

NOTICE OF PUBLIC MEETING

TO: THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP AND TO ALL OTHER INTERESTED PERSONS:

Notice is hereby given that the Board of Directors of The Woodlands Township will hold a Special Meeting on Wednesday, **May 26, 2010, at 9:00 a.m., in the Meeting Room at the Office of The Woodlands Township, 10001 Woodloch Forest Drive, Suite 600**, The Woodlands, Texas, within the boundaries of The Woodlands Township, for the following purposes:

1. Call to order and convene in public session;
2. Consider and act upon adoption of the meeting agenda; **Pages 1 - 2**
3. Recognize public officials;
4. Public comment;
5. Consider and act upon approving the forms of the Oaths of Office, Official Bonds and Statements of Elected/Appointed Officers for newly elected Directors of The Woodlands Township;
6. Administer the Oaths of Office to newly elected Directors of The Woodlands Township;
7. Presentation to retiring Directors of The Woodlands Township;
8. Consider and act upon the appointment of newly elected Directors to The Woodlands Township Economic Development Zone Board of Directors;
9. Consider and act upon election of Officers of the Board of Directors of The Woodlands Township;
10. Consider and act upon a banking and depository services contract and authorize the President/General Manager to execute all agreements in connection therewith; **Page 3**
11. Consider and act upon approval and authorizing execution of a first amendment to the Regional Participation Agreement with the City of Houston for the addition of seven parcels of land; **Pages 4 - 11**
12. Consider and act upon establishment of a special meeting for the Board of Directors of The Woodlands Township to review the Strategic Plan and budget objectives for 2011; **Page 12**
13. Recess to Executive Session to discuss matters relating to real property

pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney concerning pending litigation pursuant to §551.071, Texas Government Code;

14. Reconvene in Public Session;
15. Consideration of items to be placed on the agenda for the next meeting;
16. Board announcements; and
17. Adjourn



President/General Manager for The Woodlands Township

(THE POSTED AGENDA DISPLAYS SEAL)



THE WOODLANDS TOWNSHIP

The Woodlands, TX

EXECUTIVE SUMMARY

MEETING DATE: May 26, 2010

SUBJECT MATTER: Consider and act upon a banking and depository services contract and authorize the President/General Manager to execute all agreements in connection therewith.

SUPPORTING MATERIALS FOR THIS AGENDA ITEM WILL BE AVAILABLE EITHER VIA E-MAIL EARLY NEXT WEEK AND/OR AS HANDOUTS AT THE TOWNSHIP BOARD MEETING



THE WOODLANDS TOWNSHIP

The Woodlands, TX

EXECUTIVE SUMMARY

MEETING DATE: May 26, 2010

SUBJECT MATTER: First Amendment to the Regional Participation Agreement with the City of Houston

BUDGET IMPACT: N/A

FACTS/HISTORY:

Since the execution of the Regional Participation Agreement with the City of Houston, The Woodlands Land Development Company has acquired five (5) small parcels of lands out of the several "out tracts" adjacent to or surrounded by the southern Township boundaries and is in the process of acquiring two (2) additional parcels. These properties will be developed for residential or road purposes as a part of The Woodlands and cannot practically be served by the City of Houston. The property cannot be added to the Township without an amendment to the RPA and formal consent from the City of Houston. The proposed First Amendment to RPA grants the necessary consent and adds these parcels to the area to be released from Houston's ETJ upon incorporation or creation of an alternate form of government for the Township. To avoid the necessity for multiple future amendments of the RPA for similarly acquired small "fill-in" parcels, the amendment also includes a procedure allowing the Mayor to consent to the addition of more small parcels in the future in Harris County, up to 25 acres in size, not more than 100 acres in the aggregate and subject to the other limitations in the amendment.

Once approved by both parties, the amendment would allow the Township to consider annexation of some or all of these parcels in the future. The Resolution and a map showing the location of these parcels follows this summary.

RECOMMENDED BOARD ACTION:

Approve First Amendment to the Regional Participation Agreement with the City of Houston and authorize the Chairman or President/General Manager to execute the documents in connection therewith.

