

ORDINANCE NUMBER 97-835

ORDER OF ELECTION

An election is hereby ordered to be held on MAY 03, 1997 for the purpose of:

(date)

electing three ALDERMEN (COUNCIL MEMBERS), each for a two year term. Said election shall be held at the following place in the City of Fulshear, Texas, and the following named persons are hereby appointed officers for said election:

Election precinct number 4006, at Fulshear City Hall, 30603 F.M. 1093, in Fulshear, Texas, with Sethora West, as Presiding Election Judge, and Martha Roberts as Alternate Election Judge, and said Presiding Election Judge shall appoint the necessary clerk to assist her which shall not exceed one clerk. These three election officers shall also serve as the early voting ballot board for this May 03, 1997 election.

The hourly rate of pay shall be \$6.00 and shall not exceed fourteen (14) hours for each election officer.

Early voting by personal appearance will be conducted each weekday at

FULSHEAR CITY HALL, 30603 F.M. 1093, FULSHEAR, TEXAS 77441

(location)

between the hours of 9:00 a.m. and 5: p.m. beginning on APRIL 14, 1997

(date)

and ending on APRIL 29, 1997

(date)

Additional early voting will be held as follows: NONE

Location	Date	Hours

Applications for ballot by mail shall be mailed to:

CAROLYN H. SMITH, CITY OF FULSHEAR

(Name of Early Voting Clerk)

P.O. BOX 279

(Address)

FULSHEAR, TEXAS 77441-0279

(City) (Zip Code)

Applications for ballots by mail must be received no later than the close of business on

APRIL 25, 1997

(date)

Issued this the 19th day of FEBRUARY, 1997.

Viola Randle

Signature of Presiding Officer

VIOLA RANDLE, MAYOR

VOTING: SCOTT EVANS YES, GLORIA SIMMONS YES,
KATHY MAYFIELD YES, CARL G. UTLEY YES,
J.B. COLLINS, JR. YES

ATTEST:
Carolyn H. Smith
CAROLYN H. SMITH, CITY SECY-TREAS.

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS

CITY OF FULSHEAR

On this the 07 day of MAY, 1997, the City Council/Commission¹ of the City of FULSHEAR, Texas, convened in SPECIAL session open to the public at the regular meeting place thereof with the following members present, to-wit:

- VIOLA RANDLE, Mayor,
- SCOTT EVANS, Alderman/~~Commissioner~~^{XXXXXXXXXXXXX}¹
- CARL G. UTLEY, Alderman/~~Commissioner~~¹
- KATHY MAYFIELD, Alderman²
- GLORIA SIMMONS, Alderman²
- J.B. COLLINS, JR., Alderman²
- CAROLYN H. SMITH, City Secretary/~~Clerk~~^{XXXX}

and the following absent: _____, constituting a quorum, and among other proceedings had were the following:

~~Alderman/Commissioner~~ _____ introduced a resolution and order

and moved its adoption. The motion was seconded by Alderman/~~Commissioner~~ _____, and the motion carrying with it the adoption of the resolution and order prevailed by the following vote,

AYES: _____
_____, NOES: _____

The resolution is as follows:

There came on to be considered the returns of an election held on the 03 day of MAY, 1997, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election _____ valid and legal votes; that each of the candidates in said election received the following votes:

~~FOR MAYOR~~²

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FOR ALDERMAN/COMMISSIONER¹ and ³

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
<u>JIM KANE</u>	<u>97</u>
<u>CARL G. UTLEY</u>	<u>121</u>
<u>PATRICK THOMAS</u>	<u>94</u>
<u>J.B. COLLINS, JR.</u>	<u>115</u>
<u>LINDA L. PRESLEY</u>	<u>85</u>
<u>SCOTT EVANS</u>	<u>138</u>

FOR _____ 8
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED

FOR _____ 8
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED

FOR _____ 8
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED

FOR _____ 8
 NAME OF CANDIDATE TOTAL NUMBER OF VOTES RECEIVED

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL/COMMISSION OF THE CITY OF
FULSHEAR, TEXAS:


That said election was duly called; that notice of said election was given in accordance with law, and that
 said election was held in accordance with law, and that _____ was duly
 elected Mayor of said City at said election² and SCOTT EVANS, CARL G. UTLEY, AND J.B. COLLINS, JR.

 were duly elected Aldermen/~~Commissioners~~ of said City at said election, and that _____

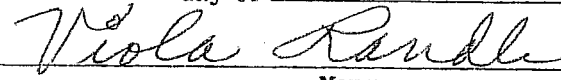
_____ was duly elected _____,²
 and said above named parties are hereby declared duly elected to said respective offices, subject to the
 taking of their oaths and filing bond as provided by the laws of the State of Texas.

