

**BUSINESS**



# PROCLAMATION

**WHEREAS** *in February we remember the important contributions and achievements of African-Americans throughout our nation's history; and*

**WHEREAS** *since its beginning in 1970, communities have gathered in February each year to celebrate the many individuals who have provided leadership and innovation for the benefit of all Americans; and*

**WHEREAS** *these Americans have lived, worked, and fought to secure the promises of liberty and justice of this nation; and*

**WHEREAS** *today we gather to rejoice in accomplishments in the arts and share an appreciation of local citizens of note as part of our country's wider celebration.*

**NOW, THEREFORE, BE IT HEREBY PROCLAIMED**, by the power vested in me as Mayor of the City of Fulshear, Texas that:

**February 2018**

be declared:                    **Black History Month**

*In the City of Fulshear, and call upon our citizens to recognize that Black History is American History, here and across our great land.*

**PROCLAIMED AND SIGNED this 20<sup>th</sup> day of February 2018.**

\_\_\_\_\_  
Jeff W. Roberts, Mayor

Attest:

\_\_\_\_\_  
D. (Diana) Gordon Offord, City Secretary

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEM:</b>	B
<b>DATE SUBMITTED:</b>	February 15, 2018	<b>DEPARTMENT:</b>	Police Department
<b>PREPARED BY:</b>	Lynn Raymer Exec. Assistant	<b>PRESENTER:</b>	Kenny Seymour Chief of Police
<b>SUBJECT:</b>	<b>2017 Racial Profiling &amp; End of Year Report</b>		
<b>ATTACHMENTS:</b>	None		
<b>EXPENDITURE REQUIRED:</b>	\$0		
<b>AMOUNT BUDGETED:</b>	\$0		
<b>FUNDING ACCOUNT:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	NO		
<b>FUNDING ACCOUNT:</b>	N/A		

**EXECUTIVE SUMMARY**

Chief Kenny Seymour, Fulshear Police Department, will present to Council the 2017 Racial Profiling and End of Year Report.

**RECOMMENDATION**

No action is required by Council.

## Partial Exemption Racial Profiling Reporting (Tier 1)

(This is the TCLEOSE recommended form. The form is not mandatory. The information contained in this form, however, is mandatory. You may use your form, but all information must be provided.)

**If you claim a partial exemption you must submit a report that contains the following data or use this format to report the data.**

### **Number of Motor Vehicle Stops:**

1. 1411 citation only
2. 202 arrest only
3. 23 citation and arrest

4. **1636** Total

### **Race or Ethnicity:**

5. 249 African
6. 68 Asian
7. 661 Caucasian
8. 593 Hispanic
9. 58 Middle Eastern
10. 5 Native American
11. 2 Other

12. **1636** Total

### **Race or Ethnicity Known Prior to Stop?**

13. 0 Yes
14. 1636 No

15. **1636** Total

**Search Conducted:**

16. 286 Yes

17. 1350 No

18. 1636 Total

**Was Search Consented?**

19. 64 Yes

20. 222 No

21. 286 Total Must Equal #16

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEM:</b>	C
<b>DATE SUBMITTED:</b>	February 15, 2018	<b>DEPARTMENT:</b>	Police Department
<b>PREPARED BY:</b>	Lynn Raymer Exec. Assistant	<b>PRESENTER:</b>	Kenny Seymour Chief of Police
<b>SUBJECT:</b>	<b>CONSIDERATION AND POSSIBLE ACTION TO APPROVE ACQUISITION OF HIGH WATER RESCUE AIRBOAT UTILIZING DONATED FUNDS PER PREVIOUS EMERGENCY MANAGEMENT DIRECTIVES FOLLOWING HURRICANE HARVEY</b>		
<b>ATTACHMENTS:</b>			
<b>EXPENDITURE REQUIRED:</b>	\$69,093.00		
<b>AMOUNT BUDGETED:</b>	\$75,000.00		
<b>FUNDING ACCOUNT:</b>	100-5230-5600-00 Capital Outlay/Equipment		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	None		
<b>FUNDING ACCOUNT:</b>			

**EXECUTIVE SUMMARY**

Fulshear Police Department wishes to purchase a rescue water craft (airboat) and trailer. This purchase was approved in the 2017/2018 budget under the Emergency Management Capital Outlay/Equipment account.

**RECOMMENDATION**

Staff recommends that City Council approve this purchase.

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEM:</b>	TBD
<b>DATE SUBMITTED:</b>	February 15, 2018	<b>DEPARTMENT:</b>	Police Department
<b>PREPARED BY:</b>	Lynn Raymer Exec. Assistant	<b>PRESENTER:</b>	Kenny Seymour Chief of Police
<b>SUBJECT:</b>	<b>CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-379 AUTHORIZING APPLICATION FOR POLICE BODY CAMERAS AND RELATED PERIPHERALS</b>		
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Resolution 2018-379</li> <li>2. Identified Specifications</li> <li>3. Coban Technologies Quote #375633</li> </ol>		
<b>EXPENDITURE REQUIRED:</b>			\$62,291.00
<b>AMOUNT BUDGETED:</b>			\$0
<b>FUNDING ACCOUNT:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>			\$12,458.20 / 20% grant required match
<b>FUNDING ACCOUNT:</b>			100-5210-5316-01/Minor Tools & Equip.

**EXECUTIVE SUMMARY**

Fulshear Police Department wishes to outfit their officers with body-worn cameras and desires to apply for the Criminal Justice Division of the Governor’s Office Body-Worn Camera 3<sup>rd</sup>-round funding grant. State law requires a 20% match of the grant awarded. Matching funds will be expensed out of Minor Tools and Equipment.

The initial expense for the cameras and associated video storage and equipment is significantly higher than the current budget will allow and funding in the form of grants is necessary and beneficial.

A Resolution designating an individual as the Responsible Official, Acting City Manager Chief Kenny Seymour, for the grant is required.

Because of the proprietary nature of the technology, Finance has agreed that acquiring 3 bids is not necessary.

**RECOMMENDATION**

Staff recommends that City Council approve applying for the Criminal Justice Division of the Governor’s Office Body-Worn Camera 3<sup>rd</sup>-round funding grant and adopt the Resolution identifying Acting City Manager Chief Kenny Seymour as the grant’s Responsible Official.

**RESOLUTION NO. 2018-379**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDING FOR BODY WORN CAMERAS BY THE POLICE DEPARTMENT UNDER A GRANT PROVIDED BY THE GOVERNOR’S OFFICE.

**WHEREAS**, the City Council of the City of Fulshear desires to provide enhanced security for both our Police Officers and the Citizens they protect; and

**WHEREAS**, the City is desirous of providing Body Worn Cameras to its officers to ensure that enhanced security; and

**WHEREAS**, the Governor’s Office has announced a grant program for local law enforcement; and

**WHEREAS**, this grant requires a 20% matching pledge from the City; and

**WHEREAS**, it is necessary and in the best interests of the City of Fulshear to apply for funding under the Governor’s Office Body Worn Camera Grant Program;

**WHEREAS**, the City designates Kenny Seymour as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:** That an application for funding under the Governor’s Office for Body Worn Cameras be approved and hereby authorizes the City to match those funds as required in the grant application.

**ADOPTED** by the City Council of the City of Fulshear on this \_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED  
(Head of jurisdiction’s governing body)

ATTEST  
(Jurisdiction representative)



## Dell Server + UPS + Software licenses Quote

This quote includes configuration as Listed.

- 1 Server will be set up with RAID1 partitioned for OS (200GB), SQL (265GB) and RAID5 for
- 2 PD RAID Size: RAW – 20TB; Usable –11.7TB  
Hard Drives (5) 4TB 7.2K RPM SATA 6Gbps 3.5in Hot-plug Hard Drive
- 3 This server has one (1) vacant drive slot for expansion.
- 4 Systems are rack form Factor. Equipment on this list requires 4U of rack space.
- 5 The UPS requires a 5-15R power receptacle.

Module	Description
<b>PowerEdge R530</b>	PowerEdge R530 Server
<b>Service</b>	3 Year ProSupport and NBD On-site Service
<b>Proactive Systems Management</b>	Dell Proactive Systems Management - Declined
<b>Shipping Information</b>	US No Canada Ship Charge
<b>Keep Your Hard Drive</b>	Keep Your Hard Drive, 3 Years
<b>Deployment Services</b>	No Installation
<b>Remote Consulting Services</b>	Declined Remote Consulting Service
<b>Shipping</b>	PowerEdge R530 Shipping
<b>PCIe Riser</b>	No PCIe Riser
<b>Additional Network Cards</b>	Broadcom 5720 DP 1Gb Network Interface Card, Low Profile
<b>Additional Network Cards</b>	On-Board Broadcom 5720 Quad Port 1Gb LOM
<b>Additional PCIe Cards</b>	SAS 12Gbps HBA External Controller, Low Profile
<b>Embedded Systems Management</b>	iDRAC8, Basic
<b>Chassis Configuration</b>	3.5" Chassis with up to 8 Hot Plug Hard Drives
<b>Bezel</b>	Bezel
<b>Power Management BIOS Settings</b>	Performance BIOS Setting
<b>Advanced System Configurations</b>	UEFI BIOS Boot Mode with GPT Partition
<b>RAID Configuration</b>	RAID 1+RAID 5 for H330/H730/H730P (2 + 3-6 HDDs or SSDs)
<b>RAID Controller</b>	PERC H330 RAID Controller
<b>Processor</b>	Intel® Xeon® E5-2630 v3 2.4GHz,20M Cache,8.00GT/s QPI,Turbo,HT,8C/16T (85W) Max Mem
<b>Additional Processor</b>	No Additional Processor
<b>Memory Capacity</b>	16GB RDIMM, 2400MT/s, Dual Rank, x8 Data Width
<b>Memory DIMM Type and Speed</b>	2400MT/s RDIMMs
<b>Memory Configuration Type</b>	Performance Optimized
<b>Hard Drives</b>	(2) 500GB 7.2K RPM SATA 3Gbps 3.5in Hot-plug Hard Drive
<b>Hard Drives</b>	(5) 4TB 7.2K RPM SATA 6Gbps 3.5in Hot-plug Hard Drive
<b>Trusted Platform Module (TPM)</b>	No Trusted Platform Module
<b>System Documentation</b>	No Systems Documentation, No OpenManage DVD Kit
<b>Internal Optical Drive</b>	DVD+/-RW, SATA, Internal
<b>Rack Rails</b>	ReadyRails™ Static Rails for 2/4-post Racks
<b>Power Supply</b>	Dual, Hot-plug, Redundant Power Supply (1+1), 750W
<b>Power Cords</b>	(2) NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North
<b>Server Accessories</b>	Keyboard and Optical Mouse, USB, Black, English
<b>Processor Thermal Configuration</b>	1 CPU Standard
<b>Server Accessories</b>	Keyboard and Optical Mouse, USB, Black, English
<b>Monitors</b>	DELL 20 Monitor E2016H

Module	Description
<b>Un-interruptable power supply</b>	DELL Smart UPS 1500RM - DELL Part# A7545501
<b>Hardware Support Services</b>	3Yr Basic Hardware Warranty Repair

Module	Description
<b>Software</b>	Windows Server® 2016,Standard,16CORE,Factory Inst,No MED,NO CAL 5-pack of Windows® Server 2016,2012 USER CALs (Standard or Datacenter) SQL Server 2014 Standard - Dell Part# A7058321 SQL Server 2014 User CAL (5) - DELL Part# A7058326



COBAN Technologies, Inc.  
 11375 W. Sam Houston Pkwy S., Suite 800  
 Houston, TX 77031-2348  
 TEL: 281-925-0488, FAX: 281-925-0535

# SALES QUOTE

Quote No.: 375633  
 Date: 1/31/2018  
 Page: 1 of 2

Bill to: Attn: Billing  
 City Of Fulshear  
 PO Box 279  
 Fulshear, TX 77441

Ship to: Attn: Chief Kenny Seymour  
 Fulshear Police Department  
 30603 FM 1093  
 City of Fulshear  
 Fulshear, TX 77441

Account No.: 58965	Your P/O No.:	Terms: Net 30
Sales Rep : RA	Shipping Via: COBAN DELIVERED	Due Date: 10/28/17

Line	Item Number	Description	Quantity	Unit Price	Extended
1	FOCUS-01-00	FOCUS X1 BODY CAMERA PACKAGE	25	405.00 /UT	10,125.00
2	WARR-X1-36ESP	FOCUS X1 BWC 36-Month Extended Service Plan	25	195.00 /KT	4,875.00
3	FOCUS-02-00	FOCUS VEHICLE DOCK PACKAGE	11	475.00 /UT	5,225.00
4	WARR-X1-ICD36ESP	FOCUS X1 Vehicle Dock 36-Month Extended Service Plan	11	120.00 /KT	1,320.00
5	WLIC-26-01	COMMAND BWC SOLUTION LICENSE	25	90.00 /UT	2,250.00
6	WMAIN-125	COMMAND BWC RENEWAL	25	90.00 /UT	2,250.00
7	WMAIN-125	COMMAND BWC RENEWAL	25	90.00 /UT	2,250.00
8	BSVR-01	BO- SERVER PowerEdge R530 Server Server will be set up with RAID1 partitioned for OS (200GB), SQL (265GB) and RAID5 for Video Storage (11.7TB).	1	11,647.00 /UT	11,647.00
9	BUPS-00	BO- UPS	1	774.00 /UT	774.00
10	WLIC-27	COMMAND I REDACT STAND ALONE 3YR PER SEAT	1	11,520.00 /KT	11,520.00
11	CR-RE-B3403	COBAN Render Engine 3403 by BOXX COBAN Render Engine 3403 by BOXX - Asus Eye Care WQHD 2560x1440 Monitor - 3 Year Enhanced Warranty	1	6,960.00 /KT	6,960.00
12	LSET-17	SETUP- BACKOFFICE SETUP PACKAGE A 2 Day 2 Day Onsite Back Office Setup (Configuration, Setup, Training)	1	3,095.00 /UT	3,095.00



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 TEL: 281-925-0488, FAX: 281-925-0535

## SALES QUOTE

Quote No.: 375633  
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 30603 FM 1093  
 City of Fulshear  
 Fulshear, TX 77441

Account No.: 58965	Your P/O No.:	Terms: Net 30			
Sales Rep : RA	Shipping Via: COBAN DELIVERED	Due Date: 10/28/17			
Line	Item Number	Description	Quantity	Unit Price	Extended

Sub Total: 62,291.00

Sales Tax:

Total Amount: 62,291.00

Balance:	62,291.00
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**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEMS:</b>	E
<b>DATE SUBMITTED:</b>	February 14, 2018	<b>DEPARTMENT</b>	Economic Development
<b>PREPARED BY:</b>	Angela Fritz, Economic Development Director	<b>PRESENTER:</b>	Same
<b>SUBJECTS:</b>	<b>Live Streaming Video System Purchase</b>		
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"> <li>• Swagit Productions, LLC Proposal for Live Streaming Remotely Indexed and Hosted Video System</li> <li>• Swagit Productions, LLC Sole Source Letter</li> </ul>		
<b>EXPENDITURE REQUIRED</b>			
<i>One Time - Equipment:</i>		<b>\$34,430</b>	
AMOUNT BUDGETED & ACCOUNT:		\$14,000 (100-5-185-5316-00) Tools & Equipment	
ADDITIONAL APPROPRIATIONS:		\$ 1,800 (100-5-185-5530-00) Tech. Maintenance	
		\$18,630 (100-5-185-5411-13) Prof. Services – IT	
<b>EXPENDITURE REQUIRED</b>			
<i>Ongoing – Services (remainder FY18):</i>		<b>\$ 7,200 (\$14,400 per annum)</b>	
AMOUNT BUDGETED & ACCOUNT:		\$ 9,000 (100-5-185-5530-00) Tech. Maintenance	

**EXECUTIVE SUMMARY**

Providing access to public meetings for our citizens is a key element of transparency in local governance and in today’s world, should be a basic offering on a City’s website. Video production and management, however, can provide many technical and financial challenges for municipalities, especially small ones with limited staff.

Swagit Productions, LLC is a trusted provider of managed video services and equipment provision for municipalities across Texas and the nation. The true value-add of their services for municipalities is the economies of scale they leverage which serve as a force multiplier in that they provide remote production, indexing, hosting, and management of the video equipment, resulting in a truly hands-free solution for the City, saving a great deal of time and money. To produce (not to mention develop a network to efficiently host and livestream) quality meeting videos in an efficient manner would require one or more in-house production staff, and a significantly larger investment in technology infrastructure and system expertise and design.

Minimal funds for live streaming video broadcast equipment, and managed services for indexing and hosting were budgeted for FY18. Staff prepared estimates for the FY18 budget in the spring of 2017 and budgeted accordingly based on a minimal, basic system of two fixed SD cameras with no remote production capability. Since then, we have contacted the vendor for updated costs and estimated service delivery information following the completion of the installation of the required internet services to the Irene Stern Center. We have learned that the SD solution is no longer supported by the equipment manufacturers, and have determined that it would be a more prudent investment of dollars to purchase equipment of a higher quality that can “grow” with the City for several years.

Although the costs of equipment and services outlined in the attached proposal exceed originally budgeted amounts for this FY, the system and services quoted will provide significantly better-quality video services for the community. Additionally, the equipment included in the attached quote has a longer system life which allows for it to potentially be relocated to a new or different Council Chamber.

The system quoted in the attached proposal includes a remotely-operated HD camera system with a live streaming encoder capable of direct social media integration, which will provide a seamless experience for viewers and staff once implemented. The production, indexing and hosting services provide for live-streaming via a customized web portal that will be integrated in to our website, as well as on-demand viewing of meeting video cross-indexed with agenda and packet documentation. Additionally, the system provides for a “sound search” capability on the hosted video, allowing the public to easily search for particular topics within the interface, and can later be upgraded to include advanced close captioning services if required.

There are two separate pieces to Swagit’s proposal, both of which were budgeted for minimally this year budget in the following amounts:

	<b>Original Budget</b>	<b>Proposal</b>	<b>Difference and Proposed Source</b>
<b>Equipment</b> (one-time)	\$14,000	\$34,430	\$18,630 (website) \$ 1,800 (managed services savings)
<b>Ongoing Services</b> (25 mtgs. per annum)	\$ 9,000	\$ 7,200 (remaining FY17)	N/A

This item is being presented to Council in accordance with City policy as the recommended proposal for equipment purchase exceeds \$25,000. Swagit’s proposal, along with a sole source letter are attached for reference.

Given the importance of meeting video as a core public information/transparency element, staff proposes to utilize a portion of the capital budgeted for website redevelopment (\$18,630) as well as the savings in managed services fees due to implementation time frame (\$1,800) to offset the additional capital costs for equipment. This will allow for timely, full implementation of the system without a budget amendment. After implementation, there will be an on-going annual fee of \$14,400 for managed services including remote production, live streaming, hosting, and indexing services, which can be integrated into the FY19 budget accordingly.

Should Council approve this purchase, staff will work with the vendor and other required City resources to complete installation in as timely a manner as possible.

**RECOMMENDATION**

Staff recommends City Council approve the purchase of equipment and services related to video production, live streaming, hosting, and management as outlined in the attached proposal, and authorize staff to utilize funds as described herein, and to execute all necessary documents related to same.



Swagit Productions, LLC  
12801 N. Central Expressway, Suite 900  
Dallas, TX 75243

February 8, 2018

ATTN: Angela E. Fritz, MS, CPC  
Economic Development Director  
City of Fulshear  
O: 281-346-1796  
[afritz@fulsheartexas.gov](mailto:afritz@fulsheartexas.gov)

Angela,

Swagit Productions, LLC, would first like to thank you for your time and the opportunity to service the City of Fulshear.

Below is a list of just some of the unique advantages of our **EASE™** solution.

- Completely **hands-free** recording, uploading and archiving
- Indexing and time-stamping
- 24/7 Support and Customer Service
- An open API, which allows for seamless integration with any agenda management software
- No training needed
- Unlimited storage
- 98.99% uptime
- Latest software upgrades, no upgrade fees

Below is a list of just some of the unique advantages of our **Avior™** solution.

- Ability for internal staff to operate locally
- Optional complete **hands-free** operation with remote switching capabilities
- No training needed on production outsourced to Swagit
- 2-4+ robotic cameras, available in SD or HD
- Detailed direct camera positioning (pan, tilt, zoom, focus, etc.)
- Pro Video Switcher that utilizes the 'wipe' function from the camera control GUI

Sincerely,

David Alex Owusu  
Director of Streaming Media  
Swagit Productions, LLC  
(P) 214.432.5905  
[david@swagit.com](mailto:david@swagit.com)

## EXECUTIVE SUMMARY –

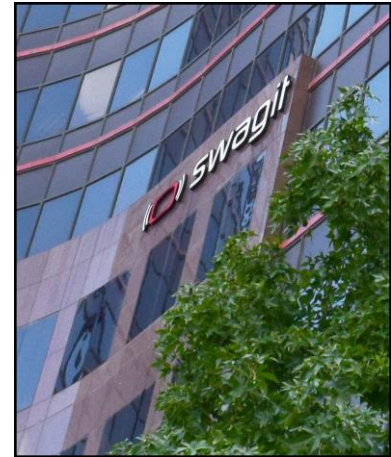
### Company History and Information

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**Swagit Productions, LLC** is a privately held company headquartered in Dallas, Texas. Founded in 2003, Swagit is a progressive company that is pioneering the broadband multimedia communication service industry by providing clients a **hands-free** approach to always being connected to end-users' information needs. In combining Swagit's EASE™ and Avior™ solutions, clients are offered the most comprehensive **hands-free** experience possible.

Swagit specializes in providing streaming media solutions to cities, counties, states and school districts. Furthermore, Swagit is a complete video production entity: including services such as post-production, studio and recording booth sessions.

Swagit began with a mission to supply clients an affordable solution to stream their own content in an overpriced, complicated, hands-on video industry. What began as a company that specialized in turnaround streams for cities, counties, states and school districts, Swagit has grown significantly and provides an open API which allows for integrations with all Agenda/Document Management Solutions. This lets our clients choose the 'best of breed' Agenda Management Solution for their unique needs.



With Swagit's EASE™ streaming video solution, clients are able to stream their public content live and on-demand through the jurisdiction's website. HTML5 compatibility makes getting to the content even easier and more convenient as viewers are able to access all of the video content via their computer, smart phone or tablet. Archived meetings are indexed and broken up into clips per each agenda item for a greater end-user experience.