FIRST AMENDMENT TO
REGIONAL PARTICIPATION AGREEMENT

THE STATE OF TEXAS §
 §
COUNTIES OF HARRIS AND §
MONTGOMERY §

THIS FIRST AMENDMENT TO REGIONAL PARTICIPATION AGREEMENT ("First Amendment") is made and entered into by and between THE WOODLANDS TOWNSHIP (the "Township"), a political subdivision of the State of Texas and the successor by name change to Town Center Improvement District of Montgomery County, Texas (the "District"), and the CITY OF HOUSTON, TEXAS (the "City"), a municipality operating pursuant to its home rule charter.

RECITALS

WHEREAS, the Township, as successor by name change to the District, has heretofore entered into that certain Regional Participation Agreement last countersigned by the City on November 9, 2007 (the "Agreement"), which provides, among other matters, that under the terms and circumstances prescribed therein, certain Territory (as defined in the Agreement) may be released from the ETJ (as defined in the Agreement) of the City upon request of the Township; and

WHEREAS, Section 5.5 of the Agreement further provides that the Township shall not take any action or proceeding to annex or include within its boundaries or any plan of annexation by the Township any lands or territories which at the time are situated within the corporate limits or the ETJ of the City, other than the Territory, without the express written consent of the City given by ordinance or resolution; and

WHEREAS, subsequent to the effective date of the Agreement, The Woodlands Land Development Company, L.P., the principal developer within the Township (the "Developer"), has acquired or is in the process of acquiring or controlling seven (7) additional tracts of land more particularly described in Exhibit I attached hereto and made a part hereof for all purposes (the "Additional Territory"), which the Developer intends to develop or use for residential purposes or for road purposes and wishes to have included within the boundaries of the Township; and

WHEREAS, it may be reasonably anticipated that further and additional small tracts of land contiguous to the boundaries of the

Township may be acquired or controlled by the Developer within or adjacent to the Township which, from the standpoint of adjacency, should be included within the boundaries of the Township in order to receive the benefit of Township services and facilities; and

WHEREAS, the Township and the City have determined to enter into this First Amendment to the Agreement in order to:

(i) revise and amend EXHIBIT "A" to the Agreement to include the Additional Territory;

(ii) revise and amend the definition of the term "Territory" in the Agreement to include the Additional Territory and any Future Additional Territory (as hereinafter defined) that may be added to the boundaries of the Township under permitted circumstances in the future; and

(iii) prescribe a procedure by which the City, by delegation of authority to, and official action by, the Mayor of the City, consents to the addition of any such Future Additional Territory to the boundaries of the Township for purposes of Section 5.5 of the Agreement and authorizes the revision and reformation of EXHIBIT "A" to the Agreement in order to avoid the necessity for further and additional amendments to the Agreement for such purposes.

AGREEMENT

FOR AND IN CONSIDERATION of the mutual promises, benefits, covenants, undertakings, payments and deposits described in the Agreement and made applicable to the Additional Territory and any Future Additional Territory pursuant to this First Amendment to the Agreement, the Township and the City contract and agree as follows:

Section 1: The definition of the term "Territory" in the Agreement is hereby revised and amended to read as follows:

"Territory" means and includes all of the lands and properties situated within the territory described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, as same is amended or revised and reformed from time to time as permitted herein.

Section 2: EXHIBIT "A" to the Agreement is hereby revised and amended to include the Additional Territory referenced in the recitals hereto and described in Exhibit I hereto.

Section 3: By ordinance of the City Council of the City approving and authorizing the execution of this First Amendment to

the Agreement, the City consents to the addition to the boundaries of the Township of the Additional Territory and to the addition by the Township of such Future Additional Territory as may hereafter be certified by the Mayor of the City as meeting the requirements and criteria set forth and contained in Section 4 hereof.