It is further found and determined that in accordance with the order of this governing body the
 Secretary/Clerk¹ posted written notice of the date, place and subject of this meeting on the bulletin board
 located in the City Hall, a place convenient and readily accessible to the general public, and said notice having
 been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of
 said meeting. A copy of the return of said posting shall be attached to the minutes of this meeting and shall
 be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 07 day of MAY 19⁹⁷

ATTEST:


 Secretary/Clerk



 Mayor

ORDINANCE 97-837


AN ORDINANCE ADOPTING THE 1998 BUDGET
FOR THE CITY OF FULSHEAR, TEXAS

ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

The Budget as proposed and presented by the Mayor and Board of Council Members of the City of Fulshear, Texas, for the fiscal year January 01, 1998 through December 31, 1998, is hereby approved and adopted by the City of Fulshear, Texas.

The Public Hearing having been duly held on SEPTEMBER 17, 1997, at 7:00 p.m., at City Hall, 30603 F.M. 1093, Fulshear, Texas, with all persons having been heard, this Ordinance shall take effect and be in full force from and after its adoption.

READ AND APPROVED THIS THE 17TH DAY OF SEPTEMBER, 1997.



VIOLA RANDLE
MAYOR

BY: 

LYNN H. SMITH, CITY SECY-TREAS.

CONSENTING:
G. UTLEY ABSENT, GLORIA SIMMONS YES,
T. EVANS YES, J.B. COLLINS, JR. YES,
MAYFIELD ABSENT.

ORDINANCE 97-838

AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF FULSHEAR FOR THE YEAR 1997; APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE; PROVIDING FOR PENALTIES AND INTEREST, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That there is hereby levied and there shall be collected for the use and support of the municipal government of the City of Fulshear for the year NINETEEN HUNDRED AND NINETY-SEVEN, upon all property, real, personal, and mixed, within the corporate limits of said City subject to taxation, a tax of 0.4800 CENTS on each One Hundred Dollars (\$100.00) valuation of property, said tax being so levied and apportioned to the specific purposes herein set forth:

- (1) For the maintenance and support of the general government (General Fund), .4800 on each One Hundred Dollars (\$100.00) valuation of property.

SECTION 2. All monies collected under this Ordinance for the specific items therein named, be and the same are hereby appropriated and set apart for the specific purpose indicated in each item and that the Assessor and Collector of Taxes, the City Treasurer, and the City Secretary shall keep these accounts so as to readily and distinctly show the amount collected, the amounts expended and the amount on hand at any time, belonging to such funds, it is hereby made the duty of the Tax Assessor and Collector of Taxes and every person collecting money for the City of Fulshear, to deliver to the City Treasurer and the City Secretary at the time of depositing any monies, a statement showing to what fund such deposit should be made and from what source received. All receipts for the City not specifically apportioned by this Ordinance are hereby made payable to the General Fund of the City.

SECTION 3. All taxes for the year 1997 hereby levied shall become due and payable at the offices of the Tax Assessor Collector for the City of Fulshear, Texas, on or after the first day of OCT., 1997, and - of the taxes levied for said year are not paid on or before January 31 next after becoming due, interest shall be charged upon the gross amount

of the taxes due and penalty due until paid at the rate provided by law for each month or fraction thereof thereafter. Said interest shall be in addition to such penalties, costs of collection and attorney fees as may be thereafter provided for delinquent taxes or as provided by law.

SECTION 4. That this Ordinance shall take effect and be in force from and after its passage.

PASSED AND APPROVED this 17 day of SEPTEMBER, 1997.