Avior™ is Swagit's broadcast solution comprising two to four cameras and pro-video switching equipment that allows either Swagit engineers to control the cameras remotely or on-site camera control by government staff. It is the Avior™ solution combined with EASE™ that allows for clients to be able to outsource all of the production and video streaming/indexing to Swagit Productions, LLC for a completely end-to-end, **hands-free** solution.

The Swagit network stretches across North America guaranteeing that you and your constituents are always connected. Our network insures fast connect times from the closest point-of-presence (POP) to an end-user's location. In addition, Swagit's network is fully redundant giving clients the peace of mind of redundancy and keeping with the Swagit motto of "Always Connected."

## POINTS OF DIFFERENCE

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- Swagit's EASE™ solution is a completely **hands-free** and requires no staff time or resources
- Sound Search allows residents to search for the spoken word in a meeting which is synced to video
- Swagit's open API allows integrations with any major agenda management solution
- Swagit is the only government streaming provider that has developed its own content delivery network, ensuring quick and reliable connections for your constituents
- Unlimited storage for Specialty content and Meetings
- Swagit's unique **hands-free** solutions typically qualify as a sole sourced purchase, allowing for quick deployments

# OVERVIEW OF PROPOSED SOLUTION

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## EASE™

**Swagit's Extensible Automated Streaming Engine (EASE™)** solution meets all current and future needs for government without creating any additional work for staff. EASE™ is a hands-free tool that eliminates the need for client staff members to spend time on indexing, editing or time-stamping video content. Each EASE™ package includes on-demand archiving, a 24/7 live stream via internet and PEG, streaming to mobile devices (ex: iPad & iPhone) and up to 120 hours of additional generic specialty content each year. Client also has the ability to upload media via FTP as an option if live streaming is not applicable.

Swagit's EASE™ encoders offer broadcasters and other administrators the ability to stream live events to cable television providers (i.e. AT&T U-verse®), over the Internet through a high-speed connection, or to mobile devices such as iPhones, iPads or Androids. Furthermore, the unit can record and archive all media for on-demand viewing as well.

## EASE™ HD/SDI Premium Captioning Encoder with SDI CC Encoding Unit

Swagit's **EASE™ HD/SDI Premium Captioning Encoder** is a high definition and/or standard definition (HD-SDI) encoding unit for video plus captioning. The package includes:

- Software installation, system burn-In, rack rails
- Software licenses (Flash Media, HTML5, Microsoft OS)
- Web-based multi-encoder management and closed captioning support
- Web Based caption GUI
- EASE™ HD-SDI Remote Video Indexing Kit (includes Scheduler)
- HD/SD Encoding/Transcoding Software - server or cloud deployable encoding/transcoding software
- HD/SD Baseband or IP Encode/Transcode single-channel license (enables encoding/transcoding of 1 HD/SD channel)
- Branded video library, media player and Sound Search™ integration (included at no cost)
- Internal Stream Reflection for up to 150 internal users
- Remote network installation
- Remote closed caption design, configuration and testing
- SDI CC Encoding Unit (to provide audio captions over IP, for real-time captioning service)

## Sound Search™

**Sound Search™** is a new product which improves the search for specific content. A positive search hit will take the viewer to the exact location within a meeting that the word or phrase was spoken.

## Social Media eXstream

**Social Media eXstream** connects your meetings and events with live social platforms such as Facebook Live and YouTube Live. Instantly stream live your jurisdiction's local events to followers and engage with viewers in real time with Swagit's Social Media eXstream Package.

## Closed Captioning

**Live Automated Transcribing** is intelligent assisted real-time speech-to-text automation for captioning. Swagit's **Caption Sync** service works in conjunction with Live Automated Captioning; Swagit cleans up existing transcripts and synchronizes them with meeting video for on-demand viewing.

## GoMobile Production

Multi-camera recording for an event up to 4 hours in length (i.e. 6pm-10pm). Live streaming is an option with sufficient internet speed and outbound access.



## **EASE™ –**

# Video Capture, Encoding, and Streaming

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The Extensible Automated Streaming Engine (EASE™) is a software framework comprised of foundation and extension modules that work together to automate many otherwise manually intensive tasks. This completely hands-off solution meets the current and future needs of your entity without creating any additional work for the city's clerks or webmasters.

- **Video Capture and Encoding**

EASE™ Encoder records content according to your broadcast schedule and transfer the recorded audio/video to the Swagit Content Network via a secure Virtual Private Network (VPN) connection, making it available for live and/or on-demand streaming.

- **Standard Definition or High Definition Available**

Swagit utilizes higher resolutions for Standard Definition encoding ensuring better video quality for our clients. Swagit also offers High Definition for the best resolution possible and has been offering this since 2013.

- **Indexing and Cross Linking**

Using your published meeting agendas as a guide, Swagit's Managed Service Division (SMSD) indexes the meetings without any work from the city. SMSD will annotate your content by adding jump-to points with specific item headings, giving users the greatest flexibility to find the specific content they need. With these jump-to points, users can step through video by searching for or clicking specific items.

- **Agenda Management Integration**

If meeting packets or other related information is available online, SMSD will link them directly to the video player for easy access.

**Swagit's EASE™ solution integrates with all major Document/Agenda Management solutions.**

- **Archiving**

Client audio/video can be stored securely on the Swagit Content Network indefinitely. Fault tolerance and high availability is assured through replication of audio/video content to multiple, geographically redundant, Storage Area Networks (SAN).

- **Presentation**

By navigating through the video library, users can view a list of meetings chronologically and once in a selected meeting you can unleash the power of the jump-to markers to search for specific points within individual audio/video clips.

- **Delivery**

In order to deliver on-demand content to end users in a format that is native to their computer's operating system, Swagit can deliver content in all major streaming video formats: Flash, Windows Media, QuickTime and Real. Swagit is proud to support Flash as its default format, which has proven itself as the format of choice from such vendors as YouTube, Google Video, ABC and NBC/Universal. Swagit also streams in HTML5 providing content to mobile devices including the iPhone, iPad and Android devices.

Swagit also streams in HTML5 providing content to mobile devices such as the iPhone, iPad, and others.



- **Support**

Beyond our proactive monitoring and response, Swagit offers ongoing, 24/7 technical support for any issues our clients may encounter. While our choice of quality hardware vendors and a thorough pre-installation testing phase go a long way toward ensuring trouble free operation of our EASE™ Encoders, we do recognize that occasionally unforeseen issues arise. In the event that our engineers detect a fault, they will work to diagnose the issue. If necessary, next business day replacement of parts will be completed. Swagit offers continual software updates and feature enhancements to our services and products for the life of your managed services contract.

- **Monitoring**

Swagit is monitoring all aspects of the Swagit Content Network to ensure its health and availability. This monitoring extends to cover remote Swagit EASE™ Encoders deployed on client premises. In the rare event of trouble our engineers are promptly notified so that they may dispatch a swift response in accordance with our support procedures.

- **Statistics**

Swagit collates log files from our streaming servers monthly and processes them with the industry recognized Google Analytics. Google Analytics generates reports ranging from high-level, executive overviews to in depth quality of service statistics. These reports help to highlight growth trends and identify popular content.

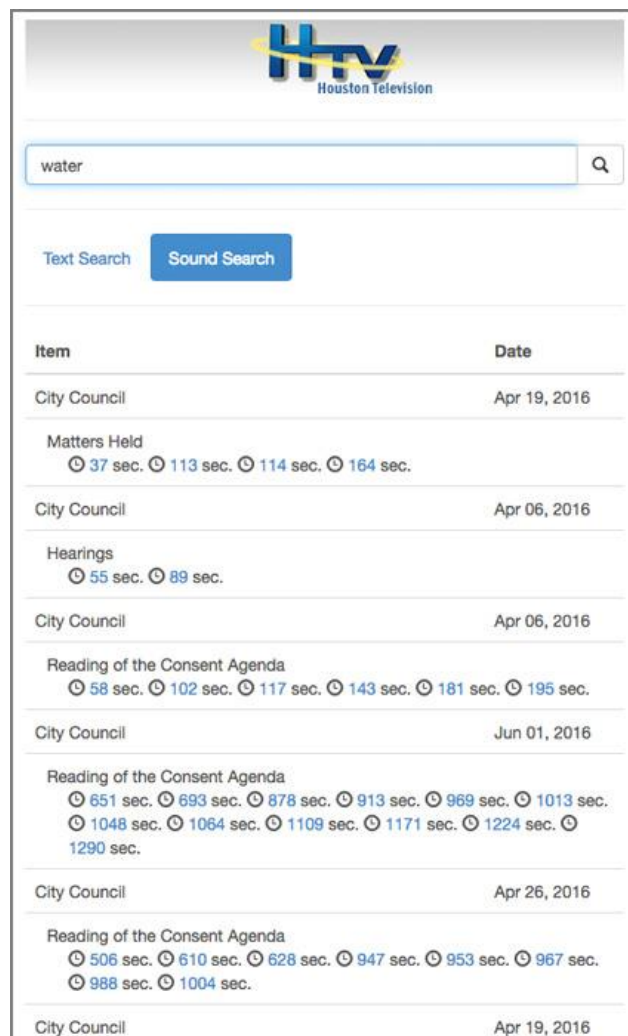
# SOUND SEARCH™ –

## On-Demand Streaming Video Search Enhancement

**Sound Search™** is a new product which improves the search for specific content. A positive search hit will take the viewer to the exact location within a meeting that the word or phrase was spoken.

Results show individual time(s) during the meeting a keyword is verbally spoken and provides a direct jump-to link.

When a search result is chosen, the audio/video clip will begin playing several seconds prior to the search result in order to give greater context to the result.



The screenshot displays the HTV Houston Television search interface. At the top, the HTV logo is visible. Below it is a search bar containing the text "water" and a magnifying glass icon. Underneath the search bar are two buttons: "Text Search" and "Sound Search", with "Sound Search" being highlighted in blue. The main content area shows a table of search results for the keyword "water".

Item	Date
City Council	Apr 19, 2016
Matters Held	⌚ 37 sec. ⌚ 113 sec. ⌚ 114 sec. ⌚ 164 sec.
City Council	Apr 06, 2016
Hearings	⌚ 55 sec. ⌚ 89 sec.
City Council	Apr 06, 2016
Reading of the Consent Agenda	⌚ 58 sec. ⌚ 102 sec. ⌚ 117 sec. ⌚ 143 sec. ⌚ 181 sec. ⌚ 195 sec.
City Council	Jun 01, 2016
Reading of the Consent Agenda	⌚ 651 sec. ⌚ 693 sec. ⌚ 878 sec. ⌚ 913 sec. ⌚ 969 sec. ⌚ 1013 sec. ⌚ 1048 sec. ⌚ 1064 sec. ⌚ 1109 sec. ⌚ 1171 sec. ⌚ 1224 sec. ⌚ 1290 sec.
City Council	Apr 26, 2016
Reading of the Consent Agenda	⌚ 506 sec. ⌚ 610 sec. ⌚ 628 sec. ⌚ 947 sec. ⌚ 953 sec. ⌚ 967 sec. ⌚ 988 sec. ⌚ 1004 sec.
City Council	Apr 19, 2016

# **SOCIAL MEDIA EXSTREAM –**

## Social Live Video Streaming

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Instantly stream live your jurisdiction's local events to followers and engage with viewers in real time with Swagit's Social Media eXstream Package. Live streaming is the future growth of social media and has become a part of culture that government can easily use to reach more residents online. Users can watch live broadcasts, whether on PC or mobile device, in a matter of seconds. Social Media eXstream connects your meetings and events with live social platforms such as Facebook Live and YouTube Live.

- **Live Webcast Streaming to Social Media Networks**
- **Affordable and Simple**
- **Gives Residents Additional Accessibility to Your Meetings and Events**
- **Grow Your Audience**
- **Expand Your Reach**

Streaming to social media live platforms, such as Facebook Live, will instantly expand your audience and increase distribution channels. Facebook will engage your viewers by sending an alert to your followers notifying them before the stream begins. Residents can then easily connect, interact and follow your event in real time.



## Avior – Remote Capable Camera System

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Built upon years of industry experience, Avior™ is a complete package of cameras and pro video-switching equipment that enables any client to fully outsource the production and operation of a multiple camera broadcast system to Swagit.

During the meetings or events, Swagit personnel will operate the Avior™ system remotely from their facility in Dallas, Texas. The Avior™ system enables Swagit to control and switch from camera to camera depending on events taking place. When bundled with Swagit EASE™, Avior™ can offer a full end-to-end “hands-free” solution that requires no client staff involvement for the operation, broadcast and streaming of an event or meeting content.



Avior™ enables detailed direct camera positioning (pan, tilt, zoom, focus, and more), preset-positions, and video settings (white balance, backlight, brightness) for the robotic cameras. Additionally, Avior™ communicates with the switcher to allow direct operation of the 'wipe' function from the camera control GUI. With this powerful package you or Swagit can control all your cameras individually and switch video sources on a video switcher locally or remotely. Avior™ is an invaluable integration of camera-control with switcher operations for use with live production setups like city chambers, churches, meeting rooms, and more.

Avior™ includes 2-4+ robotic (computer-controllable pan/tilt/zoom) cameras and you can choose from two main types: either single-chip (Sony EVI-D90) or 3-chip (Sony BRC-300) depending on your needs and budget. These popular Sony robotic cameras have excellent video quality and performance. The EVI-D90 and BRC-300 has the ability for panning through wide angles of motion, tilting through large ranges with superb optical zoom, and dual video output of Y/C and composite. They also support both RS232 and RS422 (long distance over 1000 meters) control signals. In addition, the EVI-D90 cameras can be mounted either 'up' or 'hanging upside down' for your convenience (they have built-in reversal of the picture and left/right/up/down motion controls).

# Avior –

## Remote Capable Camera System (continued)



## CAPTIONING SERVICES —

### Streaming Video Enhancement

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#### Live Automated Transcribing

With additional encoding and/or decoding hardware, Swagit can provide real-time captions for live programming and sync those captions for on-demand usage after the event has come to its completion. Live captioning can be distributed to both TV and the Web simultaneously. Swagit's **Live Automated Transcribing** is intelligent assisted real-time speech-to-text automation for captioning.

#### Caption Sync

Swagit's Caption Sync service works in conjunction with Live Automated Transcribing; Swagit cleans up existing transcripts and synchronizes them with meeting video for on-demand viewing.

Turnaround times for transcript syncing depends on the duration of your files. However, most content will be aligned within 4 business days.

*NOTE – Captioning rates are in full hours only, and are based on total length of meeting or event, which includes breaks, closed sessions, and other non-captioned events during that length of time.*

## WARRANTIES, TRAINING and SUPPORT

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Swagit offers onsite installation, configuration, and training.

Swagit's EASE™ encoder has a full 3-year warranty; cameras and other broadcast equipment have a limited 1-year warranty.

Beyond our proactive monitoring and response, Swagit provides ongoing, 24/7 technical support for any issues our clients may encounter. While our choice of quality hardware vendors and a thorough pre-installation testing phase go a long way toward ensuring trouble free operation of our EASE™ Encoders, we do recognize that occasionally unforeseen issues arise. In the event that our engineers detect a fault, they will work to diagnose the issue. If necessary, next business day replacement of parts will be completed. Swagit offers continual software updates and feature enhancements to our services and products for the life of your managed services contract.

## PROJECT UNDERSTANDING

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Swagit Productions will be the sole vendor and will not be utilizing any subcontractors if awarded this project. Below will be the key members of the deployment team:

### **David Owusu, Co-Founder/Director of Streaming Media**

[david@swagit.com](mailto:david@swagit.com)

Responsibilities: Main contact for purposes of clarifications and/or questions about the RFP response. He will always be the City's primary contact for all non-technical questions.

Time devoted to the project: 15%

### **Bryan Halley, Co-Founder/Director of Video Technology and Affairs**

[bhalley@swagit.com](mailto:bhalley@swagit.com)

Responsibilities: Will be our legal representative and **authorized negotiator** for any contract between the County and Swagit per this project.

Time devoted to the project: 5%

### **Daniel Kerr, Chief Technology Officer**

Responsibilities: Daniel oversees all deployments as well final QA and Testing before a project goes live.

Time devoted to the project: 10%

### **Jim Cunningham, Project Manager and Engineer**

Responsibilities: Jim will be the day to day deployment contact and will manage the project if awarded to Swagit.

Time devoted to the project: 30%

### **Swagit Deployment Team**

Time devoted to the project: 30%





# VIDEO STREAMING – Implementation & Training

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Once Swagit receives two signed original agreements, Swagit will send you a welcome packet. In the welcome packet, your staff will find the items required of the city (basic information such as meeting schedule, contact info, IP information, and graphics of video library/video player).

From the time Swagit receives your signed agreement, there is a 2- to 4-week lead-time for Swagit to pre-configure your encoder and ship the encoder to you for installation

## **Phase 1 - Hardware Provisioning/Development**

- Hardware ordered (out of stock items may impact delivery)
- Hardware assembled by Swagit engineers
- Operating system installed and configured per installation
- Swagit EASE™ Encoder software installed
- System burn-in testing conducted under fail-test load
- Hardware sign-off by Swagit
- Welcome packet information (meeting schedule, IP info, etc.) received

## **Phase 2 – Web Element Design**

- Any necessary revisions to the current video library and player, designed by Swagit in consultation with Client
- If needed, updated linking instructions provided to webmaster/IT
- Design sign-off by jurisdiction

## **Phase 3 – Deployment/Implementation**

- Assembled hardware shipped
- Remote configuration and testing of audio/video feed quality by Swagit engineers
- Confirmation of correct video library linking and integration with client's website
- Installation sign off by Swagit

## **Phase 4 - Acceptance Testing**

- Dry run of meeting capture, indexing and encoding process using next available meeting rebroadcast, alternate content or live meeting
- Final signoff by client and fulfillment of purchase order

## **Deliverables**

- Installation checklist
- Configured, tested and installed Swagit EASE™ Encoder
- Secure FTP account for pre-edited digital content
- Monthly usage statistics

If needed, Swagit will provide remote or on-site training to teach staff members how to include links to attachments. No additional training is necessary; Swagit's service is hands-free.

## REFERENCES

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### **City of Austin, Texas**

301 W. 2nd., Austin TX 78701

Live stream and meeting video archives on demand at <http://www.austintexas.gov/page/atxn-video-archive>

Solutions include EASE™, indexed meetings, PEG App, Sound Search, live and on-demand captions

Keith Reeves, ATXN Station Manager

512-974-7952

[Keith.Reeves@austintexas.gov](mailto:Keith.Reeves@austintexas.gov)

### **City of Miami Beach, Florida**

1700 Convention Center Dr., Miami Beach FL 33139

Live stream and meeting video archives on demand at <http://web.miamibeachfl.gov/mbtv77/>

Solutions include EASE™, indexed meetings

Deeana Johnson, Media Specialist

305-673-7575 ext. 4722

[DeeanaJohnson@miamibeachfl.gov](mailto:DeeanaJohnson@miamibeachfl.gov)

### **Sandoval County, New Mexico**

711 Camino Del Pueblo, Bernalillo NM 87004

Live stream, and meeting video archives on demand at <http://www.sandovalcountynm.gov/commission/sandoval-county-meeting-videos/>

Solutions include EASE™, on-demand closed caption services

Jerri Paul-Seaborn, Director of Information Technology

505-867-7626

[jpaul-seaborn@sandovalcountynm.gov](mailto:jpaul-seaborn@sandovalcountynm.gov)

### **Brea, California**

1 Civic Center Circle, Brea CA 92821

Live stream and meeting video archives on demand at <http://www.ci.brea.ca.us/812/Government-Access-Channel>

Solutions include EASE™ HD and agenda management

Cliff Flaughner, IT Manager

714-671-4490

[cliff@cityofbrea.net](mailto:cliff@cityofbrea.net)

### **City of Elliot Lake, Ontario**

45 Hillside Drive North, Elliot Lake ON P5A 1X5

Live stream and meeting video archives on demand at <http://www.cityofelliotlake.com/en/cityhall/CouncilWebcasts.asp>

Solutions include EASE™, indexed meetings, closed caption services

Deeana Johnson, Media Specialist

305-673-7575 ext. 4722

[DeeanaJohnson@miamibeachfl.gov](mailto:DeeanaJohnson@miamibeachfl.gov)

## ATTACHMENTS

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- Sole Source Letter for Consideration Upon Request

## Up Front Cost

Remote Capable Broadcast System, Encoder, Streaming, Indexing, Video Archiving, plus Social Media Streaming Support

### Avior™ HD and EASE™ Encoder with social media streaming support

Item Description	Cost Each	Quantity	Total Up-Front Cost
Avior™ HD Broadcast System w/CG (3 cams)	\$ 32,990.00	1	\$ 32,990.00
EASE™ Encoder	Included	1	\$ 0.00
Remote Network Setup and Configuration	\$ 360.00	1	\$ 360.00
Project Management and Deployment	\$ 1,080.00	1	\$ 1,080.00
<b>TOTAL</b>			<b>\$ 34,430.00</b>

Price and hardware model are subject to change after 60 days without prior notice.

### Yearly Service Package —

**EASE™ and Avior™ Hands-Free Services, Live Streaming, Sound Search and Social Media eXtreme**

Service Description	Cost Per Month	Quantity	Total Per Year
EASE™ Hands-Free Service – 25 Up to 25 indexed meetings per year	\$ 500.00	12	\$ 6,000.00
24/7 Live Stream	\$ 250.00	12	\$ 3,000.00
Avior™ Hands-Free Production – 25 Up to 25 remotely switched meetings per year	\$ 250.00	12	\$ 3,000.00
Social Media eXtreme: Social media live streaming (i.e. Facebook and/or You Tube Live Support)	\$ 125.00	12	\$ 1,500.00
Sound Search™ (Included with HD Upgrade)	\$ 75.00	12	\$ 900.00
<b>TOTAL PER YEAR</b>			<b>\$ 14,400.00</b>

Yearly rates will not change during the life of the contract, as well as for the duration of contract renewals.

