Attachment 6

CONSIDER AND ACT UPON APPROVAL OF POLICIES RELATED TO THE ELECTION OF THE BOARD OF DIRECTORS FOR THE WOODLANDS TOWNSHIP;

Chairman Tough called on Mike Page to present this item. Mr. Page presented a summary of this item and reviewed minor changes made to the draft resolution that was discussed at the November 11, 2010 Board Workshop. Additionally, Mr. Page noted that the first clause of Section 6 should include the words: "or other applicable law". Discussion followed.

MOTION: Secretary Hunter then moved to approve policies related to the election of the Board of Directors for The Woodlands Township, with the above mentioned change, and adopt a resolution in connection therewith; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
Vice Chairman Matthews
Secretary Hunter
Treasurer Robb
Director Blair
Director Campbell
Director Hausman
Nays: None
Absent: None

ACTION: Motion passed unanimously..

A Resolution regarding Election Policies and Procedures is attached hereto as Exhibit "J".

CONSIDER AND ACT UPON ESTABLISHMENT OF AN INITIAL DATE FOR CANDIDATE FILING FOR THE TOWNSHIP BOARD OF DIRECTORS ELECTION AND AUTHROIZE THE PRESIDENT/GENERAL MANAGER TO POST NOTICE OF THE CANDIDATE APPLICATION FILING PERIOD;

Chairman Tough informed the Board that no action was required on this item based on the approval of election policies in the previous agenda item.

CONSIDER AND ACT UPON THE PURCHASE OF SPECIALIZED EQUIPMENT, AUTOMATED LICENSE PLATE RECOGNITION AND DEVELOPMENT OF A K-9 UNIT FOR MONTGOMERY COUNTY SHERIFF'S OFFICE;

Chairman Tough referred the Board to pages 119-132 in their meeting book for review. Captain Eason presented this item at the Board Workshop on November 11, 2010; therefore, there was no need for an additional presentation. Chairman Tough then called for a motion and second to authorize purchase of specialized equipment, automated license plate recognition and development of a K-9 unit for the Montgomery County Sheriff's Office. Discussion followed.

MOTION: Motion by Secretary Hunter; second by Director Blair

VOTE; **Ayes:** Chairman Tough
Vice Chairman Matthews
Secretary Hunter
Treasurer Robb
Director Blair
Director Campbell
Director Hausman
Nays: None
Absent: None

ACTION: Motion passed unanimously.