By: Viola Randle
VIOLA RANDLE, MAYOR

ATTEST:
Carolyn H. Smith
Carolyn H. Smith, City Secy - Treas.

VOTING:

CARL G. UTLEY ABSENT, KATHY MAYFIELD ABSENT,
GLORIA SIMMONS YES, J.C. COLLINS, JR. YES,
SCOTT EVANS YES.

ORDINANCE NO. 97-839

AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT RELATING TO A REDUCTION IN HOUSTON LIGHTING AND POWER COMPANY'S RATES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR POSTING AND PUBLISHING.

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

I

WHEREAS, Houston Lighting and Power Company ("HL&P") has filed a Petition for Approval of Certain Base Rate Credits and Joinder of the Settlement (the "Petition") with the City of Fulshear (the "City") as to its electric utility rates within the territorial limits of the City and with the Public Utility Commission (the "Commission") as to HL&P's electric utility rates in the unincorporated portions of HL&P's service area; and

WHEREAS, the City wishes to resolve the controversies raised in the Petition in accordance with the provisions of the Settlement Agreement attached hereto as Exhibit "A" (the "Settlement"); and

WHEREAS, the public interest will be served by the adoption of an ordinance approving the Settlement because it provides for expeditious implementation of just and reasonable rates, promotes the adequate and efficient provision of service and is in accordance with applicable law; and

WHEREAS, resolution on a stipulated basis of all matters set forth in the Settlement would conserve resources and avoid the uncertainties and expense inherent in litigation regarding these proceedings, NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FULSHEAR, TEXAS:

Section 1: The facts contained in the recitals hereto are hereby found to be true and correct.

Section 2: All terms and conditions specified and agreed to in the Settlement are hereby incorporated by reference as though set forth verbatim herein and are approved and ratified. The Settlement and all provisions agreed to by the City of Fulshear, Texas relating to the rates, operations, and services of HL&P are hereby approved and ordered implemented on a temporary basis

effective January 1, 1998. The City Council finds that the rates that will be in effect during this temporary period are just and reasonable. The Mayor, or in the absence of the Mayor, the Mayor Pro Tem, is hereby authorized to execute all related documents on behalf of the City of Fulshear, Texas, and take all necessary actions to effectuate the City's intent and objectives in approving the Settlement in the event of changed circumstances. The City Secretary, or in the absence of the City Secretary, the Assistant City Secretary, is hereby authorized to attest to all such signatures and to affix the seal of the city to all such documents. The City Attorney is hereby authorized to take all action necessary to enforce all legal obligations under the settlement without further authorization from the City Council.

Section 3: It is hereby ordered that HL&P shall file with the City Secretary Rate Tariffs consistent herewith. HL&P is further ordered to follow the same filing procedure with respect to any notices and/or reports required hereunder.

Section 4: All prior Ordinances of the City inconsistent with the terms and conditions hereof are hereby repealed to the extent of the inconsistency and are of no further effect.

Section 5: If any provision, section, subsection, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portion hereof or provisions or regulation contained herein shall become inoperative or fail by reason of unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 6: The City Council officially, finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meeting Laws, Tex. Gov't. Code Ann., Chapter 551 (Vernon 1994); and that this meeting was open

to the public as required by law at all times during which this ordinance and the subject matter was discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

II

This Ordinance shall take effect from and after the date of its passage, and all Ordinances or portion of Ordinances heretofore passed in conflict with the terms hereof are specifically repealed.

III

If any provision, section, subsection, sentence, clause, phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion thereof or provision, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this Ordinance are declared to be severable for that purpose.

IV

The City Secretary is instructed to post and publish notice of this Ordinance as required by law, by publishing only the descriptive caption.

PASSED AND APPROVED this 23rd day of December, 1997.

THE CITY OF FULSHEAR, TEXAS

By: Viola Randle
Mayor

ATTEST:
By: Carolyn H. Smith
CAROLYN SMITH
City Secretary

ALDERMEN VOTING:

S. EVANS	<u>YES</u>
C. G. UTLEY	<u>YES</u>
G. K. SIMMONS	<u>YES</u>
K. MAYFIELD	<u>YES</u>
J. B. COLLINS, JR.	<u>YES</u>