(OPTIONAL) Services/Upgrades – Individual Pricing	Cost
Additional EASE™ Hands-Free Indexed Meetings	\$ 150.00/meeting
Additional Avior™ Hands-Free Remote Switched Meetings	\$ 175.00/meeting
PEG PSAs (Includes up to 120 Custom PSAs per year with voice-overs)	\$250.00 / month
AT&T U-verse Setup and Activation Fee	\$ 495.00
Swagit GoMobile Production: Production crew for off-site events, which includes live switching (Live Streaming is an option with sufficient internet speed and outbound access.)	Call Rep for Pricing

**City of Fulshear**  
**SOLE SOURCE LETTER**



**swagit**  
always connected

**CREATE, HOST, AND DELIVER BROADCAST  
LIVE OR ON-DEMAND AUDIO/VIDEO CONTENT**

February 2018

Swagit Productions, LLC  
12801 N. Central Expressway #900  
Dallas, TX 75243

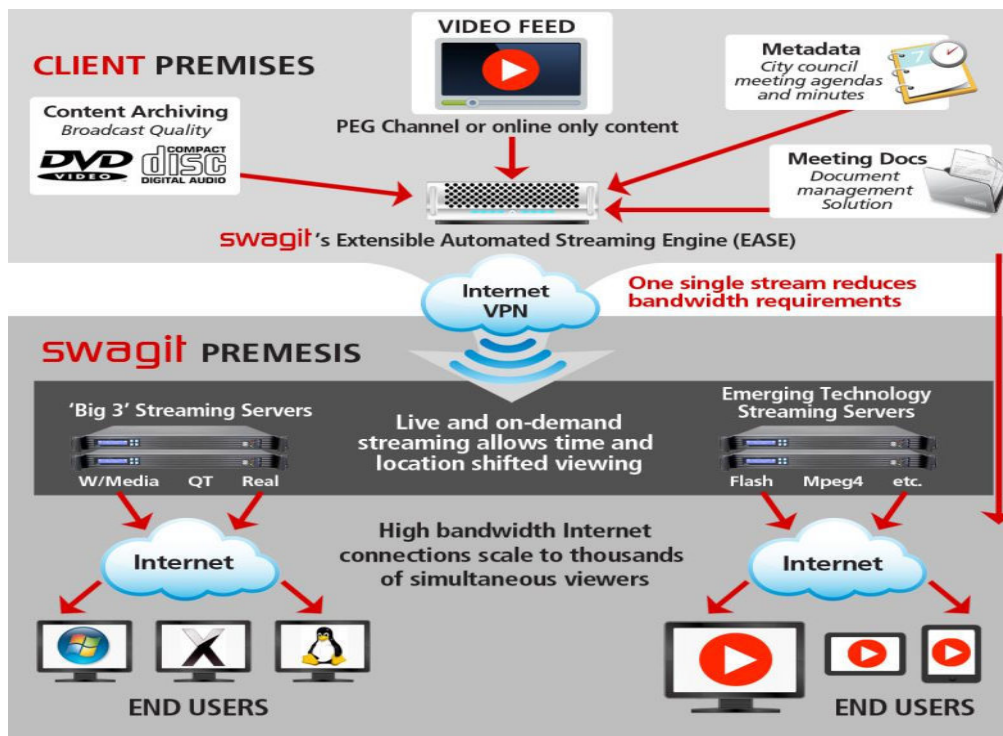
February 6, 2018

ATTN: Angela E. Fritz, MS, CPC  
Economic Development Director  
City of Fulshear  
O: 281-346-8874  
[afritz@fulsheartexas.gov](mailto:afritz@fulsheartexas.gov)

Angela,

We would like to sincerely thank the City of Fulshear for the opportunity to provide professional multimedia services, specifically live HD streaming, agenda and social media integration, HD broadcast delivery, as well as 'hands-free' video on-demand indexing and archiving.

- Swagit is unique in this industry in that it is a complete video production facility capable of providing services supporting all of your video capturing, editing, agenda integration and processing.
- With Swagit, all audio/video disk storage, system management and bandwidth intensive delivery tasks are offloaded to their content network which is actively managed 24 hours a day, 7 days a week.
- Next, Swagit is the only vendor that gives you a choice to let our staff edit and process the video that you would be streaming 'without reaching out to third party vendors' for service. So please note that there is no need to hire any additional employees or give anyone any new responsibilities, as everything is done remotely the day/night of any of your meetings from Swagit's facilities.



With that being said, this letter is to provide notification to the City of Fulshear that Swagit Productions, LLC, a Texas Limited Liability Company, with offices at 12801 N. Central Expressway Suite 900, Dallas, Texas 75243, is the sole source provider of Swagit’s Extensible Automated Streaming Engine (EASE) software framework. The EASE application is manufactured, leased and distributed by Swagit alone. No other company offers a competing service and all in one solution that combines an automated editing and indexing tool (EASE) in combination with a “hands-free” broadcast system, agenda integration, and the ability to stream video live or on-demand via the Internet in multiple streaming arenas (i.e. computers, mobile phones, etc.). Our media streaming services also allow ALL streaming formats to be used on the same video feed, which reaches more browsers (i.e. Flash, Windows HTML5). Furthermore, our applications contain media codecs that meet all specs necessary to provide AT&T with a video feed for cable expansion (i.e. AT&T Uverse).



## Sole Source Details

Application	Justification
Swagit EASE	Extensible Automated Streaming Engine (EASE) software framework that allows multiple streaming formats to be broadcast over the Internet or to multiple cable channels at the "same" time, including AT&T's Uverse network. Software allows for clients to be "Hands Free" of the process if so desired without outsourcing any production to a third-party vendor or hosted network.
Swagit's CDN	Content Distribution Network provided and hosted by Swagit Productions, LLC. No third-party provider for streaming is used, as Swagit will host, stream and store all content deployed by client from their network.
Cross Platform Solution	Multiple bit rate encoding is used in all services to NOT exclude Mac, PC, Linux or mobile users utilizing "simultaneous" streams.
Integrated Remote Broadcast	The combination of multiple vendor hardware (i.e. Dell, Datavideo, Osprey, Sony) to achieve remote video switching while providing cross platform outputs can only be utilized through Swagit's EASE software. All Units MUST be certified through Swagit before being deployed.
Votelynx Integration	The process of ingesting and analyzing digital voting tabulations and documents through a touchscreen control system that integrates into EASE. Available for city/town councils, legislatures, and boardrooms.
Sound Search	A process of ingesting and analyzing digital audio files so words can be extracted and organized, allowing browsers too search documents and media via keywords and find specific time codes in Swagit's video archive.

We appreciate your consideration in reviewing our letter and look forward to working with the City of Fulshear on this important project. If you have any questions or would like any further information or references, please do not hesitate to contact me.

Respectfully,



David Owusu  
Swagit Productions, LLC  
david@swagit.com  
Tel:(214) 432-5905  
Fax: (214)750-9513  
(800) 573-3160  
[www.swagit.com](http://www.swagit.com)

<b>Item</b>	<b>Swagit</b>	<b>Competing Vendors</b>
Indexing offered at no added cost by the vendor	X	Not offered
Supports major media formats "simultaneously" - Flash, Windows Media, and HTML5	X	Not offered
Large image size on the web stream. (400X300) (448x336) (640 x 480)	X	Only offer 320 X 240 or 400 x 300. Stretched thereafter with noticeable pixelation
Unlimited Archive Storage	X	Not offered
Streams live multi-bit rate video	X	Not offered
Stream Indexed Video	X	X
Video encoding provided	X	X
Automated file upload	X	X
AT&T Uverse Automation	X	Not offered
Provides video playout systems	X	Not offered
Client can take minutes using video software	Offered with multiple agenda solutions	X
Provide monitoring statistics	X	X
24 X 7 Support	X	Limited video support
Offers added video content up to 30 hours per month at no added cost	X	Limited content outside of meetings
Encoding of Real Time Events in multiple video codecs (on site and/or off site)	X	Not offered
Installs/Supports Local and Remote Broadcast Systems	X	Not offered
Supports Remote Video Switching	X	Not offered
Provides Agenda and Document Management Solutions	X	X
Integrated Voting System	X	X
Media is hosted and supported by vendor	X	Uses third party providers



**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEMS:</b>	F
<b>DATE SUBMITTED:</b>	February 14, 2018	<b>DEPARTMENT</b>	Economic Development
<b>PREPARED BY:</b>	Angela Fritz, Economic Development Director	<b>PRESENTER:</b>	Same
<b>SUBJECTS:</b>	Miss Fulshear Pageant 2018 FDC Grant Approval		
<b>ATTACHMENTS:</b>	<ul style="list-style-type: none"> <li>• Fulshear Development Corporation Minutes – June 28, 2017</li> <li>• June 28, 2017 FDC Agenda Materials - Miss Fulshear Pageant 2018 Grant Request</li> </ul>		
<b>EXPENDITURE REQUIRED:</b>	\$2,000		
<b>AMOUNT BUDGETED &amp; ACCOUNT:</b>	\$10,000 (700-5-400-5471-00)		
<b>ADDITIONAL APPROPRIATIONS &amp; ACCOUNTS:</b>	N/A		

**EXECUTIVE SUMMARY**

The Fulshear Development Corporation (FDC) adopted a program to allow applications for community grants in 2015. This past summer, the Miss Fulshear Pageant made an application for funds for \$2,000 for their 2018 pageant. The request was approved by the Corporation board at their June 28, 2017 meeting, and funds were subsequently included in the FY18 FDC operational budget.

The grant program parameters require City Council approval before funds may be released to the requesting party. The Miss Fulshear Pageant representative, Ms. Nicole Saenz, has advised the 2018 pageant is set for March 24, and has requested the allocated \$2,000 in grant funds from the FDC.

**RECOMMENDATION**

Pursuant to program guidelines and any additional stipulations City Council may add, staff recommends approval of the \$2,000 grant from the Fulshear Development Corporation to the 2018 Miss Fulshear Pageant based on the Corporation's June 28, 2017 approval of same.



**FULSHEAR**  
**DEVELOPMENT CORPORATION**  
A Type "B" Economic Development Sales Tax Corporation

PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441  
Phone: 281-346-1796 Fax: 281-346-2556  
www.fulsheartexas.gov

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**Annual Meeting Minutes**

**June 28, 2017**

**6:30 PM**

Board Members Present: Wes Wauson, Stacy Mangum, Carol Riggs, Tommy Kuykendall, Recie Medlock, Don McCoy  
Board Members Absent: Aaron Groff  
Attendees: Jim Fatheree, Kaye Kahlich, Andrew Van Chau, Nicole Saenz

**Call to Order.**

There being a quorum of the Board present, Wes Wauson, President, called the meeting to order at 6:31 P.M.

**Public Comments.**

None

1. Consideration of and possible action on election of officers of the Corporation in accordance with the Corporation Bylaws, to include the positions of:
  - a. President
  - b. Vice-President
  - c. Secretary
  - d. Treasurer

Mr. Wauson noted the resignation of member Jon Tristan and welcomed new members Tommy Kuykendall, Recie Medlock and ex-Officio Don McCoy. He offered an officer slate of Wauson – President; Groff – Vice President; Riggs – Secretary; and Kuykendall – Treasurer.

**Motion to Approve board officer slate - Mangum; Second – Kuykendall**

**Ayes: 5                      Nays: 0                      Abstentions: 0**

2. Consideration of and possible action on minutes of the Corporation for the May 22, 2017 Regular Meeting.

**Motion to approve minutes as presented – Mangum; Second – Riggs**

**Ayes: 5                      Nays: 0                      Abstentions: 0**

3. Consideration of and possible action on financials and payables for the Corporation.

Ms. Fritz noted the Corporation is on track and one payable for legal work was approved.

**Motion to approve payable to Randle Law in amount of \$487.50 –Medlock; Second –Kuykendall**

**Ayes: 5                      Nays: 0                      Abstentions: 0**

**4. Consideration of and possible action on request for funding from Miss Fulshear pageant.**

Ms. Saenz presented a request for \$2,000 for the 2018 Miss Fulshear pageant. The pageant was originally part of the Freedom Fest but has since become an event of its own. The winners represent the community in a number of festivals.

**Motion to approve funding request -Kuykendall; Second – Riggs**

Ayes: 5            Nays: 0            Abstentions: 0

**5. Consideration of and possible action on GIS demographics and site availability listings services.**

Staff presented an overview of a website tools that will be used to support economic development and requested approval of funding up to \$6,650 in FY17.

**Motion to approve as presented and authorize staff to look further into cost savings through potential multi-year service contracts –Riggs; Second –Kuykendall**

Ayes: 5            Nays: 0            Abstentions: 0

**6. Consideration of and possible action on Greater Houston Partnership membership.**

Ms. Fritz noted this was a way to continue to leverage Fulshear’s marketing dollars and added that the membership fee had dropped to \$500 total since request was made to A Corporation.

**Motion to approve \$250 for City GHP Associate membership - Mangum; Second –Medlock**

Ayes: 5            Nays: 0            Abstentions: 0

**7. Discuss retail recruitment services selection process and take action as necessary to direct staff.**

This was a broad discussion on the need to have a unified vision on what type of retail the City should be recruiting. The Board agreed to a joint meeting with the City Council and the A corporation.

**Not an Action Item**

**8. Discuss status of FY17 plan of work and projects.**

Ms. Fritz presented an update of the corporation’s FY17 plan of work.

**Not an Action Item**

**9. Review and discuss draft fiscal Year 2018 Administrative Services Agreement and take action as necessary to direct staff.**

Ms. Fritz explained that the ASA is the document that provides the funding mechanism between the Board and the City as well as delineating functions. This was a preliminary discussion on changes.

**Not an Action Item**

**10. Review and discuss draft fiscal year 2018 budgets and take action as necessary to direct staff.**

A general discussion of the budget was held.

**Not an Action Item**

**11. Report from Economic Development Director**

Ms. Fritz reminded new members they needed to complete training on the Public Information Act and the Open Meetings Act. She added that the written report would be distributed via email and would include the City Manager's report.

**Not an Action Item**

**12. Requests for future agenda items**

Corporation Finance Committee creation (Wauson)  
City of Fulshear comprehensive plan overview (Van Chau)  
Capital purchases for events (McCoy)

**13. Announcements**


There were no announcements.


**14. Adjournment**

**Motion to adjourn—Mangum @ 9:03 p.m. Second –Riggs**

**Ayes: 5                      Nays: 0                      Abstentions: 0**

Passed and approved this 17<sup>th</sup> day of July, 2017.

  
\_\_\_\_\_  
Carol Riggs, Secretary  
Fulshear Development Corporation

  
\_\_\_\_\_  
Wes Wauson, President  
Fulshear Development Corporation



**FULSHEAR DEVELOPMENT CORPORATION (B)  
COMMUNICATION FORM  
June 28, 2017**

ITEM	TITLE
4	Outside Funding Request – Miss Fulshear Pageant
<b>ITEM/MOTION</b>	
Consideration of and possible action on request for funding from Miss Fulshear pageant.	
<b>ESTIMATED EXPENDITURE:</b> \$1,000	<b>BUDGET ACCOUNT:</b> will include line item in FY18 Fund 700 budget if approved

**SUBMITTED BY:**

Angela E. Fritz  
Economic Development Director

**SUPPORTING DOCUMENTS:**

1. Miss Fulshear Grant Application Packet with email correspondence – June 9, 2017
2. B Corporation Minute Excerpts – May 18 and June 15, 2015 Meetings

**EXECUTIVE SUMMARY**

The B Corporation adopted a program to allow for outside funding requests in June 2015. Ms. Nicole Saenz with the Miss Fulshear pageant has applied and requested \$1,000 in funding to assist with the 2018 Miss Fulshear Pageant.

A copy of the application packet, along with email correspondence with staff has been included for the board's reference.

Should the board decide to fund the request, a line item will be included in the fund 700 (B Corporation operating fund) budget for fiscal year 2018.



# FULSHEAR DEVELOPMENT CORPORATION

## CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 Fax: 281-346-2556

[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

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The Fulshear Development Corporation has developed this application with the purpose of assisting the members of the Corporation's board in making key funding decisions. Many requests are put forth to the Board that there has been an expressed need to develop a more formal process for considering requests. The Corporation views requests for funding as equivalent to a grant request, and hence sees the need to have a review and tracking process. All funding requests must be justified by presenting a project plan submitted along with the application and a budget outlining all expenses and expressing and elaborating upon which expenses the organization desires to have funded by the Fulshear Development Corporation.

The maximum amount to be granted to any organization is \$5,000.00, with any funds granted subject to scrutiny and periodic review. Funding will be granted for any purpose specified in the organization's charter, but with certain exceptions; in turn the Corporation's charter has parameters that are defined by state law as to what it may and may not fund. Any organization that applies for funding must prove that it is a legitimate organization and have proof of financial stability.

**Parameters:** The funds granted may not be for the purchase of real estate, the investment in commercial paper or bonds, fire-arms, alcoholic beverages, the coverage of legal fees, political campaigns, paying existing debt, travel, per diem, employee benefits, or healthcare expenses. In addition to this, all funding requests must be for something within the city limits or extra-territorial jurisdiction of the City of Fulshear.

An organization may only submit one funding request per fiscal year (October 1<sup>st</sup> to September 30<sup>th</sup>). It should also be noted that consideration of an application and its acceptance or rejection is within the sole discretion of the Corporation and may include considerations not expressed or elaborated upon in this document. The corporation may also request certain changes be made to the funding amount or to pertinent details.

**Legitimate Uses:** Appropriate uses of city funding include expenses for marketing and advertising civic events, covering the costs of short-term sanitation solutions, covering the rental of light equipment, the short-term use of certain city services, the purchasing of light equipment that contributes to public safety, expenses pertaining to promoting the community as a whole, or any other cost not specifically excluded in the previous section.



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**Timeline:** Once the grant has been submitted it may take up to 30 days for it to appear before the Fulshear Development Corporation, depending on when you submit an application. An application submitted on the day of a board meeting will not be discussed at the meeting due to time constraints. If the board decides that an application is worth considering it will extend an invitation for that organization to make a presentation to the Corporation board members, who will make inquiries into the details of the project. It could take up to 60 days from the submission of the application before such an invitation is extended. **Once the board has been satisfied, and has made any revision requests, it must present the request to City Council which will make the final decision as to whether to release funds as a grant to that organization.** City Council meetings are generally held the day after Corporation board meetings, but the dates of meetings for the Corporation and for the City Council may change due to varying circumstances.



## FULSHEAR DEVELOPMENT CORPORATION

### CITY OF FULSHEAR

P.O. BOX 279/30603 FM 1093 ROAD  
FULSHEAR, TEXAS 77441

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This form is to be submitted in order to request a limited amount of funding from the Fulshear Development Corporation, a 4B Economic Development Corporation chartered by the City of Fulshear for the development of business infrastructure, manufacturing, public transportation, career education programs, research & development, and for community affairs. The submission of this form does not guarantee that funds from the City of Fulshear will be allocated. The applicant's information and proposal will be reviewed at the next meeting of the Development Corporation's board of directors, who will decide on the worthiness of the project or proposal presented. The board then may choose to recommend the application to city council, ask for revisions, or decline the application.

A submission will not be reviewed if the following criteria are not met:

- 1) A completed application form, along with
- 2) A business or project plan and proposal (details on page 4),
- 3) A copy of the organization's Annual Financial Reports ( for the last three years if possible – include proof of charter if organization established under three years ago).

A failure to meet these criteria will result in the application being discarded. We will not retain incomplete applications. Incomplete applications will not be presented to the board of this economic development corporation.

If the economic development corporation decides that it would like to move forward with your application, but on the condition that certain changes be made to the application, a Revision Request form will be sent to the applicant listing the board's recommendations for revisions. The Revision Request form should be signed by the applicant and returned to the board for final approval.

Please note: This application is only for funding requests. No tax abatements, material donations, or other benefits will be considered for applicants.





**FULSHEAR DEVELOPMENT  
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**CITY OF FULSHEAR**

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Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

Status: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

For-Profit Organization

Purpose: To help cover costs of the 2018 Miss Fulshear Beauty Pageant

Non-Profit Organization

\_\_\_\_\_

Amount Requested: \_\_\_\_\_

How would Fulshear benefit from your organization?

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How would your organization benefit from Fulshear?

also to help with cost of Huggins Rental. \_\_\_\_\_

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**FULSHEAR DEVELOPMENT CORPORATION**

**CITY OF FULSHEAR**

P.O. BOX 279/30603 FM 1093 ROAD  
FULSHEAR, TEXAS 77441

Have you previously received financial assistance from the City of Fulshear or its chartered entities? If so, please describe.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If approved for funding, do you agree to submit a complete progress report, using the template approved by the City of Fulshear, on a bi-weekly basis reporting on the organization's use of funds and its progress towards its stated purpose (noted on the page 2)?  Yes  No

Note: if the project is shorter than two weeks, a progress report must be submitted when the grantee has completed its project.

Does your organization have more than five (5) infractions of the city of Fulshear's ordinances and codes pertaining to health, safety, building/construction, or zoning?  Yes  No

Over what time span will this project be completed? \_\_\_\_\_ Weeks          Months          Years

**Chief Executive Officer:** \_\_\_\_\_

Signature: \_\_\_\_\_ *[Signature]* Date: \_\_\_\_\_

**Chief Financial Officer:** \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Project Lead:** \_\_\_\_\_

Signature: \_\_\_\_\_ *[Signature]* Date: \_\_\_\_\_

This section is for use by the Fulshear Development Corporation and the City of Fulshear.

**For FDC:** Recommended: \_\_\_\_\_ Needs Revision:  Rejected:  Chairperson's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# FULSHEAR DEVELOPMENT CORPORATION

## CITY OF FULSHEAR

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The Proposal/Project Plan must contain the following:

- 1) One (1) paragraph statement of purpose;
- 2) Explain your organization's mission and what services it provides;
- 3) An outline of your organization's approach to develop the project;
- 4) A list of milestones/objectives that your organization plans to meet. Include a timeline;
- 5) An explanation of how the Fulshear Development Corporation is relevant to the organization's success;
- 6) A project budget including a portion explaining where the economic development corporation's financial contribution will be applied.
- 7) Contingency plan – explain how you will compensate the City of Fulshear if your organization does not use the funds allocated to it in the manner approved by the Board of Directors of the economic development corporation and the City Council. This includes not spending the total allocation.

The Miss Fulshear Beauty Pageant is an event held annually by Nicole Saenz for the City of Fulshear. The pageant is for girls ages 3 and up. We strive to build self confidence & develop a sense of pride in the city through community service. We attend the majority of the city events including; St. Patricks, Freedom Fest, Festival of Lights, Memorial Day celebration, Christmas Tree Lighting, Scarecrow festival and Keep Fulshear Beautiful just to name some. The pageant Queens not only attend these and other events and represent the city beautifully, they also volunteer at many of them as they're needed.

The Miss Fulshear Beauty Pageant is free to Fulshear residents. We are asking the help of the Fulshear Development Corporation in order to keep the pageant going free to city residents as it has every year in the past. We also find several sponsors in order to produce the pageant each year.