Section 4: For purposes hereof, Future Additional Territory is land or territory that is:

- (a) situated: (i) entirely within Harris County, Texas, (ii) north of the southernmost boundaries of the Territory described in EXHIBIT "A" to the Agreement, as revised and amended hereby to include the Additional Territory referenced in the recitals hereto and described in EXHIBIT I hereto, and (iii) entirely within the then current ETJ of the City;
- (b) less than 25 acres in area in each instance of certification, as described below, but not necessarily in the aggregate of all such instances of certification;
- (c) contiguous to the then current boundaries of the Township; and
- (d) owned by, or subject to an express power of attorney in favor of, The Woodlands Land Development Company, L.P., or its successor;

provided, however, that the aggregate acreage that may be included in all certifications by the Mayor pursuant to this First Amendment, without further amendment to the Agreement and the approval of City Council, shall not exceed 100 acres.

Authority is hereby delegated to the Mayor to certify in writing to the Township, to the appropriate Departments of the City and to all other interested persons that specified lands or territories requested by the Township to be added to the boundaries of the Township after the effective date of this First Amendment to the Agreement, over and above, and in addition to, the Additional Territory, meet and satisfy the requirements and criteria described above. From and after the date of such certification by the Mayor of the City, EXHIBIT "A" to the Agreement shall be deemed and considered to have been revised and reformed, without the necessity for further amendment of the Agreement, to include such Future Additional Territory, and the consent of the City to the addition of such territory to the boundaries of the Township shall be deemed and considered to have been given for purposes of Section 5.5 of

the Agreement, and for all other purposes under and pursuant to the authority of the ordinance approving and authorizing execution of this First Amendment to the Agreement.

Section 5: Except as amended by the terms of this First Amendment to the Agreement, the remaining terms and provisions of the Agreement shall continue in full force and effect for the term and upon the conditions specified in the Agreement.

IN WITNESS WHEREOF, the parties have executed this First Amendment to the Agreement in multiple counterparts, each of which shall be deemed to be an original, as of the latest date of signature set forth below.

THE WOODLANDS TOWNSHIP,
a political subdivision of the
State of Texas

Chairman, Board of Directors

ATTEST:

Secretary, Board of Directors

(SEAL)

Date:

CITY OF HOUSTON, TEXAS

Mayor

ATTEST/SEAL:

City Secretary

COUNTERSIGNED

City Controller

DATE COUNTERSIGNED:

APPROVED AS TO FORM:

Deputy City Attorney

APPROVED:

Director, Planning and
Development Department

EXHIBIT I

TRACT 638

3.6382 acres described in an instrument recorded under C.F. No. 20070687849, H.C.R.P.R..

TRACT 639

1.5093 acres described in an instrument recorded under C.F. No. 20070739268, H.C.R.P.R.

TRACT 640

0.8437 acres described in an instrument recorded under C.F. No. 20070733419, H.C.R.P.R.

TRACT 643

2.731 acres described in an instrument recorded under C.F. No. 20080611132, H.C.R.P.R.