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**REVISION REQUEST FORM**

This form will be used by members of the Fulshear Development Corporation (4B) to list changes that an applicant for funding must make in order to be recommended for funding. The board can request changes to the business plan, funding request amounts, or other details as they pertain to their role. Additional sheets may be attached to this document by the board. Please have this sheet attached on top of your revised documents.

**For Board Use Only – Changes Listed**

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**For Economic Development Corporation:**

Changes Recommended on: \_\_/\_\_/\_\_\_\_  
Chairperson: \_\_\_\_\_  
Signature: \_\_\_\_\_  
  
Changes Received: \_\_/\_\_/\_\_\_\_  
Signature: \_\_\_\_\_

**For Organization:**

Form Received: \_\_/\_\_/\_\_\_\_  
Changes Submitted: \_\_/\_\_/\_\_\_\_  
**Signatures:**  
CEO: \_\_\_\_\_  
CFO: \_\_\_\_\_  
Lead: \_\_\_\_\_



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The progress report required by the Fulshear Development Corporation 4B to track the performance of organizations it has chosen to fund is to be submitted every two weeks to the Corporation. The document will require the following attributes:

- 1) **A cover page including:**
  - a. Organization's name,
  - b. Project lead's name and title,
  - c. One paragraph summary of the project.
  
- 2) **A list the Milestones or Objectives from your Project Proposal/Plan and the time-line for their completion;**
  - a. Compare your progress on each Milestone/Objective to the timeline and explain the next steps towards completing each;
  - b. Include and explain any set-backs or new developments that affect your timeline, and if necessary express any timeline adjustments.
  
- 3) **Create an itemized chart of expenditures used from the Funds that the Fulshear Development Corporation allocated to you organization;**
  - a. Compare each line item real expense to the budgeted expense as expressed in the project proposal;
  - b. Shade any item that is a new expenditure that was not a budgeted expense as expressed in the project proposal;
  - c. Explain additional expenses that were not expressed in the project proposal;
  - d. If any line item is using funds at a rate faster than forecasted in the original budget, please explain.
  
- 4) **Statement and Signature:**
  - a. "I verify that all the information provided in this progress report is true and that any false statements may incur penalties deemed appropriate by the Fulshear Development Corporation.";
  - b. A signature line and signature. Include a typed name below with position title;
  - c. A line with the date of signature, formatted as: xx/xx/xxxx.

# Miss Fulshear Beauty Pageant

## 2018 Projected Costs

(projecting 40 contestants)

Crowns (5 Queen & 50 Misc. tiaras)	\$500.00
Sashes (60 total)	\$300.00
Shirts (45 projected @ \$10ea.)	\$450.00
Trophies & Plaques	\$500.00
Food & Concessions	\$300.00
Mirrors	\$40.00
Decorations	\$0.00
Lunches (judges/volunteers)	\$100.00
Gift bags (winners, contestants, judges and volunteers)	\$400.00
Flowers	\$115.00
Long arm stapler (for programs)	\$0.00
Misc. needs	\$400.00
Rental of Huggins (3 days)	\$1,395.00

**Projected total cost for 2018 pageant      \$4,500.00**

**From:** Nicole Saenz  
**To:** [Angela Fritz](#)  
**Subject:** Re: funding application - Miss Fulshear pageant  
**Date:** Friday, June 9, 2017 11:46:04 AM  
**Attachments:** [4B Fund Vetting Packet revisions v2 061615.pdf](#)  
[2018projected pageant costs.xlsx](#)

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Hello Angela,

I hope you are doing well. Sorry it has taken me so long to get this to you. It's been extremely busy. I'm proud to announce that our current Miss Fulshear, Olivia Phillips, has been accepted to represent Fulshear at the Miss Texas Pageant. We are very excited for this opportunity to put our little city on the map in the pageant world. If she wins this will be a great deal for Fulshear.

I have attached the completed forms (adding what I missed the 1st time I sent them to you) as well as our projected costs for 2018. Please let me know if there is anything else needed in order to move forward. Just FYI in the past we were given funds through the event funds for Freedom Fest (however in the 8 years I've been running the pageant for the I've only utilized these funds 1 time and for under \$1000.00). We have just grown so much that it is a definite need for help other than just sponsors and my pocket book.

Regards,  
Nicole Saenz

On Mon, May 15, 2017 at 3:33 PM, Nicole Saenz wrote:

Hi there Angela.

I'm sorry I haven't gotten back to you sooner on this. It's been crazy busy. I will get the remaining item you need done within the week and sent to you.

Thank you,  
Nikki Saenz

Sent from my iPhone

On Apr 12, 2017, at 4:12 PM, Angela Fritz <[afritz@fulsheartexas.gov](mailto:afritz@fulsheartexas.gov)> wrote:

Nikki,

I have completed an initial review of the application you submitted (attached). In order for your request to be considered by the B Corporation board, the application, at a minimum, should include the following:

- Organization's purpose (section on first page of the actual application).
- A business/project plan with budget outlining expenses and elaborating on which ones would be covered by the requested funds (see page 6 for details/info. on what this portion should include and address);
- A copy of the organization's Annual Financial Reports (if available). If



unavailable, please elaborate/explain.

Please refer to pages 1, 3, & 6 of the packet for further information.

Unfortunately, I am unable to forward your funding request to the Board until these items are submitted. Feel free to reach out with any further questions.

Thank you,

Angela

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**From:** Angela Fritz  
**Sent:** Friday, April 7, 2017 10:47 AM  
**To:** 'Nicole Saenz'  
**Subject:** RE: funding application - Miss Fulshear pageant

Thank you, Nicole,

I will review and let you know if anything is missing in the application.

Angela

**From:** Nicole Saenz  
**Sent:** Thursday, April 6, 2017 9:07 PM  
**To:** Angela Fritz <[afritz@fulsheartexas.gov](mailto:afritz@fulsheartexas.gov)>  
**Subject:** Re: funding application - Miss Fulshear pageant

Hello Angela,

Attached is the filled out form. Thank you for your help with this.

Regards,

Nicole Saenz

On Tue, Mar 28, 2017 at 11:25 PM, Nicole Saenz wrote:

Thank you. I will get this filled out and sent back to you ASAP

Sent from my iPhone

On Mar 28, 2017, at 3:56 PM, Angela Fritz <[afritz@fulsheartexas.gov](mailto:afritz@fulsheartexas.gov)> wrote:

Good afternoon, Nikki,

Thank you for your voicemail inquiring as to the date of the next EDC meeting in order that you might request funding in the next FY for the 2018 Miss Fulshear pageant. The B Corporation board adopted guidelines for grant requests a couple years ago. [Please complete the application for funding available here](#), and return it to me, and I'll coordinate with the B board for consideration.

Thank you,

Angela

Angela E. Fritz, MS, CPC

Economic Development Director

City of Fulshear

<image002.jpg>

[fulsheartexas.gov](http://fulsheartexas.gov)

Main: [281-346-1796](tel:281-346-1796)

Direct: [281-346-8874](tel:281-346-8874)

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30603 FM 1093 West / PO Box 279

Fulshear, Texas 77441

*Be advised that emails are subject to the Texas Public Information Act. City emails should not be considered confidential. ELECTED OFFICIALS, BOARD AND COMMITTEE MEMBERS: Be advised that email communications could lead to violations of the Texas Open Meetings Act.*

<4B\_Fund\_Vetting\_Packet\_\_\_revisions\_v2\_061615.pdf>



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## Meeting Minutes

June 15, 2015

Present: Tommy Kuykendall, Wes Wauson, Jo Douglass, Polly Royer, Larry Beustring, Parker Knapp, Mandi Leary

Guests: C.J. Snipes, Cheryl Stalinsky, Bobbi Martin, James Bjacek, Shannon Purcell

1. Call to Order: 6:33 PM.
2. Citizen's Comments – None.
3. Consideration of Request for Approval of Minutes from Fulshear Development Corporation Meeting of April 20, 2015.

Motion: Douglas      2<sup>nd</sup>: Leary      Passed: 6-0

4. Presentation and discussion of financial statements to date.
  - Chart shows sales tax decline
    - This may be inaccurate due to possible reporting failures
5. Consideration and take action on Payables Due and Checks Paid Report(s).
  - Whitley Penn accounting firm audit of city finances

Motion: Beustring      2<sup>nd</sup>: Knapp      Passed: 6-0

6. Discussion and Possible Action on Re-Allocating Advertising Budget Contingency to Membership & Dues for Associate Membership in the Greater Houston Partnership and approval of payment of dues.
  - Membership needed to promote commercial development
    - The Greater Houston Partnership network can provide the connections needed to develop the Point West Property
    - Membership is \$1,000.00 at the Associate level

Motion: Beustring      2<sup>nd</sup>: Knapp      Passed: 6-0

7. Discussion and Possible Action on reviewing alternatives for Sign Area care.
  - Three Bids to provide service:
    - CJ's Yardworks

- Contour Landscapes
- Schoebel Irrigation & Landscaping
- Discussion on water systems that irrigate the sign area vegetation
  - Water extension was torn up by construction
- Master naturalist plans to oversee Flag Gardens

Motion: Wauson      2<sup>nd</sup>: Beustring    Passed: 7-0 [Member arrived]

8. Discussion and possible action on Christmas Decorations RFP.
- RFP approved for use by the city.

Motion: Douglass    2<sup>nd</sup>: Beustring    Passed: 7-0

9. Further Discussion and Possible Action on Banner Poles.
- No action.

10. Further Discussion and Possible Action on Funding Vetting Forms.
- Approved with revisions.

Motion: Leary      2<sup>nd</sup>: Douglass    Passed: 7-0

11. Further Discussion on Fixed Assets totaling \$100,000.00.
- Fixed assets, which are the two welcome signs, are to be conveyed back to the city.

Motion: Wauson    2<sup>nd</sup>: Douglass    Passed: 7-0

12. Discussion and Possible Action on renewing the contract with Buxton Company.
- The original contract and renewal rates were \$15,000 (2013, 2014)
    - However, the company gave a renewal quote of \$20,000
    - At a conference, City Administrator Snipes was told by our point of contact (a VP) that the rate was \$15,000
  - A decision to further consider an upgrade packet in conjunction with the City of Fulshear Development Corporation (4A) was brought up
  - Motion to approve \$15,000 renewal rate

Motion: Wauson      2<sup>nd</sup>: Knapp      Passed: 7-0

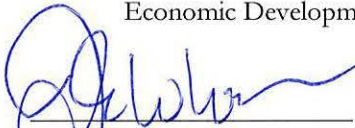
13. Budget Workshop
- Suggestion of having a joint meeting with 4A Corporation

14. Fulshear Area Chamber of Commerce report, Don McCoy.
- None.

15. Report by City Administrator, C.J. Snipes.
- Tropical Storm Bill to make landfall in Texas on June 16<sup>th</sup>
    - Hurricane Preparedness session on June 18<sup>th</sup> at Irene Sterns Center
  - Variance approved for alternate access points for an H-E-B to be developed in downtown Fulshear

- Shops at Cross Creek Ranch to open soon
  - A new 120,000 sqft grocery store to also be developed
  - St. Faustina's Catholic Church asked for their land to be annexed to the city
    - They will develop a church, a community center, and a grade school
  - Water capacity to increase
    - Packet plants to increase water capacity (stop-gap measure)
    - Costello engineering to implement a master drainage plan
      - They will host a public meeting on June 30<sup>th</sup> at Irene Sterns Center
16. Discussion of future agenda items.
- Amendment to the budget to cover increase allocation for Sign Area Care
  - Possible joint meeting with 4A Corporation for:
    - Further discussion on Buxton upgrade
    - Discussion of budgeting for FY 2016
      - Could include workshop
17. Next Meeting: **July 20, 2015**
18. Meeting went into Executive session at 8:21 PM.

Prepared by: James M. Bjacek  
Economic Development Assistant



Wes Wauson  
Secretary  
Fulshear Development Corporation



Tommy Kuykendall  
President  
Fulshear Development Corporation



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## Meeting Minutes

May 18, 2015

Present: Tommy Kuykendall, Wes Wauson, Jo Douglass, Polly Royer, Larry Beustring, Parker Knapp, Mandi Leary

Guests: Kristi Brashear, C.J. Snipes, James Bjacek, Don McCoy

1. Call to Order: 6:04 PM.
2. Citizen's Comments – None.
3. Consideration of Request for Approval of Minutes from Fulshear Development Corporation Meeting of April 20, 2015.

Motion: Douglas      2<sup>nd</sup>: Royer      Passed: 5-0

4. Presentation and discussion of financial statements to date.
  - Over \$722,000.00 in Assets
  - A \$450.00 liability was listed, but not applicable
  - \$107,027 in fixed assets, mainly gateway signs.
  - Fulshear is highest grossing in sales tax for Fort Bend County
    - 35% Growth since last year.
  - May sales taxes are not available from Comptroller until July.
  - \$52,000.00 paid to city to cover salaries and other expenses.
5. Consideration and take action on Payables Due and Checks Paid Report(s).
  - None.
6. Discussion and possible action pertaining to city flag poles.
  - No action.
7. Discussion and possible action pertaining to banner poles.
  - Presentation by Don McCoy.
    - Beustring, Douglass, & McCoy collaborated on inquiring about banner possibilities.
    - Decided upon Pole Banners
      - These won't catch wind.
      - Easier to hang.
      - 3 x 6 Feet dimensions.

- Dark Background.
- Would Advertise Fulshear events
- Would be attached to existing extensions.
- City Manager Snipes advocated for increasing the number of proposed banners
- Rob Bamford of Cross Creek Ranch/Johnson Development Corporation willing to let the city use its poles for displays.
- City Finance Director Brashear advocated using the \$5,000.00 marketing contingency to cover the costs.
  - Beustring motions to consider using those funds, and Leary seconds.
  - After discussion Beustring amends his motion to \$2,000.00.
  - Passes 5-0

8. Discussion and Consideration of Investment Options.

- City Finance Director Brashear contacted organization that had a potential opportunity.
  - Organization failed to follow-up with Brashear.
- Bank of Bellville expressed desire to discuss Certificate of Deposit rates with the City of Fulshear.
  - Offered a rate of 1.04.
- Brashear to attend a presentation on investment hosted by the Gulf Coast Region Government Finance Officers of Texas meeting.

9. Discussion of financial support for certain other community non-profit corporations.

- Douglass speaks on behalf of Arts Fulshear
  - Asks if the Fulshear Development Corporation or the City can be a member of the organization.
  - Snipes expresses reservations about joining.
    - If we join one arts organization, we would be pressured to join or fund all of them.
  - Question pertaining to why some organizations can use Irene Sterns community center rent-free.
    - Answer: Those organizations are collaborating on an event with the City.

10. Discussion and possible action on funding vetting forms.

- City Economic Development Assistant Bjacek presented drafts of Funding Vetting Forms.
  - Changes recommended.
    - Needed a timeline for after-submission processes.
    - Be more specific about criteria.
    - Create Guidelines for organization to consider when apply for funding.
    - Include Parameters to funding allowance.

11. Discussion of Fixed Assets totaling \$100,000.00.

- City Finance Director Brashear noted that certain fixed assets should be conveyed back to the City.
- Will be an action item at the next meeting.

12. Discussion of legal protection and immunity.

- Fulshear Development Corporation board members fall under the City's liability insurance.



13. Fulshear Area Chamber of Commerce report, Don McCoy.
- Memorial Day ceremony to be co-hosted by the Chamber, the Lions Club, & the City
    - Guest include local veterans and local mayors.
  - Fulshear Freedom Festival (July 4<sup>th</sup>)
    - 5:30 PM – 9:30 PM
    - Live entertainment: The Highwaymen Live.
    - First Choice ER to provide medical service to event.
    - K-9 Belle to be the ‘Grand Marshal’ of the event
    - Will include a helicopter fly-over by the Fort Bend County Sheriff’s Department.
    - It will include activities and freebies for children from local businesses.
  - Christmas – Festival of Lights
    - Fulshear’s Got Talent Contest
    - Wear White for a White Christmas
      - Artificial Snow.
      - A viewing of Bing Crosby’s White Christmas on an inflatable screen.
      - Cobblestone Cottage to decorate Christmas Tree for free.
    - Mayor’s birthday is on Christmas
    - There will also be the McCann bicycle give-away.
  - 231 new members
    - Classic Chevrolet may join soon.
    - Two micro-breweries desire to come to Fulshear.
  - 250 Tickets left for Ford Mustang Raffle.
  - Fulshear featured on Fox 26’s Home Town Friday program.
  - Networking events on Wednesdays are successful.
14. Report by City Administrator, C.J. Snipes.
- A meeting was arranged with a business delegation from Foshan, China.
  - Economic Development Director Stalinsky invited to special meeting with Mexican Trade Delegation sponsored by the Texas Governor’s Office.
  - Mayor & FDC Chairman Kuykendall interviewed on National Public Radio.
  - City is paying close attention to the Texas legislature.
    - A number of bills are aimed at curtailing local government from expanding revenue and annexing new territory.
    - This is harmful for a growing city like Fulshear.
  - Zaxby’s restaurant signed a Letter of Intent.
  - A small controversy over access management on FM 1463 Road.
  - Cross Creek Ranch’s home sales are down.
    - The development is near build-out.
  - The price of petroleum is predicted to stabilize between \$60-65.00 per barrel.
  - A new 124,000 square-foot grocer to open by Cross Creek Ranch on FM 1463 Road.
  - City plans to extend water & sewage service to the Yager tract.
    - FDC 4B may be asked to help fund the extension.
  - Local entrepreneur would like to start a bicycle cab service
    - City ordinance may need to be amended before he begins his service.

15. Discussion of future agenda items.

- Discussion and Possible Action on developing a new Request for Proposal for Flag Garden care.
- Discussion on Christmas Decorations.
- Further Discussion and Possible Action on Banner Poles.
- Further Discussion and Possible Action on Funding Vetting Forms.
- Action pertaining to Fixed Assets.
- Budget Workshop.
- Executive Session about Real Property.

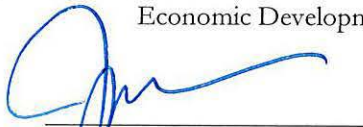
16. Next Meeting: **June 18, 2015**

17. Meeting Adjourned: 8:30 PM

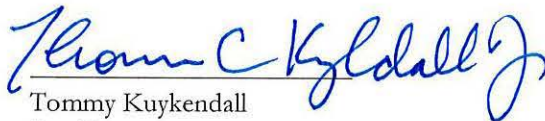
Motion: Knapp Second: Wauson

Ayes: 5 Nays: 0

Prepared by: James M. Bjacek  
Economic Development Assistant



Wes Wauson  
Secretary  
Fulshear Development Corporation



Tommy Kuykendall  
President  
Fulshear Development Corporation

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b> February 20, 2018	<b>AGENDA ITEM:</b> BUS - G
<b>DATE SUBMITTED:</b> February 13, 2018	<b>DEPARTMENT:</b> Planning & Development
<b>PREPARED BY:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development	<b>PRESENTER:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development
<b>SUBJECT: DISCUSSION AND REVIEW OF RFQ RESPONSES FOR MAINTENANCE AND OPERATION OF THE CITY'S WATER AND WASTEWATER SYSTEMS AND CONSIDERATION TO AUTHORIZE STAFF TO NEGOTIATE CONTRACTUAL TERMS FOR THOSE SERVICES</b>	
<b>ATTACHMENTS:</b> <ol style="list-style-type: none"><li>1. Technical Memorandum – McManus &amp; Johnson</li><li>2. Presentation of findings</li></ol>	

**EXECUTIVE SUMMARY**

In accordance with the City's procurement policies and procedures, staff developed a Request for Qualifications (RFQ) and Request for Proposals (RFP) to solicit statements of qualifications and proposals for qualified firms to provide operations and maintenance (O&M) for the City's water and wastewater systems in the two service areas – City of Fulshear and Cross Creek Ranch. Staff received two RFQ/RFP submittals, Inframark Services (formerly known as Sevren Trent or ST) and TNG. To assist in the most accurate evaluation of the information submitted, staff engaged McManus & Johnson, one of the city's approved professional services firms, to coordinate with staff to assist in the review of the submittals, development of interview questions, and to provide an extensive evaluation for scoring of the two firms. McManus & Johnson prepared a technical memorandum and a presentation to provide their findings and present a recommendation for staff to move forward and begin negotiations with the firm that has the capabilities that align with the City's vision for the future, while providing cost-effective quality service.

Staff reviewed the findings and support the recommendation from McManus & Johnson, that Inframark Services is the most qualified and has the best fit for staff to enter into negotiations with to develop a contract for consideration of approval by City Council.

**RECOMMENDATION**

Staff recommends the City Council accept the RFQ/RFP's submitted and authorize staff to enter into negotiations with Inframark Services to develop an O&M contract for consideration and approval by City Council.



City of Fulshear, Texas

# Water and Wastewater Operation Management Selection *Technical Memorandum*

Rev. 1

February 9, 2018



*Tara L. Payne*

*2-9-2018*

THE SEAL APPEARING ON THIS  
DOCUMENT WAS AUTHORIZED BY  
TARA L. PAYNE, P.E. NO. 111627

Prepared by: **McManus & Johnson Consultant Engineers**  
TBPE Firm Registration No. F-15276





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## 1 INTRODUCTION

McManus & Johnson Consulting Engineers (MJCE) was contracted by the City of Fulshear (City) to assist in the selection of the City’s water and wastewater operations management contract. MJCE has thoroughly reviewed submitted proposals from Severn Trent (now renamed Inframark) and TNG Utility, in addition to current contracts and service reports. Furthermore, interviews were conducted to clarify the proposals and determine the company’s abilities to deliver the anticipated services.

## 2 CURRENT WATER/ WASTEWATER SYSTEMS

Fulshear has two separate water and wastewater systems consisting of the City and Cross Creek Ranch (CCR). Currently, both systems are being operated and maintained by Inframark. Below is a summary of each water and wastewater system.

### City of Fulshear:

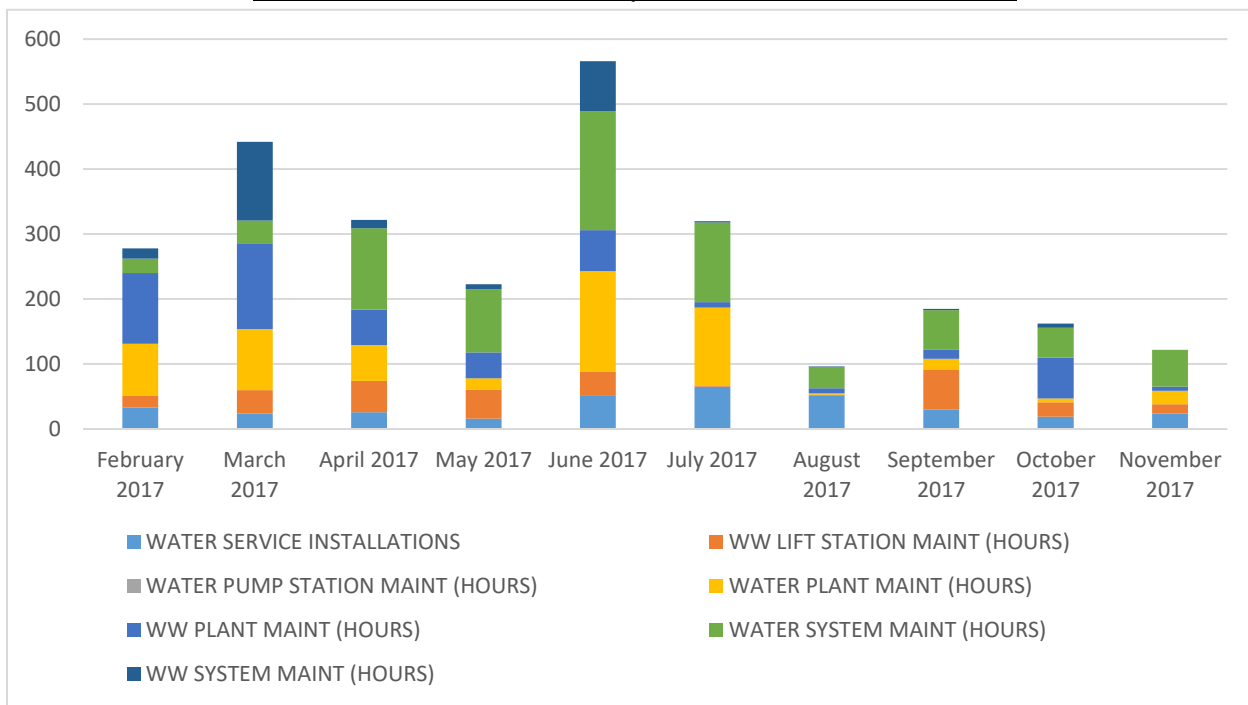
1 WWTP (0.7 MGD), 8 lift stations, 3 water wells, elevated and ground storage tanks, booster pumps; 68,431 linear feet (13 miles) of wastewater lines and 74,203 linear feet (14 miles) of water Lines

### Cross Creek Ranch:

1 WWTP (2.5 MGD), 1 lift station, 2 WTP and 2 water wells, ground storage tanks, booster pumps, 179,979 (34 miles) linear feet wastewater lines and 200,437 linear feet (38 miles) of water Lines

After reviewing the 2017 service reports, MJCE has made the following observations (assuming 60% employee efficiencies):

2017 Water/Wastewater Operations and Maintenance





The above graph indicates existing service levels and tasks currently being provided by the vendor. This information was used to determine estimated manpower needs, equipment and inventory to perform these tasks.

### **3 RESPONDENTS**

Two vendors submitted proposals for Fulshear's *Operations & Maintenance of City Water & Wastewater Utility System* RFQ: Inframark (formerly Severn Trent) and TNG Utility.

#### **3.1 Inframark**

Formerly known as Severn Trent, Inframark has been in business for over 40 years and has been the City's water and wastewater operator since 2012. The company has experience operating both utility districts and cities such as Pasadena and Kingwood. Its main office is in Katy, Texas, in addition to multiple support offices located minutes from Fulshear's facilities.

The largest wastewater treatment plant currently operated by Inframark is 14 MGD for the City of Pasadena and the largest water treatment plant is 10.2 MGD for the City of Kingwood. Inframark has transitioned selected tasks to Kingwood municipal operators including meter reading, billing, collection and customer service, but is still responsible for the water and wastewater operations for treatment and collection.

#### **3.2 TNG**

Founded in 2001, TNG is a mid-sized company with 48 employees, with one office located in Spring, Texas. TNG currently operates and maintains 52 water and wastewater facilities in the areas of Katy, Houston, Spring, Bay Brook and Magnolia. In addition to operators and maintenance crews, TNG also staffs a Compliance Manager to interface with the Texas Commission of Environmental Quality (TCEQ).

The largest wastewater treatment plant currently operated by TNG is 1.5 MGD and the largest system has approximately 3,200 accounts. For two years TNG operated the City of Magnolia and then transferred the water and wastewater system over to the City.

### **4 SCORING AND EVALUATION**

#### **4.1 City of Fulshear Goals**

The City is seeking a qualified contractor to operate and maintain all water and wastewater systems under a single Operating Agreement. The vendor would also be responsible for implementing a plan to transition water and wastewater operations and maintenance to the City of Fulshear. The decision for the City to move operations inhouse, stems from the Cross Creek Ranch Developer Agreement. Section 2.10 of the



# City of Fulshear

## Water and Wastewater Operation Management Selection

developer agreement states: *The City may not independently operate the System until the number of connections in the Project exceeds 3000.* To date, the City has approximately 3,500 connections.

Additional objectives include:

- Training City staff to operate and maintain the systems and equipment
- Educating City Staff on TCEQ compliance paperwork and deadlines
- Transferring all records, maintenance logs and work orders to the City.
- Help the City implement a new work order system
- Positioning the City implement a GIS based asset management system

### 4.2 Scoring

The intention of scoring each vendor is to provide an objective evaluation on best value to the City and its ratepayers. Using the criteria provided in the original RFQ, MJCE has provided a suggested score for each proposer. Scoring is based on submitted proposals, references and in-depth interviews.

Table 3-1: Proposal Scores

<i>Criteria</i>	<i>Inframark</i>	<i>TNG</i>
<b>Company Qualls (30%)</b>		
• Experience (20%)	15	15
• References (5%)	3	4
• Finance Info (5%)	5	3
<b>Technical Proposal – Incl. Transition Plan (40%)</b>		
• Ops Plan (15%)	15	11
• Trans Plan (15%)	12	8
• Key Staff (10%)	10	8
<b>Price Proposal (30%)</b>		
a) Price (30%)	20	18
<b>Totals</b>		
	80/100	67/100

### 4.3 Justification

The table below provides a summary of key factors in determining a suggested score for each proposal.

Table 3-2: Scoring Justification

<b>Criteria</b>	<b>Inframark</b>	<b>TNG</b>
EXPERIENCE	<ul style="list-style-type: none"> <li>• Current provider</li> <li>• Familiar with Fulshear facilities, work load and compliance</li> <li>• 40 years in business</li> </ul>	<ul style="list-style-type: none"> <li>• Only 1 City client</li> <li>• Not familiar with Fulshear facilities.</li> <li>• 17 years in business</li> </ul>





## City of Fulshear

# Water and Wastewater Operation Management Selection

Criteria	Inframark	TNG
REFERENCES	<ul style="list-style-type: none"> <li>Overall good references</li> <li>Fulshear is pleased with current service</li> <li>No transitional reference provided</li> </ul>	<ul style="list-style-type: none"> <li>Overall good references</li> <li>Provided reference for city transition (Magnolia)</li> <li>City of Magnolia was generally pleased, but felt like TNG was in a hurry to leave and didn't explain facilities &amp; compliance in detail before leaving</li> </ul>
FINANCE	<ul style="list-style-type: none"> <li>Provided detail financial background</li> </ul>	<ul style="list-style-type: none"> <li>Provided minimal financials</li> </ul>
OPS PLAN	<ul style="list-style-type: none"> <li>Dedicated operator 40/hr per week</li> <li>Operator attended interview</li> <li>All work orders are electronic</li> <li>Inhouse GIS team</li> </ul>	<ul style="list-style-type: none"> <li>Dedicated operator 40/hr per week</li> <li>Operator would be hired upon being selected</li> <li>Work orders on paper</li> <li>No GIS capabilities</li> </ul>
TRANSITION PLAN	<ul style="list-style-type: none"> <li>Detailed five-year program with City personnel and equipment breakdown per year</li> <li>During interview acknowledged variable time frames with 18 months as quickest recommended</li> <li>Inframark staff phase out as needed</li> </ul>	<ul style="list-style-type: none"> <li>Generic operations plan provided</li> <li>No details on potential City staff and equipment</li> <li>Six-month time frame proposed-acknowledged 18-24 as optimal transition time</li> </ul>
KEY STAFF	<ul style="list-style-type: none"> <li>Full time operator attended interview</li> <li>Concern over city hiring employees through transition</li> </ul>	<ul style="list-style-type: none"> <li>Hiring new people for job</li> <li>Identified operator as key employee during the transition</li> </ul>
PRICE	<ul style="list-style-type: none"> <li>Pricing competitive with existing contract</li> <li>Vendor plans to clarify existing workload and negotiate pricing based on current workload</li> </ul>	<ul style="list-style-type: none"> <li>Pricing limited to basic tasks</li> <li>At interview, provided detail from comparison on existing contract workload</li> </ul>

## 5 CONSIDERATIONS AND RECOMMENDATION

Both Inframark and TNG are qualified to operate and maintain Fulshear's water and wastewater systems. There are considerations between the two companies that have significant value in selecting a new vendor.

- Inframark already has staff in place, whereas TNG plans to hire new employees to manage the City's system.
- Both vendors expressed the transition timing to be flexible based on the City's needs.



## City of Fulshear Water and Wastewater Operation Management Selection

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- Inframark keeps all records electronically and has an inhouse GIS team that can provide digital data on the City's water and wastewater assets. TNG does not.
- Inframark has provided a detailed transition plan with future staff and equipment breakdown. TNG's transition plan was very generic and not tailored specifically to Fulshear.
- Inframark is already familiar with Fulshear facilities and staff.
- Inframark is proven to provide efficient emergency response, has multiple offices minutes from Fulshear facilities and can pull resources from nearby Cities if needed. TNG has one office in Spring approximately 40 minutes from the City with a promise to hire employees who live in the area.

In the end, Fulshear has extensively developed a vision for the City's future, and it is important that the vendor's capabilities align with Fulshear's vision for the future, while providing cost effective quality service. Based on these considerations, proposals and interviews, MJCE and City staff recommends renegotiating its current contract with Inframark.

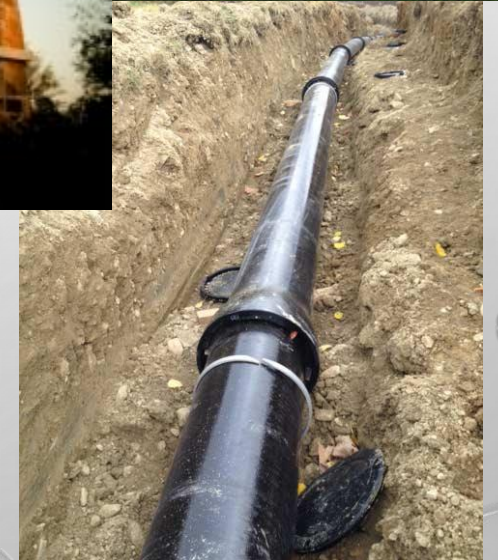
Considering the growth of the City's systems and the addition of Cross Creek Ranch, there is potential for the monthly costs to increase. However, as the vendor's staff phases out during the transition, it is expected that monthly costs will decrease. Other possible negotiation topics include the City contracting directly with suppliers for bulk chemicals and lab testing, noncompete clauses, updating itemized tasks and service costs, and setting measurable targets to renegotiate the contract as the system grows.



# CITY OF FULSHEAR UTILITY OPERATIONS

## Water and Wastewater Operations Request for Proposals

February 20, 2018



BUS-66



# BACKGROUND

- Existing Contract (2012-2017) with Inframark
- City & Cross Creek Facilities:
  - 2 Wastewater Treatment Plants (over 3 MGD)
  - 9 Lift stations
  - 2 Water Treatment Plants & 5 Water Wells
  - 274,640 LF (52 miles) Water Lines & X 248,410 LF(47 miles) Wastewater Lines
- Operations Transfer to City



# OBJECTIVES

- Evaluate Respondents: Inframark and TNG Utility
  - Review submittals
  - Contact references & Conduct interviews
- Additional City Goals
  - Train City staff & TCEQ compliance
  - Seamless record transfer & new work order system
  - Position City to implement GIS asset management
  - Evaluate emergency response



# JUSTIFICATION

<b>Criteria</b>	<b>Inframark</b>	<b>TNG</b>
Experience	40 years; Current Provider	17 years; One city client
References	No transitional reference	City of Magnolia
Finance	Provided detailed background and insurance	Provided minimal background and insurance
Ops Plan	Operator 40 hr/week; Electronic work orders; inhouse GIS	Operator 40 hr/week; Paper work orders; no GIS capabilities
Transition Plan	5-year detailed plan; negotiable	18-month generic plan; negotiable
Key Staff	Operator attended interview	Hire new operator



# CONSIDERATIONS & RECOMMENDATION

- Vendor's capabilities to align with Fulshear's vision
- MJCE & City Staff Recommend Inframark
- Negotiation Topics:
  - Cost
  - Direct contract with suppliers and labs
  - Setting measurable targets to renegotiate
  - Phase out vendor staff

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b> February 20, 2018	<b>AGENDA ITEM:</b> H
<b>DATE SUBMITTED:</b> February 13, 2018	<b>DEPARTMENT:</b> Planning & Development
<b>PREPARED BY:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development	<b>PRESENTER:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development
<b>SUBJECT:</b>	<b>Consideration and possible action of Ordinance 2018-1271 to abandon a 20' roadway easement identified in a 2.843-acre tract (out of the original P. H. Manaker called 9.88-acre tract) located on the east side of FM 359 in the 7800-7900 block area.</b>
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Request from Property Owner to Abandon the Roadway Easement</li> <li>2. Ordinance 2018-1271</li> <li>3. Deed Without Warranty Abandonment Document</li> <li>4. Current Survey 7800-7900 FM 359</li> <li>5. Current Meets and Bounds</li> <li>6. Fort Bend County Plat Record from 1897</li> </ol>

**EXECUTIVE SUMMARY**

The owner of the property located as identified in the attachments, along with their designated local representatives Mr. George Gayle and Mr. John Moody, Jr., are requesting the City abandon a 20' roadway easement identified in title searches done in the course of due diligence prior to the sale of this property. The City has no record of ownership or maintenance of this area. The easement appears to precede incorporation of the City.

As a result of this, the City is proposing to grant the request of the owner via deed without warranty as identified in the proposed ordinance. No adjacent tracts of land currently appear to use this roadway easement for access, so there are no concerns relative to access.

**RECOMMENDATION**

Staff recommends the City Council approve Ordinance 2018-1271 relating to the abandonment of the identified roadway easement via deed without warranty.





MOODY LAW GROUP, PLLC  
3003 W. ALABAMA  
HOUSTON, TX 77098  
713.773.5526  
MOODYLAWGROUP.COM

JOHN S. MOODY, JR.  
BOARD CERTIFIED IN COMMERCIAL REAL ESTATE LAW  
BY THE TEXAS BOARD OF LEGAL SPECIALIZATION  
jmoody@moodylawgroup.com

February 14, 2018

**VIA EMAIL** [bgary@fulsheartexas.gov](mailto:bgary@fulsheartexas.gov)

Brant Gary  
Executive Director  
Planning & Development  
P.O. Box 279  
Fulshear, Texas 77441

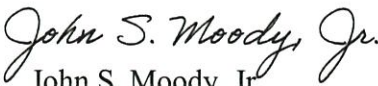
Re: Request to Abandon a 20' Right-of-Way Easement held by the City of Fulshear across approximately 2.843 acres owned by Eric Heizer.

Dear Mr. Gary:

This firm represents Mr. Eric Heizer. Please consider this letter as a request from Mr. Heizer to the City of Fulshear to abandon an approximately 20' right-of-way easement held by the City across his property. For your review, I have enclosed a copy of: (1) the survey that shows both Mr. Heizer's property and the 20' right-of-way easement, and (2) the instrument that created the right-of-way for your review.

In addition, please accept this letter as giving Mr. George Gayle and myself, John S. Moody, Jr. authority to represent Mr. Heizer's interest on the requested abandonment with the City. Mr. Heizer has countersigned this letter below to acknowledge his approval and consent. If you have any questions or need any additional information, please do not hesitate to call or email me.

Sincerely,

  
John S. Moody, Jr.

Acknowledgement and Consent provided by:

  
ERIC HEIZER

cc: Mr. George Gayle

*Via Email*

**Ordinance No. 2018-1271**

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, GRANTING AUTHORITY TO THE CITY MANAGER TO SIGN A DEED TO ABANDON A PUPORTED EASEMENT PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Fulshear, Texas (the "City") is continuously reviewing the City's ordinances to ensure that such rules and regulations benefit the health, safety, and general welfare of the City; and

**WHEREAS**, the City has received a request to abandon a purported easement; and

**WHEREAS**, the purported easement was never developed into a road or city street; and

**WHEREAS**, the City has been unable verify that it has legal title to the purported easement; and

**WHEREAS**, in order to remove any cloud on the title of the adjoining landowner the City has agreed to execute the attached deed;

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

**Section 1.** The facts and recitations contained in the preamble to this Ordinance are true and correct and incorporated herein for all purposes.

**Section 2.** The city manager or interim city manager is authorized to execute the attached deed.

**Section 3.** *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 4.** *Repeal.* All ordinances or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

**Section 5.** *Effective date.* This Ordinance shall become effective immediately and enforced when published as required by law.

**PASSED, APPROVED, and ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jeff Roberts, Mayor

**ATTEST:**

\_\_\_\_\_  
D. Gordon Offord, City Secretary

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**DEED WITHOUT WARRANTY, SALE, TERMINATION,  
RELEASE AND ABANDONMENT OF EASEMENT**

THE STATE OF TEXAS                   §  
  §           KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF FORT BEND               §

THAT the CITY OF FULSHEAR, TEXAS (“Grantor”), for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby SELL, TERMINATE, RELEASE, ABANDON and forever discharge all right, title and interest Grantor has or may have in that certain real property located in Fort Bend County, Texas, and described in the attached Exhibit “A” (the “Property”), upon and across the property of Mr. Eric Heizer (together, “Grantee”). The owner(s) of the property on either side of the Property have title to the middle of the dedicated interest. Therefore, upon the execution of this document, the legal rights of the adjacent owner(s) to use the adjacent real property extend to the middle of the Property being released.

TO HAVE AND TO HOLD the Property to Grantee and Grantee’s heirs, executors, administrators, successors, and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in section 5.023 of the Texas Property Code (or its successor) are excluded.

When the context requires, singular nouns and pronouns include the plural.

[ signature page follows ]

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF FULSHEAR, TEXAS

\_\_\_\_\_  
Kenny Seymore, City Manager

STATE OF TEXAS                   §  
  §  
COUNTY OF FORT BEND       §

This instrument was acknowledged before me on \_\_\_\_\_, 2018, by Kenny Seymore, City Manager of the City of Fulshear, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

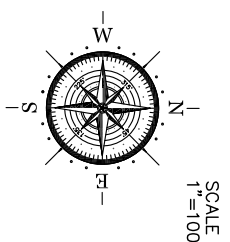
AFTER RECORDING MAIL TO:  
Moody Law Group, PLLC  
Attn: Mr. John S. Moody, Jr.  
3003 W. Alabama St.  
Houston, TX 77098