TRACT 641

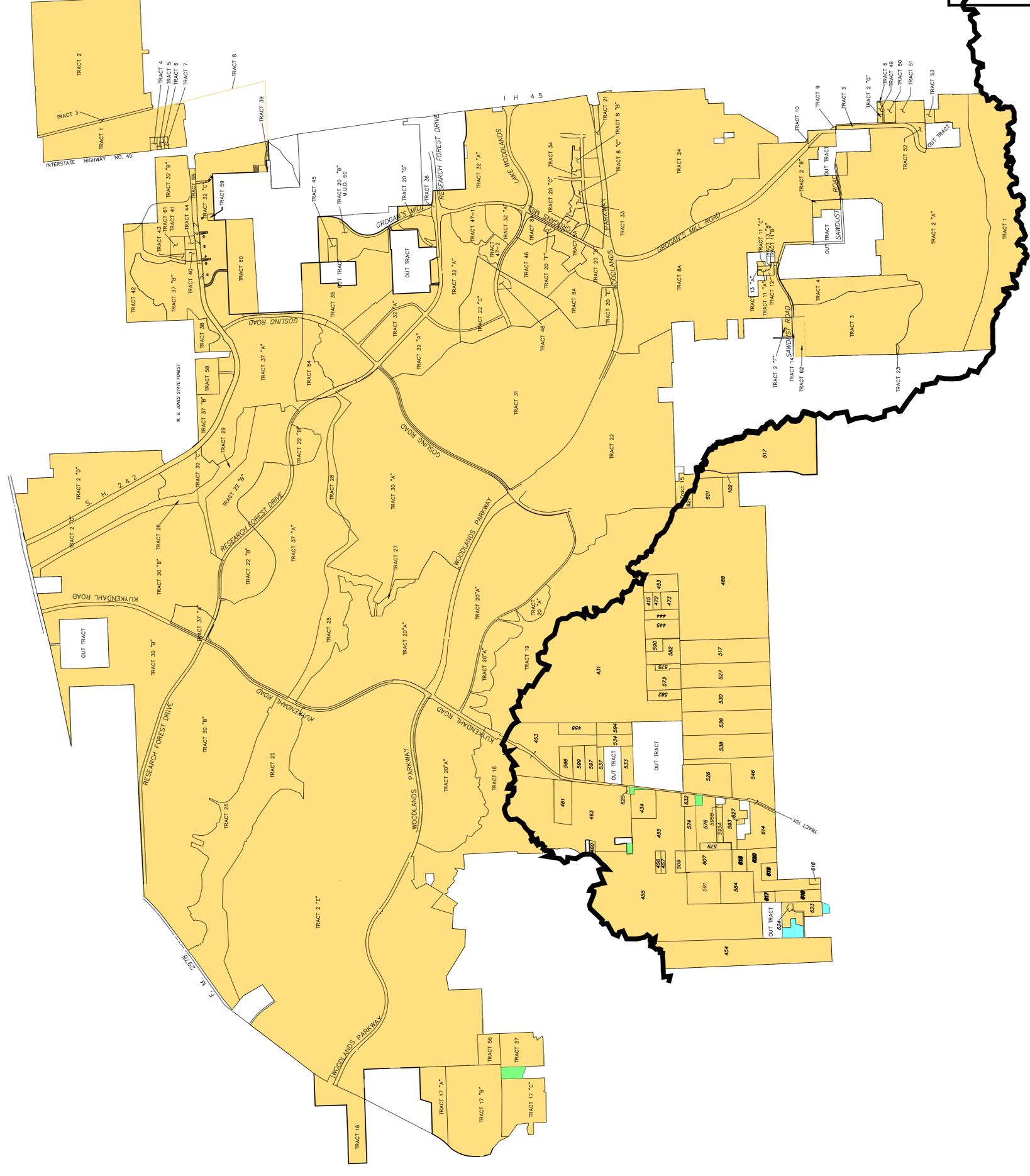
12.684 acres described in an instrument recorded under C.F. No. 2008-009622, M.C.R.P.R.

TRACT 645/646

Approximately 12.672 acres described as 2.672 acres in an instrument recorded under C.F. No. D661469, H.C.R.P.R. (save and except the portion thereof described in an instrument recorded under C.F. No. Y561623, H.C.R.P.R.), and ten (10.00) acres in an instrument recorded under C.F. No. Y638416, H.C.R.P.R.

TRACT 647

3.2915 acres described in an instrument recorded under C.F. No. L355260, H.C.R.P.R.



- EXISTING TOWNSHIP
- PROPOSED TOWNSHIP ANNEXATION
- PROPERTY UNDER CONSIDERATION

Previous TCID Boundary

THE WOODLANDS TOWNSHIP BOUNDARY

NO.	DATE	DESCRIPTION	BY
1	9/26/2007	Add Existing TCID Boundary	SPM
2	11/27/2007	Removed Parcels, Changed Title	SPM
3	6/11/2009	Add Parcels, Changed Title	ROM

S & V SURVEYING, INC.
 PROFESSIONAL LAND SURVEYORS
 20111 HEMLOCK SPRING, TEXAS 77348
 OFFICE PHONE: 281-288-8800
 FAX: 281-288-8801
 E-MAIL: info@sandysurvey.com

Date: 05/17/2009 Scale: 1"=2000'
 Drawn By: RF Checked By: SPM
 Job No.: 63300-000-0-000 Drawing No.:



THE WOODLANDS TOWNSHIP

The Woodlands, TX

EXECUTIVE SUMMARY

MEETING DATE: May 19, 2010

SUBJECT MATTER: Special Meeting to review the Strategic Plan and Budget Objectives for 2011

BUDGET IMPACT: None

FACTS/HISTORY:

At the April 28, 2010, meeting, The Woodlands Township Board of Directors adopted a calendar for the workshop meetings and public hearings related to the 2011 budget, with the first workshop to be held on Thursday, July 22, 2010 at 10 a.m.