**Exhibit "A"**

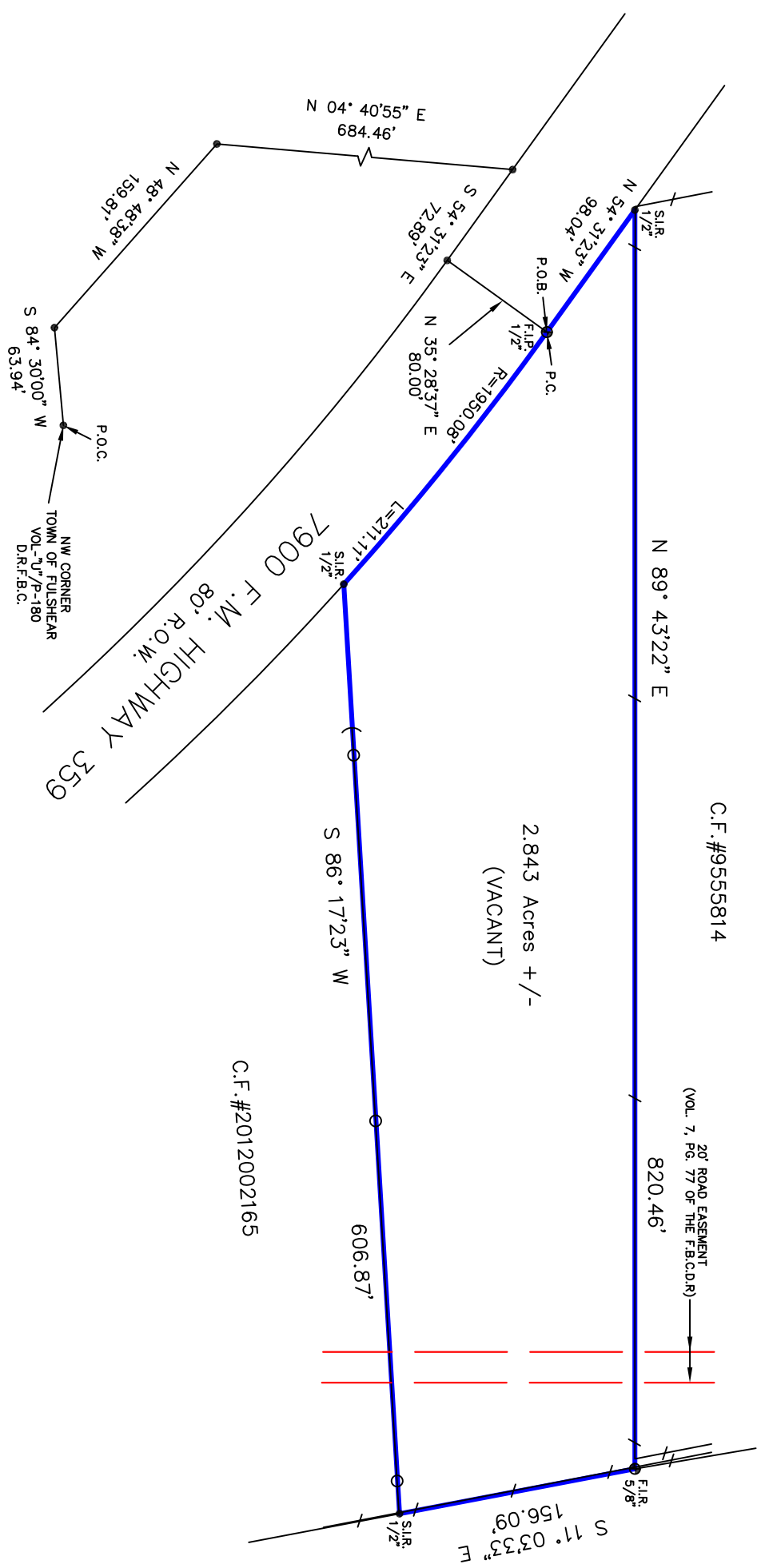
Legal Description of the Property

**LEGEND • ITEMS THAT MAY APPEAR IN •**

- M.U.E. = MUNICIPAL UTILITY EASEMENT
- S.S.E. = SANITARY SEWER EASEMENT
- F.I.R. = FOUND IRON ROD
- M.P. = METAL POST
- P.A.E. = PERMANENT ACCESS EASEMENT
- P.O. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- P.O.E. = POINT OF EASEMENT
- P.O.P. = POINT OF PROPERTY
- P.O.R. = POINT OF REVERSE CURVATURE
- P.O.S. = POINT OF SETBACK
- P.O.T. = POINT OF TANGENCY
- P.O.V. = POINT OF VARIATION
- P.O.W. = POINT OF WATER & SEWER EASEMENT
- P.O.X. = POINT OF CROSSING
- P.O.Y. = POINT OF YIELD
- P.O.Z. = POINT OF ZONING
- P.O.A. = POINT OF ADJACENCY
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- P.O.E. = POINT OF EASEMENT
- P.O.F. = POINT OF FENCE
- P.O.G. = POINT OF GROUND
- P.O.H. = POINT OF HOLE
- P.O.I. = POINT OF INTERSECTION
- P.O.J. = POINT OF JOINT
- P.O.K. = POINT OF KINK
- P.O.L. = POINT OF LIFT
- P.O.M. = POINT OF MOUNTAIN
- P.O.N. = POINT OF NAIL
- P.O.O. = POINT OF OBTUSE
- P.O.P. = POINT OF PROPERTY
- P.O.Q. = POINT OF QUARTER
- P.O.R. = POINT OF REVERSE CURVATURE
- P.O.S. = POINT OF SETBACK
- P.O.T. = POINT OF TANGENCY
- P.O.U. = POINT OF UTILITY
- P.O.V. = POINT OF VARIATION
- P.O.W. = POINT OF WATER & SEWER EASEMENT
- P.O.X. = POINT OF CROSSING
- P.O.Y. = POINT OF YIELD
- P.O.Z. = POINT OF ZONING
- B.L. = BUILDING LINE
- P.P. = POWER POLE
- B.R. = BEARS
- C.M. = CONTROL MONUMENT
- /— = WOODEN FENCE
- x- = CHAIN LINK FENCE
- v- = METAL FENCE
- w- = WIRE FENCE
- y- = VINYL FENCE
- = PROPERTY LINE
- = EASEMENT LINE
- = BUILDING SET BACK LINE
- = BUILDING WALL



SCALE  
1"=100'



BUS-78

**NOTES:**  
 — BEARING BASIS: PLAT  
 — SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS  
 — SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY  
 — UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY  
 — THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS  
 — SUBJECT TO RESTRICTIVE COVENANTS AS PER TITLE COMMITMENT  
 — SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES  
 — PAGE 1 OF 3

I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEET), AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

JOB # 1801370	
DATE 2-1-18	
GF # 3094917-00216	
<p><b>PRO-SURV</b></p> <p>P.O. BOX 1366, FRIENDSWOOD, TX 77549                  PHONE: 281-996-1113 FAX: 281-996-0112                  EMAIL: orders@prosurv.net</p> <p>ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.</p> <p>© 2018 PRO-SURV - ALL RIGHTS RESERVED</p>	

CLIENT	ADDRESS
DAEGA PROPERTY LLC	7900 F.M. HIGHWAY 359
LEGAL DESCRIPTION	
A 2.843 ACRE TRACT OF LAND, MORE OR LESS, BEING OUT OF THE ORIGINAL P.H. MANAKER CALLED 9.88 ACRE TRACT, RECORDED UNDER VOLUME 72, PAGE 462 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS, AND A CALLED 4.11 ACRE TRACT, RECORDED UNDER VOLUME 118, PAGE 555, OF THE DEED RECORDS OF FORT BEND COUNTY, LOCATED NORTH OF THE TOWN OF FULSHEAR, CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, FORT BEND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED	

FIELD NOTES  
A SURVEY OF

A 2.843 acre tract of land, more or less, out of the original P. H. Manaker called 9.88 acre tract recorded under Volume 72, Page 462, of the Deed Records of Fort Bend County, Texas, and a called 4.11 acre Tract recorded under Volume 118, Page 555, of the Deed Records of Fort Bend County, located North of the Town of Fulshear, Churchill Fulshear League, Abstract 29, Fort Bend County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a point being the Northwest corner of the Town of Fulshear, said point being referenced in Volume "U", Page 180 of the Deed Records of Fort Bend County, Texas;

THENCE South 84°30'00" West, a distance of 63.94 feet to a point;

THENCE North 48°48'38" West, a distance of 159.81 feet to a point;

THENCE North 04°40'55" East, a distance of 684.46 feet to a point;

THENCE South 54°31'23" East, along the Southwest line of Farm to Market Road (F.M.) 359, a distance of 72.89 feet to a point;

THENCE North 35°28'37" East, crossing the aforementioned F.M. 359, a distance of 80.00 to a 1/2" iron pipe found on the Northerly Right-of-way line of F.M. 359, said iron rod being on the Southwesterly line of the herein described tract of land, said iron rod being THE POINT OF BEGINNING of the herein described tract of land;

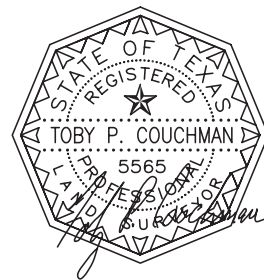
THENCE North 54°31'23" West, along the Northerly Right-of-way line of F.M. 359, a distance of 98.04 feet to a 1/2" iron rod set for the Northwest corner of the herein described tract of land;

THENCE North 89°43'22" East, along the North line of the herein described tract of land, being the common line of the herein described tract of land and a tract of land recorded under Fort Bend County Clerk's File Number 9555814, a distance of 820.46 feet to a 5/8" iron rod found for the Northeast corner of the herein described tract;

THENCE South 11°03'33" East, along the East line of the herein described tract, being the common line of the herein described tract and a tract of land recorded under Fort Bend County Clerk's File Number 2005014005, a distance of 156.09 feet to a 1/2" iron rod set for the Southeast corner of the herein described tract;

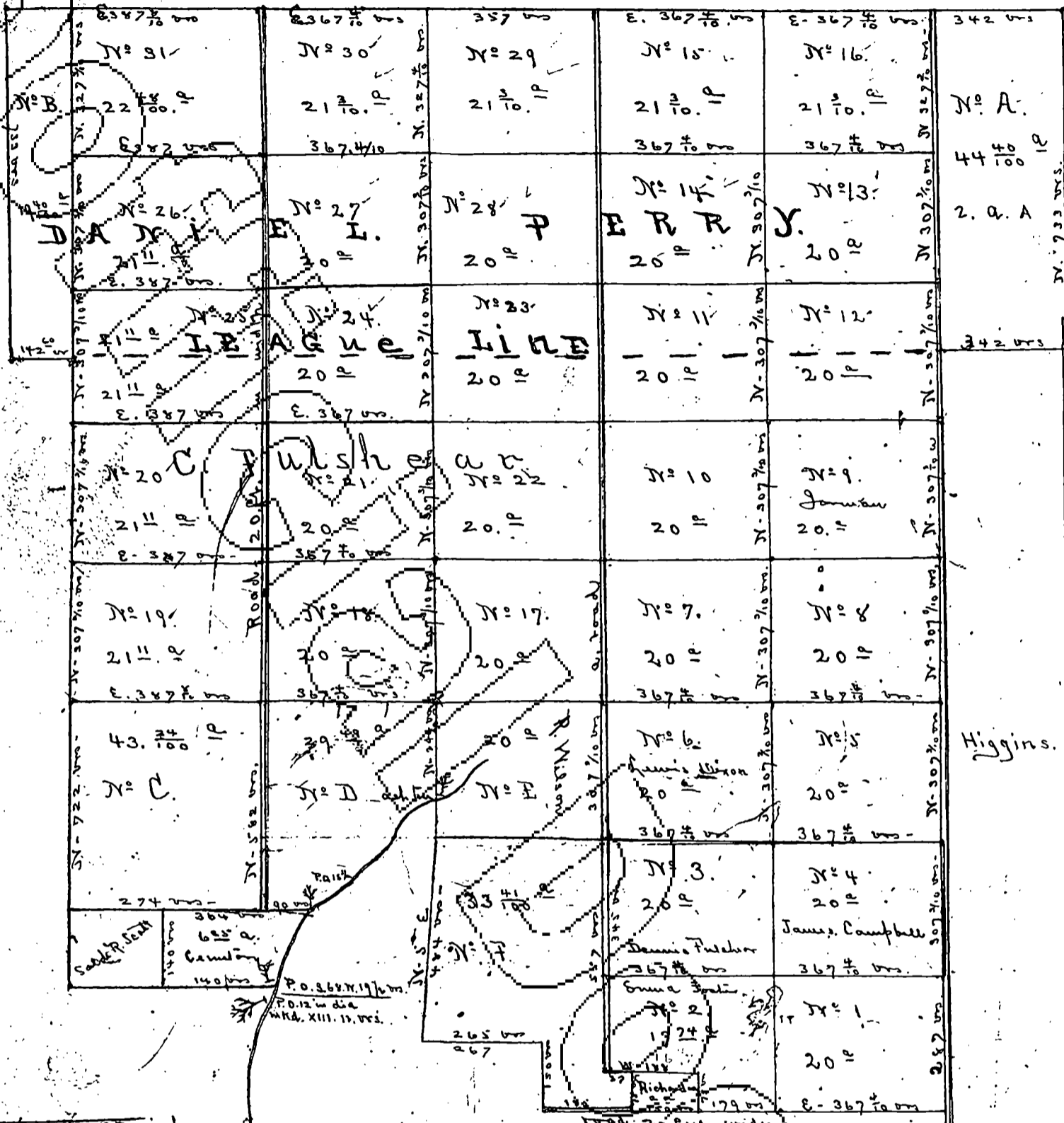
THENCE South 86°17'23" West, along the South line of the herein described tract of land, being the common line of the herein described tract and a tract of land recorded under Fort Bend County Clerk's File Number 2012002165, a distance of 606.87 feet to a 1/2" iron rod set for the Southwest corner of the herein described tract of land on the Northeast line of F.M. 359;

THENCE along the aforementioned Northeast line of F.M. 359 and along a curve to the left, said curve having a radius of 1950.08 feet and an arc length of 211.11 feet to the POINT OF BEGINNING of the herein described tract of land, containing 2.843 acres of land, more or less.





Survey of Plot of J. J. Fulshear land.



Scale 100 on 1 inch  
reduced 1/2  
1897. etc.

The accompanying plat correctly represents a survey made for Tom Fulshear of 320 acres in the David Perry Survey, and 501<sup>00</sup> acres of land in the northern part of the C. Fulshear grant in Fort Bend Co. Texas Surveyed July 1894 the red lines represent roads 20 feet wide and 50 acres in the E. Latham.

K. R. Ferris } Chain.  
John M. Lee } Men.

Yardell Ferris  
Co Sur Ft Bend Co.

Filed for Record 25<sup>th</sup> Day of Feb'y 1897 at 8 o'clk a. m.  
Duly Recorded 26<sup>th</sup> day of Feb'y 1897 at 12 o'clk - M.

J. R. Farmer clerk County Court Fort Bend County Texas.  
By Weston Aidrus. Depty.

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b> February 20, 2018	<b>AGENDA ITEM:</b> I
<b>DATE SUBMITTED:</b> February 13, 2018	<b>DEPARTMENT:</b> Planning & Development
<b>PREPARED BY:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development	<b>PRESENTER:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development
<b>SUBJECT:</b>	<b>Consideration and possible action of Ordinance 2018-1272 to abandon a portion of Katy-Fulshear Road described as an 11.31-acre tract of land located in the A.G. Sharpless Survey (A-322) and in the M. Autrey Survey (A-100)</b>
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Request from Developer to Abandon the Roadway Easement</li> <li>2. Ordinance 2018-1272</li> <li>3. Deed Without Warranty Abandonment Document</li> <li>4. Current Survey of the area</li> <li>5. Current Meets and Bounds</li> <li>6. Exhibits showing the preservation of access for nearby landowners</li> </ol>

**EXECUTIVE SUMMARY**

In accordance with previous agreements, representatives of Johnson Development are requesting the City abandon a portion of Katy-Fulshear Road. While the City has no record of ownership or maintenance of this area, it was previously determined that abandonment via deed without warranty was the necessary process to follow for the first portion of the abandonment of Katy-Fulshear Road completed in 2016.

As a result of this, the City is proposing to grant the request of the developer via deed without warranty as identified in the proposed ordinance. There are two tracts of land near the end of the proposed abandonment. Those tracts will not have access affected as the abandonment stops prior to those points of access.

Regarding existing Centerpoint utilities along this existing roadway, the Developer has indicated they have a working relationship with local Centerpoint officials and will coordinate with those officials throughout the development process to decommission/reroute these utilities.

**RECOMMENDATION**

Staff recommends the City Council approve Ordinance 2018-1272 relating to the abandonment of Katy-Fulshear Road via deed without warranty.



CROSS CREEK RANCH

Date: February 15, 2018

To: Mr. Brant Gary  
Executive Director Planning and Development  
City of Fulshear

From: Robert J. Bamford   
General Manager/Vice President – Cross Creek Ranch  
Johnson Development Corp.

Re: Phase 2 Abandonment of Katy-Fulshear Farm Road in Cross Creek Ranch

---

In 2016, the City of Fulshear released the first of several planned abandonment phases of the farm road known as Katy-Fulshear Road (K-F). Should you need a copy of that recorded Release and Abandonment of Easement, we can provide it for your reference.

The City of Fulshear has understood since the beginning of CCR that our plan has been to abandon K-F in phased increments as development necessitates without interrupting access to adjacent property owners.

Soon, we will have several new sections of builder lots along with the extension of West Cross Creek Bend Lane that will conflict with the current farm road. We have provided illustrations that show the limits of this phase and the legal descriptions of the subject abandonment area. A portion of Centerpoint's overhead lines will remain along K-F. At this time, their easement preparation is underway.

We respectfully request that the City of Fulshear release and abandon the second phase of Katy-Fulshear Road, as illustrated and described.

Thank you for your assistance with this. We appreciate your support.

**Ordinance No. 2018-1272**

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, GRANTING AUTHORITY TO THE CITY MANAGER TO SIGN A DEED TO ABANDON A PUPORTED EASEMENT PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Fulshear, Texas (the "City") is continuously reviewing the City's ordinances to ensure that such rules and regulations benefit the health, safety, and general welfare of the City; and

**WHEREAS**, the City has received a request to abandon a purported easement; and

**WHEREAS**, the purported easement was never developed into a road or city street; and

**WHEREAS**, the City has been unable verify that it has legal title to the purported easement; and

**WHEREAS**, in order to remove any cloud on the title of the adjoining landowner the City has agreed to execute the attached deed;

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

**Section 1.** The facts and recitations contained in the preamble to this Ordinance are true and correct and incorporated herein for all purposes.

**Section 2.** The city manager or interim city manager is authorized to execute the attached deed.

**Section 3.** *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 4.** *Repeal.* All ordinances or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

**Section 5.** *Effective date.* This Ordinance shall become effective immediately and enforced when published as required by law.

**PASSED, APPROVED, and ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jeff Roberts, Mayor

**ATTEST:**

\_\_\_\_\_  
D. Gordon Offord, City Secretary

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**DEED WITHOUT WARRANTY, SALE, TERMINATION,  
RELEASE AND ABANDONMENT OF EASEMENT**

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

§

§

THAT the CITY OF FULSHEAR, TEXAS ("Grantor"), for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby SELL, TERMINATE, RELEASE, ABANDON and forever discharge all right, title and interest Grantor has or may have in that certain real property located in Fort Bend County, Texas, and described in the attached Exhibit "A" (the "Property"), upon and across the property of CCR Texas Holdings LP and CCR Loan Subsidiary 1, LP (together, "Grantee"). The owners of the property on either side of the Property have title to the middle of the dedicated interest. Therefore, upon the execution of this document, the legal rights of the adjacent owners to use the adjacent real property extend to the middle of the Property being released.

TO HAVE AND TO HOLD the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in section 5.023 of the Texas Property Code (or its successor) are excluded.

When the context requires, singular nouns and pronouns include the plural.

[ signature page follows ]

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF FULSHEAR, TEXAS

\_\_\_\_\_  
Kenny Seymore, City Manager

STATE OF TEXAS                   §  
   §  
COUNTY OF FORT BEND         §

This instrument was acknowledged before me on \_\_\_\_\_, 2018, by Kenny Seymore, City Manager of the City of Fulshear, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

AFTER RECORDING MAIL TO:  
CCR Texas Holdings, LP  
6450 Cross Creek Bend Ln  
Fulshear, Texas 77441

**Exhibit "A"**

Legal Description of the Property



M. AUTREY SURVEY A-100

SHEET 1  
SHEET 2

MATCHLINE

REMAINDER OF  
CALLED 1,913.31 ACRES  
CCR TEXAS HOLDINGS LP

11.31 ACRES  
492,532 SQ. FT.

N 37°40'30" E 5,518.75'

S 37°53'42" W 5,451.38'

CALLLED 239.7 ACRES  
(TRACT 10)  
CCR LOAN SUBSIDIARY 1, L.P.

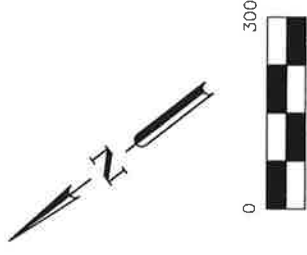
FULSHEAR-KATY ROAD  
(WIDTH VARIES)

CALLLED 239.7 ACRES  
(TRACT 10)  
CCR LOAN SUBSIDIARY 1, L.P.

CALLLED 573.84 ACRES  
RONALD W.  
HENRIKSEN, TRUSTEE

CALLLED 2.07 ACRES  
TEPPCO CRUDE  
PIPELINE, L.P.

L5



LEGEND

NO. NUMBER  
P.O.B. POINT OF BEGINNING  
R.O.W. RIGHT-OF-WAY  
SQ. FT. SQUARE FEET

LINE TABLE		
NUMBER	BEARING	DISTANCE
L5	N 52°06'18" W	68.29'

NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE TRACT(S) SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.



BGE, Inc.  
10857 Kuykendahl Road, Suite 250, The Woodlands, TX 77382  
Tel: 281-270-5570 • www.bgeinc.com  
TBPLS Licensed Surveying Firm No. 10194119

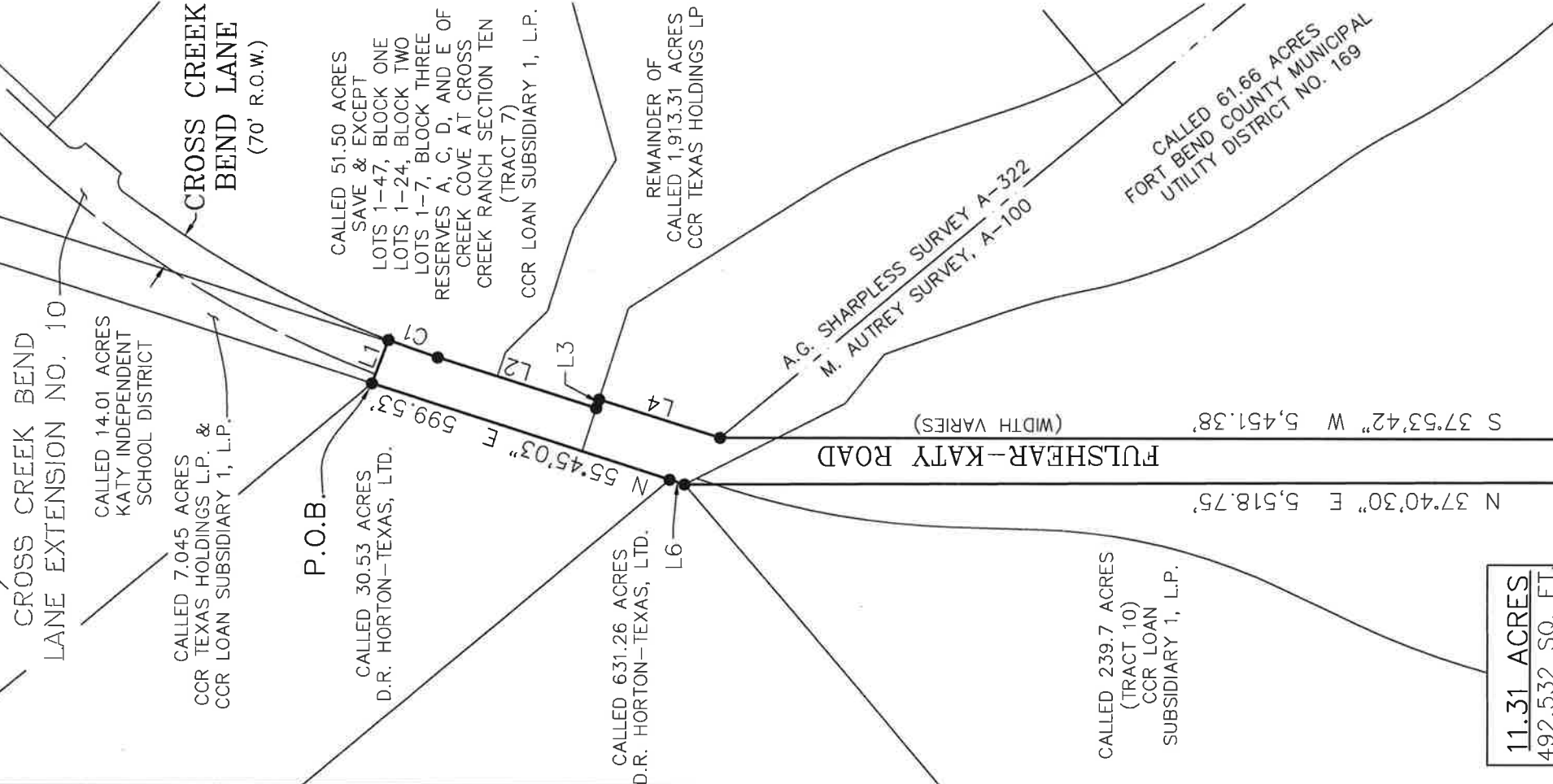
EXHIBIT OF A

11.31 ACRE TRACT OF LAND, SITUATED IN THE  
A.G. SHARPLESS SURVEY, A-322  
AND THE M. AUTREY SURVEY, A-100  
CITY OF FULSHEAR  
FORT BEND COUNTY, TEXAS

Scale: 1" = 300'

Job No.: 1298-00  
Date: 07/2017

Drawing: 2 OF 2



**LEGEND**

NO. NUMBER  
 P.O.B. POINT OF BEGINNING  
 R.O.W. RIGHT-OF-WAY  
 SQ. FT. SQUARE FEET



NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE TRACT(S) SHOWN HEREON AND IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 31°30'26" E	88.74'
L2	S 55°35'02" W	318.88'
L3	S 34°24'58" E	17.23'
L4	S 55°25'30" W	243.21'
L6	N 55°30'12" E	29.83'

CURVE TABLE			
NUMBER	ARC LENGTH	RADIUS	DELTA
C1	99.76'	1,965.00'	2°54'32"
			S 57°02'18" W
			99.75'

11.31 ACRES  
 492,532 SQ. FT.

**BGE, Inc.**  
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 Tel: 281-210-5570 • www.bgeinc.com  
 TBPLS Licensed Surveying Firm No. 10194119  
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**EXHIBIT OF A**  
 11.31 ACRE TRACT OF LAND, SITUATED IN THE  
 A.G. SHARPLESS SURVEY, A-322  
 AND THE M. AUTREY SURVEY, A-100  
 CITY OF FULSHEAR  
 FORT BEND COUNTY, TEXAS

REMAINDER OF  
 CALLED 1,913.31 ACRES  
 CCR TEXAS HOLDINGS LP

SHEET 1  
 SHEET 2

Scale: 1"=300'  
 Job No.: 1298-00  
 Date: 07/2017  
 Drawing: 1 OF 2

CROSS CREEK RANCH  
11.31 ACRES  
FULSHEAR-KATY ROAD ABANDONMENT

JULY 25, 2017  
JOB NO. 1298-00

DESCRIPTION OF A 11.31 ACRE TRACT OF LAND SITUATED  
IN THE A.G. SHARPLESS SURVEY, ABSTRACT NO. 322  
AND THE M. AUTREY SURVEY, ABSTRACT NO. 100  
CITY OF FULSHEAR  
FORT BEND COUNTY, TEXAS

BEING a 11.31 acre (492,532 square foot) tract of land situated in the A. G. Sharpless Survey, Abstract No. 322 and the M. Autrey Survey, Abstract No. 100, City of Fulshear, Fort Bend County, Texas and being a portion of the remainder of a called 1,913.31 acre tract of land as described in an instrument to CCR Texas Holdings LP recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2012038964, being a portion of a called 61.66 acre tract of land as described in an instrument to Fort Bend County Municipal Utility District No. 169 recorded under F.B.C.C.F. No. 2015105132, and being a portion of a called 239.7 acre tract of land, Tract 10, as described in an instrument to CCR Loan Subsidiary 1, L.P. recorded under F.B.C.C.F. No. 2016059209, said 11.31 acre tract of land described by metes and bounds as follows:

**BEGINNING** at a 5/8-inch iron rod being the southwest corner of a called 14.01 acre tract of land described in an instrument to Katy Independent School District recorded under F.B.C.C.F. No(s). 2016117517 and 2016117736, also being the southeast corner of a called 30.53 acres tract as described in an instrument to D.R. Horton-Texas, Ltd. as recorded under F.B.C.C.F. No. 2013000056, same being the westernmost corner of a 7.045 acre tract of land described to CCR Texas Holdings, L.P. and CCR Loan Subsidiary 1 L.P. recorded under F.B.C.C.F. No. 2016086168;

THENCE, S 31°30'26" E, passing the northwest terminus of Cross Creek Bend Lane (70 feet wide) as shown on CROSS CREEK BEND LANE EXTENSION NO. 10, a subdivision per plat recorded under Plat No. 20160238 of the Fort Bend County Plat records at 18.74 feet and along a southwesterly line of said CROSS CREEK BEND LANE EXTENSION NO. 10 a total distance of 88.74 feet to a 1/2-inch iron pipe with cap stamped "BROWN & GAY" found for the southwest terminus of said Cross Creek Bend Lane, lying on a northwesterly line of a called 51.50 acre tract of land, Tract 7, as described in an instrument to CCR Loan Subsidiary 1 L.P. recorded under F.B.C.C.F. No. 2016059209, and being the beginning of a non-tangent curve to the left from which its center bears S 31°30'26" E, 1,965.00 feet;

THENCE, along and with a northwesterly line of said 51.50 acre tract of land the following courses and distances:

In a southwesterly direction, along said curve to the left, a distance of 99.76 feet, having a radius of 1,965.00 feet, a central angle of 02°54'32" and a chord which bears S 57°02'18" W, 99.75 feet to a point for tangency;

S 55°35'02" W, at 119.49 feet passing the northwest corner of said 51.50 acre tract, continuing over and across said remainder of a called 1,913.31 acre tract for a total distance of 318.88 feet to a point for an interior corner of the herein described tract, lying on a northeasterly line of said 61.66 acre tract of land;

THENCE, S 34°24'58" E, along and with a northeasterly line of said 61.66 acre tract, a distance of 17.23 feet to a point for corner;

CROSS CREEK RANCH  
11.31 ACRES  
FULSHEAR-KATY ROAD ABANDONMENT

JULY 25, 2017  
JOB NO. 1298-00

THENCE, S 55°25'30" W, over and across said 61.66 acre tract a distance of 243.21 feet to an angle point of the herein described tract;

THENCE, S 37°53'42" W, continuing over and across said 61.66 acre tract, at 108.25 feet passing a northwesterly line of said 61.66 acre tract, continuing over and across said remainder of a called 1,913.31 acre tract and said 239.7 acre tract for a total distance of 5,451.38 feet to a 1/2-inch iron pipe with cap stamped "BROWN & GAY" found for corner of said 239.7 acre tract, lying on the northwest line of a called 2.07 acre tract of land described in an instrument to TEPPCO Crude Pipeline, L.P. recorded under F.B.C.C.F. No. 2004025376, same being the southernmost corner of the herein described tract;

THENCE, N 52°06'18" W, along and with a southwesterly line of said 239.7 acre tract, a distance of 68.29 feet to a 1/2-inch iron pipe found for the easternmost southeast corner of a called 573.84 acre tract of land described in an instrument to Ronald W. Henriksen, Trustee recorded under F.B.C.C.F. No. 2008132362, same being the westernmost corner of the herein described tract;

THENCE, N 37°40'30" E, over and across said 239.7 acre tract and said remainder of a called 1,913.31 acre tract a distance of 5,518.75 feet to a 5/8-inch iron rod found for the southernmost southeast corner of a called 631.26 acre tract of land described in an instrument to D.R. Horton-Texas, LTD. Recorded under F.B.C.C.F. No. 2013000056, same being the northwest corner of said 61.66 acre tract, same also being an angle point of the herein described tract;

THENCE, N 55°30'12" E, along and with the line common to said 631.26 acre tract and said 61.66 acre tract a distance of 29.83 feet to the southernmost corner of a called 30.53 acre tract of land described in an instrument to D.R. Horton-Texas, LTD. recorded under F.B.C.C.F. No. 2013000056, same being an angle point of the herein described tract;

THENCE, N 55°45'03" E, along and with the south line of said 30.53 acre tract a distance of 599.53 feet to the **POINT OF BEGINNING** and containing 11.31 acres (492,532 square feet) of land.

Bearing orientation is based on the Texas Coordinate System of 1983 (NAD83), South Central Zone 4204 and is referenced to monuments found along CROSS CREEK BEND LANE EXTENSION NO. 10 as cited herein.

The above description is not to be used for fee conveyance.



*James B. McAllister, Jr.* 07/25/17  
James B. McAllister, Jr. RPLS No. 5717  
BGE, Inc.

10857 Kuykendahl Road, Suite 250  
The Woodlands, Texas 77382  
Telephone: (281) 210-5570  
TBPLS Licensed Surveying Firm No. 10194119

TEPPCO GATE ENTRY TO  
ACCESS ROAD ON  
HENRIKSEN TRACT

HENRIKSEN  
GATE ENTRY

TEPPCO GATE  
ENTRY

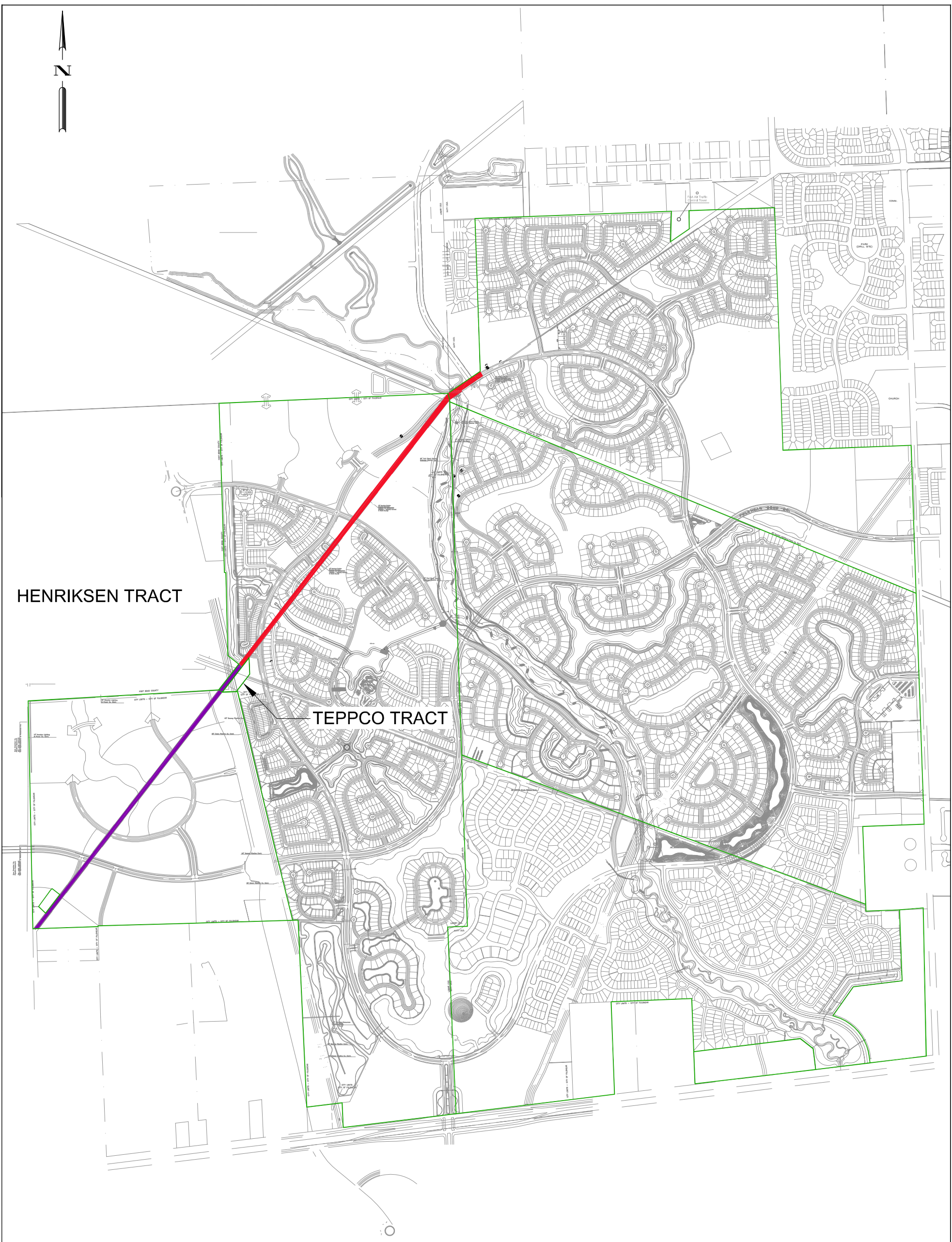
KATY-FULSHEAR RD TO  
BE ABANDONED



Arctic Brook Lane




BUS-92


Shallow



HENRIKSEN TRACT

TEPPCO TRACT

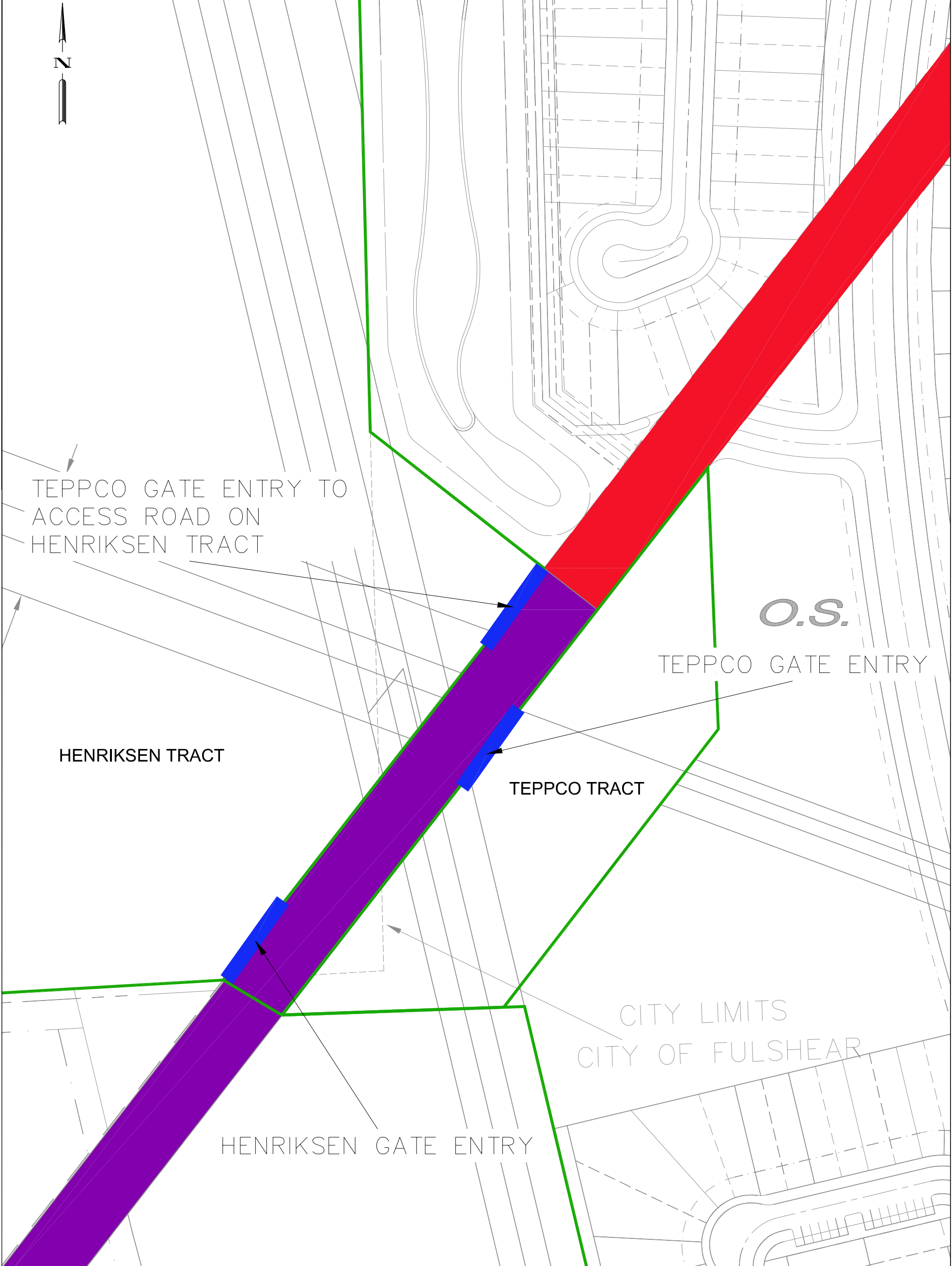
-  CROSS CREEK RANCH MUD BOUNDARY LINE
-  LIMITS OF KATY-FULSHEAR ROAD PROPOSED FOR ABANDONMENT
-  REMAINING KATY-FULSHEAR RD SUITABLE FOR ACCESS TO ADJACENT PROPERTIES (TO BE ABANDONED IN THE FUTURE)

 **BGE, Inc.**  
10777 Westheimer, Suite 400, Houston, TX 77042  
Tel: 281-558-8700 • www.bgeinc.com  
TBPE Registration No. F-1046

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## KATY-FULSHEAR ABANDONMENT

Scale: 1"=1500'	Job No.: 1299	Date: 1/2018	Exhibit: 1 of 2
--------------------	------------------	-----------------	--------------------



TEPPCO GATE ENTRY TO  
ACCESS ROAD ON  
HENRIKSEN TRACT

O.S.




TEPPCO GATE ENTRY

HENRIKSEN TRACT

TEPPCO TRACT

CITY LIMITS  
CITY OF FULSHEAR

HENRIKSEN GATE ENTRY

-  CROSS CREEK RANCH MUD BOUNDARY LINE
-  LIMITS OF KATY-FULSHEAR ROAD PROPOSED FOR ABANDONMENT
-  REMAINING KATY-FULSHEAR RD SUITABLE FOR ACCESS TO ADJACENT PROPERTIES (TO BE ABANDONED IN THE FUTURE)



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TBPE Registration No. F-1046

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## KATY-FULSHEAR ABANDONMENT

Scale: N.T.S.	Job No.: 1299	Date: 1/2018	Exhibit: 2 of 2
------------------	------------------	-----------------	--------------------

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEM:</b>	J
<b>DATE SUBMITTED:</b>	February 15, 2018	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Wes Vela, Chief Financial Officer	<b>PRESENTER:</b>	Wes Vela, Chief Financial Officer
<b>SUBJECT:</b>	<b>CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1273 AMENDING SECTION 30-69 OF THE FULSHEAR CODE, SETTING OUT SOLID WASTE SERVICE RATES FOR COMMERCIAL CUSTOMERS</b>		
<b>ATTACHMENTS:</b>	Ordinance No. 2018-1273		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO. :</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO. :</b>			

**EXECUTIVE SUMMARY**

On October 17, 2017 City Council approved Ordinance 2017-1263 amending the rates of the new solid waste agreements however the Commercial Rates Table in Section 2.0 (b) I., was inadvertently altered from the draft submitted. The correct table is now included in the attached amended ordinance.

**RECOMMENDATION**

Staff recommends the City Council approve Ordinance No. 2018-1273 to amend Section 30-69 of the Fulshear Code.



ORDINANCE NO. 2018-1273

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING SECTION 30-69 OF THE FULSHEAR CODE, SETTING OUT SOLID WASTE SERVICE RATES FOR COMMERCIAL CUSTOMERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Fulshear, Texas (the “City Council” or “City”), previously adopted Ordinance No. 2017-1263, which set forth rates for solid waste services provided to commercial customers; and

**WHEREAS**, pursuant to the codification of the ordinances of the City of Fulshear, Texas, such rates are referenced by Section 30-69 of the Code of Ordinances, City of Fulshear, Texas (the “Fulshear Code”); and

**WHEREAS**, the City Council desires to amend the rates for solid waste services provided to commercial customers; and

**WHEREAS**, the City Council finds that amending such rates is in the best economic interests of the City;

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

**Section 1.** That all of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

**Section 2.** That section 30-69(b) of the Code of Ordinances, City of Fulshear, Texas, is hereby amended to read as follows:

“(b) Commercial customers.

(1) The City’s contracted solid waste services provider shall provide solid waste disposal service, which shall include recycling collection service, to all commercial customers within the City limits.

(2) Except as provided by subpart (3) of this subsection, commercial customers shall be charged a base rate for solid waste and recycling services, as applicable, as set forth in the table below, plus a fuel recovery fee in an amount equal to fifteen percent (15%) of the base rate.

Commercial Service	Solid Waste Collection			Recycling	Extra	Container	Container
	1x per week	2x per week	5x per week	Collection	Pickup	Delivery	Removal
Container Size	1x per week	2x per week	5x per week	1x per week	Charge	Delivery	Removal
95 Gallon Cart (2 carts)	-	\$ 25.00			-	\$ 35.00	\$ 35.00
2 Yard Dumpster	\$ 57.00	\$ 100.00			\$ 77.00	\$ 95.00	\$ 95.00
3 Yard Dumpster	\$ 73.00	\$ 117.00			\$ 89.00	\$ 95.00	\$ 95.00
4 Yard Dumpster	\$ 88.00	\$ 147.00		\$ 76.61	\$ 105.00	\$ 95.00	\$ 95.00
6 Yard Dumpster	\$ 113.00	\$ 198.00	\$ 483.23	\$ 87.44	\$ 134.00	\$ 95.00	\$ 95.00
8 Yard Dumpster	\$ 136.00	\$ 231.00		\$ 98.95	\$ 145.00	\$ 95.00	\$ 95.00

(3) Restaurants will be charged a base rate of \$3.72 per cubic yard of waste collected, plus a fuel recovery fee of fifteen percent (15%) of the base rate per cubic yard of waste collected.

(4) An additional charge of \$15.00 per month, per container, will be assessed for those customers requesting locked containers.”

**Section 3.** That section 30-69(c) of the Code of Ordinances, City of Fulshear, Texas, is hereby repealed.

**Section 4. Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 5. Repeal.** All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 6. Effective date.** This Ordinance shall be effective and in full force when published as required by law.