Staff begins preparing the budget in April of each year, based on feedback and requests received from the Board since the adoption of the current budget. In order to ensure that the staff-prepared budget presented aligns with the Board's priorities, staff proposes that the Board adopt a special meeting for review of the Strategic Plan as it relates to budget objectives for 2011 and the corresponding five year plan. This meeting is estimated to last three hours to allow for ample discussion.

RECOMMENDED BOARD ACTION:

Establish a special meeting date for the Board of Directors of The Woodlands Township to review the Strategic Plan and budget objectives for 2011, with the meeting to be held at the Board Chambers Office, 10001 Woodloch Forest Drive.

NOTICE OF PUBLIC MEETING

TO: THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP ECONOMIC DEVELOPMENT ZONE:

Notice is hereby given that the Board of Directors of The Woodlands Township Economic Development Zone will hold a special meeting on Wednesday, **May 26, 2010, at 9:30 a.m., in the Meeting Room at The Woodlands Township office, 10001 Woodloch Forest Drive, Suite 600**, The Woodlands, Texas, inside the boundaries of the Economic Development Zone, for the following purposes:

1. Call to order and convene in public session;
2. Consider and act upon adoption of the meeting agenda; **Page 13**
3. Consider and act upon approval of the minutes of the February 24, 2010, special meeting of the Board of Directors of The Woodlands Township Economic Development Zone; **Pages 14 - 17**
4. Consider and act upon approving the forms of the Oaths of Office, Official Bonds and Statements of Elected/Appointed Officers for newly appointed Directors of The Woodlands Township Economic Development Zone;
5. Administer the Oaths of Office to newly appointed Directors of The Woodlands Township Economic Development Zone;
6. Consider and act upon election of Officers for the Board of Directors for The Woodlands Township Economic Development Zone;
7. Consider and act upon a banking and depository services contract and authorize the General Manager to execute all agreements in connection therewith; **Page 18**
8. Consider and act upon a Resolution clarifying the priority of payment from sales taxes collected by The Woodlands Township Economic Development Zone; **Page 19**
9. Consideration of items to be placed on the agenda for the next meeting;
10. Board announcements; and
11. Adjourn



General Manager for The Woodlands Township
Economic Development Zone

(THE POSTED AGENDA DISPLAYS SEAL)

**MINUTES OF MEETING
BOARD OF DIRECTORS
THE WOODLANDS TOWNSHIP
ECONOMIC DEVELOPMENT ZONE
FEBRUARY 24, 2010**

**THE STATE OF TEXAS §
MONTGOMERY & HARRIS COUNTIES §**

The Board of Directors of The Woodlands Township Economic Development Zone (TWTEDZ) met in special session, open to the public on February 24, 2010, and posted to begin at 10:30 a.m. The meeting was held in the Board Room of The Woodlands Township, 10001 Woodloch Forest Dr., Suite 600, The Woodlands, Texas, inside the boundaries of the Economic Development Zone. The roll was called of the duly appointed members of the Board of Directors, to wit:

Nelda Luce Blair	President
Lloyd W. Matthews	Vice President
Bruce Tough	Vice President
Vicki D. Richmond	Treasurer/ Assistant Secretary
Alex Sutton III	Secretary
Thomas Campbell	Director
Kemba D. DeGroot	Director
Peggy S. Hausman	Director
Claude W. Hunter	Director
Robert C. Kinnear	Director
Edmund W. Robb III	Director

with all of said persons being present, excluding Directors DeGroot, Hausman, Robb, Sutton and Tough, thus constituting a quorum. Also present for conducting business and assisting Board members were Don Norrell, Monique Sharp, Anjanette Sauers, Steve

Sumner, John Powers, Mike Page, Renee Williford, Kim Cogburn, Taunya Jacques, and Judy Faulkner.

President Blair called the meeting to order at 12:22 p.m. and then referred the Board to the agenda in the meeting book. After reviewing the agenda, Director Kinnear moved to adopt the agenda and the motion was seconded by Director Campbell. The motion carried by unanimous vote.

Next, the Board was asked to consider and act upon the approval of the December 16, 2009 special meeting minutes of TWTEDZ. Director Campbell moved to approve the minutes as written. The motion was seconded by Director Kinnear and passed unanimously. A copy of the December 16, 2009, meeting minutes is attached hereto as Exhibit "A".

The Board then was asked to receive and act upon the Financial Report through December 31, 2009. President Blair called on Anjanette Sauers, Financial Reporting Manager for The Woodlands Township, to present this item. Following Ms. Sauers' comments, Director Hunter moved to adopt the Financial Report as presented. The motion was seconded by Vice President Matthews. Discussion followed. The motion passed unanimously. The Financial Report for the year ended December 31, 2009 is attached hereto as Exhibit "B".

President Blair next asked the Board to consider and act upon authorizing The Woodlands Township's Audit Committee to receive all audit communications and other matters relating to the 2009 audit. Director Hunter moved to authorize The Woodlands

Township's Audit Committee to receive and consider all EDZ audit communications and matters related thereto. The motion was seconded by Director Kinnear and passed unanimously. A copy of the Executive Summary is attached hereto as Exhibit "C".

The Board then considered items to be placed on the agenda for the next meeting. As there were none, President Blair called for a motion and second to adjourn the meeting. Director Hunter moved to adjourn and the motion was seconded by Director Campbell. The motion passed unanimously and the meeting was adjourned at 12:25 p.m.

Alex Sutton III
Secretary, Board of Directors

INTENTIONALLY OMITTED*

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "C"

***To view Exhibits, please contact the Records Management Analyst at 281-210-3800**



THE WOODLANDS TOWNSHIP

The Woodlands, TX

EXECUTIVE SUMMARY

MEETING DATE: May 26, 2010

SUBJECT MATTER: Consider and act upon a banking and depository services contract and authorize the President/General Manager to execute all agreements in connection therewith.

SUPPORTING MATERIALS FOR THIS AGENDA ITEM WILL BE AVAILABLE EITHER VIA E-MAIL EARLY NEXT WEEK AND/OR AS HANDOUTS AT THE TOWNSHIP BOARD MEETING



THE WOODLANDS TOWNSHIP

The Woodlands, TX

EXECUTIVE SUMMARY

MEETING DATE: May 26, 2010

SUBJECT MATTER: Priority of payment from sales taxes collected by The Woodlands Township Economic Development Zone

BUDGET IMPACT: N/A

FACTS/HISTORY:

The creation of The Woodlands Township Economic Development Zone (EDZ) over the entire Township in 2007 effectively dissolved and abolished former Town Center EDZ Nos. 1, 2, 3 and 4 and transferred their contractual obligations to the Township. As a result, the first priority for the sales tax proceeds collected by the EDZ within the former boundaries of TCEDZ Nos. 1, 2, 3 and 4 is to make payments under those previous project agreements. All additional sales taxes collected by the EDZ go to the general fund of the Township for paying the costs of public safety projects, including the WFD and supplemental law enforcement costs.

With the issuance of the Township's ad valorem tax bonds last month, one of those contractual obligations, the payment of debt service from sales tax collections on the fire station and training academy financed by former TCEDZ No. 4, has been extinguished. Contractual payments for former TCEDZ Nos. 1, 2 and 3 will continue for a period of years specified in those agreements as a first priority payment from sales taxes collected by the EDZ within those former zones.

The former TCEDZ's each had a fixed life for the term of the project specified in the project agreements. The new EDZ has an unlimited duration and will continue after the former projects are paid in full and extinguished. To clarify for our external auditors the continuing nature of the new EDZ and the priority of the use of sales taxes collected by the new EDZ, staff recommends that Resolution No. 014-07 be supplemented by adoption of a resolution that will be provided by legal counsel at the meeting on May 26.

RECOMMENDED BOARD ACTION:

Approve Resolution clarifying the priority of payment from sales taxes collected by The Woodlands Township Economic Development Zone.