**PASSED, APPROVED, and ADOPTED** this, the 20th day of February, 2018.

---

Jeff W. Roberts, Mayor

**ATTEST:**

---

D. (Diana) Gordon Offord, City Secretary

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b> February 20, 2018	<b>AGENDA ITEM:</b> K
<b>DATE SUBMITTED:</b> February 13, 2018	<b>DEPARTMENT:</b> Planning & Development
<b>PREPARED BY:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development	<b>PRESENTER:</b> Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development
<b>SUBJECT:</b> Consideration and possible action to approve a Special Use Permit for KVPAC/Encore Arts at 7926 FM 359 South, Fulshear, Texas	
<b>ATTACHMENTS:</b> 1.) SUP Documentation 2.) P&Z Recommendation Summary	

**EXECUTIVE SUMMARY**

The owner of the property located at 7926 FM 359, along with their designated local representative from KVPAC/Encore Arts, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for use as a residence. They are requesting to use the property for commercial use, specifically for theater and art education services. There are modifications planned for the interior of the building.

They have provided the following documents as required by Sec. 1-283 of the City's Zoning Ordinance (2012- 1069) which include the attached items referenced:

- **Completed Special Use Application:** Completed Application from the Owner/Owner's Representative. The owner and lessee have submitted a letter authorizing the submission of the Special Use Permit submitted by the Owner's Representative as well as a letter of intent regarding the proposed use and operational specifics (See Item 1)
- **Owner Affidavit:** FBCAD records show ownership. This section includes both an Owner's and Lessee's affidavit. The owner has also submitted a letter of approval to request the Special Use Permit submitted by the Owner's Representative (See Item 2)
- **Vicinity Map:** A map was provided that shows the location of the property in relation to the surrounding areas. (See Item 3)
- **Context Map:** Map shows existing layout, pavement, and access points. Staff accepts this document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). (See Item 4)
- **Survey:** A survey was provided which shows the existing lot and the building that sits on it, along with metes and bounds for the property. (See Item 5)

- **Compliance with the Comprehensive Plan:** After review of the request from the applicant, City Staff finds that the requested use of a music school is an approved and desired use within the Downtown District (See Item 6)
- **Site Plan:** The site plan shows the building layout, and the proposed parking areas. Staff accepts these documents as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). However, Staff has specific comments and recommendations regarding the variance request for the driveway and parking materials. These items will be included in the final Staff Recommendation as well as in Item 12 below. (See Item 7)
- **Landscape Plan:** The applicant provided an overview of the current landscaping and indicated that no modifications were planned at this time. (See Item 8)
- **Grading and Drainage Plan:** The applicant provided an overview of the current drainage flows and indicated that no modifications were planned at this time that would affect the grading and/or drainage of the area. (See Item 9)
- **Lighting Plan:** The applicant provided an overview of the current building lighting under the awning and indicated that no modifications were planned at this time. (See Item 10)
- **Elevations:** The applicant provided pictures of the current building elevations and indicated that no modifications were planned at this time. (See Item 11)
- **Traffic Impact Study:** This requirement is waived based on the determination of the City Engineer. However, Staff recommends that the variance regarding parking and driveway surfaces be modified to include the recommendations of the City Engineer in this section and as noted in the Staff Recommendation below. (See Item 12)
- **Signage:** The applicant has indicated they will use wall signage and will comply with the sign ordinance for the Downtown District requirements. (See Item 13)
- **Notification to the Public:** This has been completed. Notice was published in an approved newspaper and a notice was also sent by the City to a verified listing of adjacent property owners within 300' as required by ordinance. (See Item 14)
- **Sign Notification on the Property:** The sign has been duly posted by the applicant. (Verified by Staff; no attachment item included)
- **Planning & Zoning Consideration:** The Planning and Zoning Commission held a public hearing and voted to recommend approval of the SUP consistent with Staff's recommendation and proposed conditions.

### **RECOMMENDATION**

Staff recommends the City Council approve the SUP for the commercial use, specifically for theater and art education services, of the existing structure to be located at 7926 FM 359 with certain conditions applied. Staff recommends that those conditions include the following:

- 1.) Driveways and a minimum of 10 parking spaces must be provided, signed, and marked (via striping if possible or through the use of curb stops) on an all-weather, non-dusting surface. Specific materials to be allowed for both driveways and parking spaces may be identified and recommended to Council by the Planning and Zoning Commission.

It is Staff's understanding that any conditions placed on the approval of this SUP must be met before a Certificate of Occupancy would be issued by City Staff. In addition, this SUP does not address any building code requirements/improvements necessary to obtain a Certificate of Occupancy for the proposed use.



1. Completed Special Use Application



# CITY OF FULSHEAR

POB: 279 / 30603 FM 1093  
Fulshear, Texas 77441  
Phone: 281-346 8860 ~ Fax: 281-346-8237  
www.fulsheartexas.gov

## ZONING SPECIAL USE APPLICATION

Date of Application: 1/16/2019  
Property Address: 7926 FM 359, Fulshear, TX 77441  
Legal Description of the property: 0029 C Fulshear, Acres 4.7409, Abstract Group 9 B  
Property Owner Name(s): Fulshear Real Estate Partners II, LP  
Address: 4007 Penn Lane, Richmond TX 77406-8730  
Phone Number: 713-302-0555 Email Address: George@ourtexasovn.com

Applicant/Agent: I2M Associates  
Attach letter of authorization along with this application  
Address: 14182 Cochran Road Field Office Waller, Texas 77484  
Phone Number: 281-639-5478 Email Address: lofik.magyar@gmail.com

Zoning District: R1 Residential Current use of property: residential  
Requested use of the property: commercial

Land Uses of Adjoining Property:  
(Agricultural, Single family, Industrial, Business)

North	City Park
South	Business
East	Business Industrial
West	Single Family

Is the proposed special use allowable in the current zoning designation? Yes

Application Fees: \$150.00 for Residential Use  
\$500.00 for Commercial Use

RECEIVED  
REGISTRATION & PERMIT DEPT

FEB 02 2018

CITY OF FULSHEAR  
FULSHEAR, TX 77441



Planning Commission  
City of Fulshear  
30603 FM 1093  
Fulshear, Texas 77441

Re: KVPAC dba Encore Arts  
7923 FM 359  
Fulshear, Texas 77441

To Whom It May Concern:

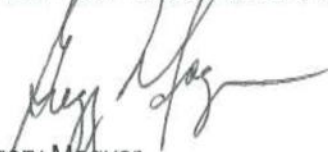
This letter is to inform you that Fulshear Real Estate Partners II, LP owners of property at 7926 FM 359 and KVPAC/Encore Arts lessees of the property, do authorize I2M Associates to submit a Special Use Permit application for KVPAC dba Encore Arts. Please release information necessary for this application.

Please also let us know if you have any questions or if we may be of further assistance.

Sincerely,



George Lane  
Fulshear Real Estate Partners II, LP



Gregory Magyar  
Executive Artistic Director, KVPAC dba Encore Arts

## LETTER OF INTENT FOR SPECIAL USE PERMIT

The present owner purchased the house at 7926 FM 359 in June 2014 and recently had discussions regarding the potential partial historic value of the home with the City of Fulshear. The property is vacant, and the owner is requesting a Special Use Permit to lease the building to KVPAC/Encore Arts with the same use as a professional business office and classrooms for an estimated 18 months. The intent is to comply with the city ordinances.

KVPAC/Encore Arts provides theatre and art education for children from the Fulshear, Katy, Richmond, Sealy, Houston, Rosenberg, Sugarland areas 3 to 18 years old. The 3 to 5 years art, music and drama classes occur between 9:30 and 2:30 Monday through Friday and Senior Art classes will be 3pm to 4:30pm Monday through Friday. The theatre and art education classes for 6 to 18 years are held between 4pm and 10pm. Typically, the **four staff** arrive between 9am and 11am and depart between 3pm and 5pm and contract staff arrive between 4pm and 6pm (an average of two Monday through Thursday). Children are dropped off for class and picked up upon completion of class. The afternoon class start times are staggered by an estimated hour so the number of students in the building at one time varies with a maximum of 30. **Currently performances on Friday evenings and weekends with audience participation will be held at existing performance facilities in the city of Fulshear.** In addition, the Encore Players, adult community theatre rehearse one to two nights a week with performers driving themselves and an average of 5 drivers in each cast.

The house at 7926 FM 359 with a legal description of 0029 C Fulshear, Acres 4.7409, Abstract Group 9 B, Account# 0029-00-000-0883-901, with a map location of A-27-j. The building and screen porch were built in 1941, an open porch added in 1997, and addition added in 2002. It has 3 bathrooms and the total leasing space is 2536 sq ft. requiring 7 parking spaces in front, including one handicap space. FM 359 is a principal arterial (Fulshear Thoroughfare Plan Adopted January 2015).

This Application includes the following documentation:

1. Zoning Special Use Application
2. Property Owner's Affidavit/Owner and Lessee's Property Affidavit
3. Vicinity Map
4. Context Map
5. Survey with metes and bounds
6. Compliance with the Comprehensive Plan (City Staff)
7. Site Plan
8. Landscape Plan
9. Grading and Drainage Plan
10. Lighting Plan
11. Elevations
12. Traffic Impact Study (City Engineer's Analysis with Proposed Parking and Driveway Plans)
13. Sign Plan
14. Notice to the Public

The owner is not planning to change the existing lighting plan. However, the owner and lessee intend to comply with the applicable city ordinances and have included the application for a sign permit.

As the building is being used as a temporary office location, KVPAC dba Encore Arts is requesting an exception for the current energy compliance measures and is asking special consideration to be taken for fenestration, insulation, mechanical, and electrical components to minimize repairs to the building to what is required by code.

The special use permit is being sought and extent of condition is to allow KVPAC dba Encore Arts to use an existing building to relocate to Fulshear bringing their long term client families to the Fulshear area. KVPAC dba Encore Arts intends to move into a new building in Fulshear in approximately eighteen months so the use of this house is a temporary transition location brought on by KVPAC dba Encore Arts eviction from their location in the city of Katy because of damages from Harvey. **This temporary location is not large enough for KVPAC dba Encore Arts to have a black box theatre seating an estimated 130 people so existing performance spaces in Fulshear will be used.** KVPAC dba Encore Arts does not intend to remodel the house during the temporary use, they appreciate being in the City of Fulshear and will refer clients to other local businesses if they look for a place to spend time while waiting for their children.

Adjacent land uses consist of the city park to the north, commercial to the east, residential and commercial to the west and a large commercial development to the south. Therefore, granting of the Special Use Permit would allow continuation of current prevailing land use in this district.

The granting of this Special Use Permit will not be injurious to the public health, safety or welfare; nor will in any way compromise public health or safety. On the contrary, the structure will be modified to be ADA compliant for access and provide a handicapped parking space. In addition, the two drives will be connected to make a circular drive if the special use permit is granted to expedite the traffic flow during pick up and drop off of students by parents.

The granting of the Special Use Permit would not confer on the applicant any special privilege that is denied by the ordinance to other lands, structures or buildings in the same district. Instead of the property being vacant, it will be maintained and appear welcoming.

We hope this submittal meets with your approval. Please let us know if you have any questions or if we can be of further assistance.



Lori K. Magyar  
CEO and Manager of Environmental Services  
I2M Associates, LLC



George Lane  
Fulshear Real Estate Partners II, LP



Gregory Magyar  
Executive Artistic Director KVPAC dba Encore Arts

2. Owner's and Lessee's Property Affidavit (also includes FBCAD ownership records)

Property Owner: R122244 FULSHEAR REAL ESTATE PARTNERS II LP  
 Property Address: 7926 FM 359 RD, FULSHEAR, TX 77441  
 2017 Assessed Value: \$1,518,850

**2017 GENERAL INFORMATION**

Property Status: **Active**  
 Property Type: **Real Residential**  
 Legal Description: **0029 C Fulshear, ACRES 4.7409**  
 Neighborhood: **Abstract Group 9 B**  
 Account: **0029-00-000-0883-901**  
 Related Properties: **R356418, R442020**  
 Map Number: **A-027-J**

**2017 OWNER INFORMATION**

Owner Name: **Fulshear Real Estate Partners II LP**  
 Owner ID: **O0605557**  
 Exemptions:  
 Percent Ownership: **100%**  
 Mailing Address: **4007 Penn LN Richmond, TX 77406-8730**

**2017 VALUE INFORMATION**

Improvement Homesite Value: **\$5,320**  
 Improvement Non-Homesite Value: **\$91,660**  
 Total Improvement Market Value: **\$96,980**  
 Land Homesite Value: **\$0**  
 Land Non-Homesite Value: **\$1,421,870**  
 Land Agricultural Market Value: **\$0**  
 Total Land Market Value: **\$1,421,870**  
 Total Market Value: **\$1,518,850**  
 Agricultural Use: **\$0**  
 Total Appraised Value: **\$1,518,850**  
 Homestead Cap Loss: **-\$0**  
 Total Assessed Value: **\$1,518,850**

Print  
 info

**2017 ENTITIES & EXEMPTIONS**

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING	
C04- City of Fulshear			\$0	\$1,518,850	0.158691	0
<a href="#">CAD- Fort Bend Central Appraisal District</a>			\$0	\$1,518,850	0	0
D01- Ft Bend Drainage			\$0	\$1,518,850	0.016	0
G01- Ft Bend Co Gen			\$0	\$1,518,850	0.453	0
R05- Ft Bend Co ESD 4			\$0	\$1,518,850	0.1	0
S01- Lamar CISD			\$0	\$1,518,850	1.39005	0

**TOTALS 2.117741**

**2017 IMPROVEMENTS**

[Expand/Collapse All](#)

Improvement #1 State Code: **A1 - Residential Single Family Houses**  
 Homesite: **No**  
 Total Main Area: **2,536 Sq. Ft**  
 Market Value: **\$141,750**

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	1941	1,744	\$80,450	<a href="#">Details</a>
2	Screen Porch	1941	336	\$5,420	<a href="#">Details</a>
3	Additional MA	2002	792	\$52,280	<a href="#">Details</a>
4	Open Porch	1997	160	\$2,980	<a href="#">Details</a>
5	Patio Covers	2010	-	\$620	<a href="#">Details</a>

Improvement #2 State Code: **A1 - Residential Single Family Houses**  
 Homesite: **Yes**  
 Total Main Area: **-**  
 Market Value: **\$8,220**

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Shelters	1997	-	\$800	<a href="#">Details</a>
2	Water Well and Septic System	-	1	\$4,240	<a href="#">Details</a>
3	Septic System	-	1	\$3,180	<a href="#">Details</a>

**2017 LAND SEGMENTS**

LAND SEGMENT	STATE CODE	BUS-109	HOMESITE	MARKET	AG USE	LAND SIZE
--------------	------------	---------	----------	--------	--------	-----------

TYPE			VALUE	LOSS	
1 - Commercial Primary	A1 - Residential Single Family Houses	No	\$1,421,870	\$0	206,514 Sq. ft

**TOTALS**

**206,514 Sq. ft / 4.740909 acres**

**VALUE HISTORY**

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG LOSS	APPRAISED	HS CAP LOSS	ASSESSED
2016	\$96,980	\$1,421,870	\$1,518,850	\$0	\$0	\$1,518,850	\$0	\$1,518,850
2015	\$176,370	\$1,146,380	\$1,322,750	\$0	\$0	\$1,322,750	\$0	\$1,322,750
2014	\$163,330	\$573,190	\$736,520	\$0	\$0	\$736,520	\$0	\$736,520
2013	\$143,710	\$575,800	\$719,510	\$0	\$0	\$719,510	\$0	\$719,510
2012	\$144,660	\$575,800	\$720,460	\$0	\$0	\$720,460	\$0	\$720,460

**SALES HISTORY**

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
6/19/2014	Comayagua, Maria Mendez	Fulshear Real Estate Partners II LP	2014081348	
6/19/2009	Pivalar Antonio J & Aracely Fuentes	Comayagua, Maria Mendez	2009066837	
	PRESLEY PAT L & LINDA L	Pivalar Antonio J & Aracely Fuentes	2003022788	
	Pecan Hill Drive Inc	PRESLEY PAT L & LINDA L	-	1503/604

**DISCLAIMER**

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**LETTER OF AUTHORIZATION FOR SPECIAL USE APPLICATION REPRESENTATION**

AUTHORITY IS HEREBY GRANTED TO: I2M ASSOCIATES, LLC

ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO FILE AND PRESENT AN APPLICATION TO THE CITY OF FULSHEAR, TEXAS, TO REQUEST A SPECIAL USE PERMIT FOR THE FOLLOWING PROPERTY:

(CERTIFIED LEGAL DESCRIPTION)  
0029 C FULSHEAR, ACRES 4.7409, ABSTRACT  
GROUP 9B ACCT# 0029-00-000-0883-901  
ACKNOWLEDGEMENTS:

I certify that the above information is correct and complete to the best of my knowledge and ability and that I authorize I2M ASSOCIATES, LLC to represent my interest as the owner of the property. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of the SPECIAL USE request.

I understand that if I am not present nor duly represented at the Commission's public hearing or at the City Council Meeting, that the meeting may dismiss my request, which constitutes a recommendation that the request be denied.

I reserve the right to **withdraw** this proposal at any time, upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed variance request for property, within the City of Fulshear, as identified in this application.

**THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.**

OWNER'S SIGNATURE of the above described property: [Signature]

OWNER'S NAME (printed) FULSHEAR INVESTMENTS, LLC

ADDRESS: 4001 Perm Ln.

TELEPHONE: 713-302-0511 EMAIL: George.kant@i2m.com



Special Use Permit Request: 7926 FM 359, Fulshear TX 77441

**Ownership Affidavit**

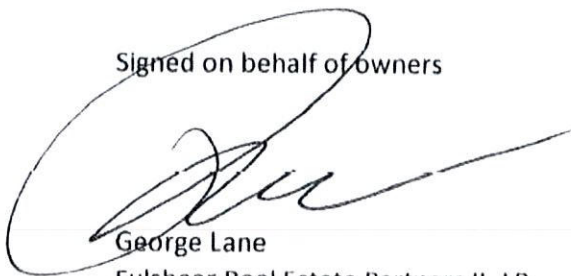
I certify that this Information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the proposal before the Planning Zoning Commission and City Council public hearings. I further certify that I have read and understand the Information provided, concerning the policies and procedures regarding consideration of my request

I understand that all recommendations of the Planning Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the third Tuesday of the month. I further understand that any actions of the Planning & Zoning Commission are considered recommendations to the City Council and that I may be heard by the City Council of the prescribed Council hearing where a final decision will be made.

I further understand that if I am not present nor duly represented at the Commission's public hearing, the Planning Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.

I reserve the right to withdraw this proposal at any time, upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. We respectfully request approval and adoption of the proposed Special Use, land use occupancy, within the City of Fulshear, as identified in this application.

Signed on behalf of owners



George Lane  
Fulshear Real Estate Partners II, LP

**Lessee Affidavit**

I certify that this Information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the proposal before the Planning Zoning Commission and City Council public hearings. I further certify that I have read and understand the Information provided, concerning the policies and procedures regarding consideration of my request

I understand that all recommendations of the Planning Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the third Tuesday of the month. I further understand that any actions of the Planning & Zoning Commission are considered recommendations to the City Council and that I may be heard by the City Council of the prescribed Council hearing where a final decision will be made.

I further understand that if I am not present nor duly represented at the Commission's public hearing, the Planning Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.

I reserve the right to withdraw this proposal at any time, upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. We respectfully request approval and adoption of the proposed Special Use, land use occupancy, within the City of Fulshear, as identified in this application.

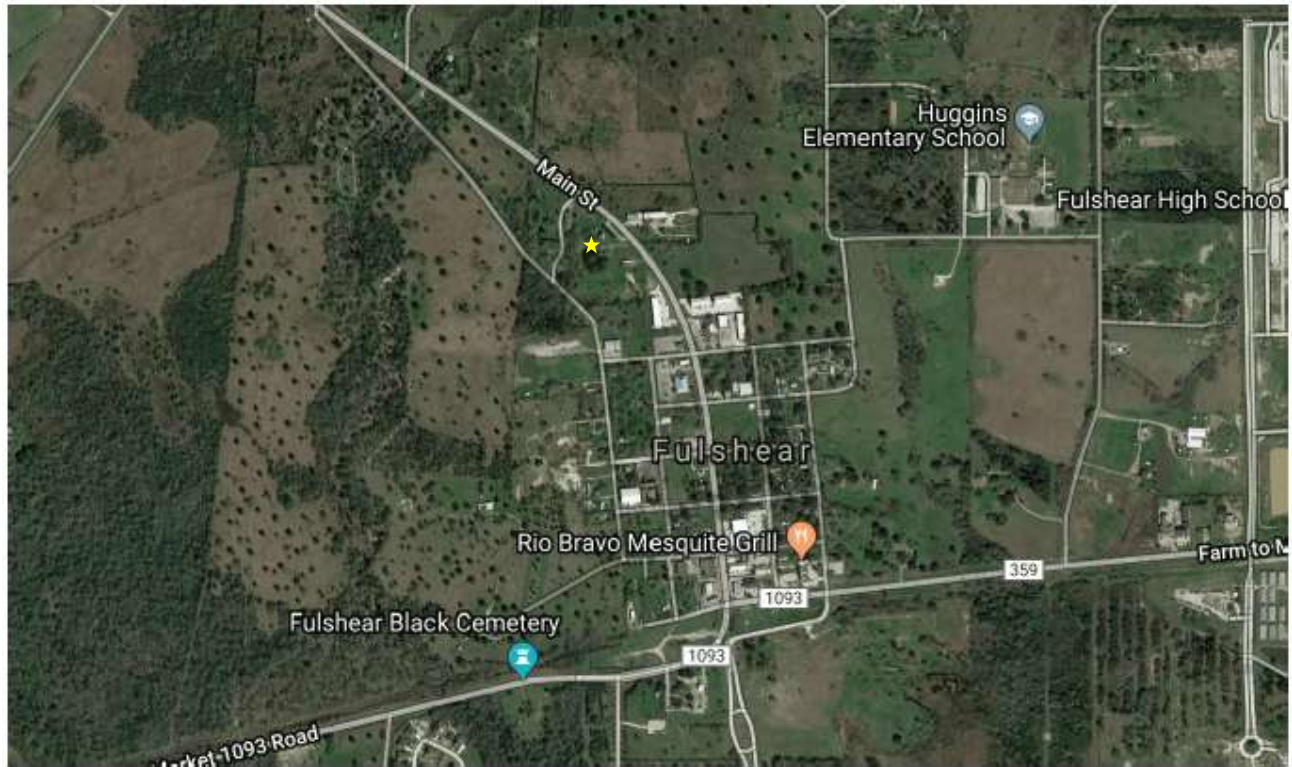
Signed on behalf of Lessee



Gregory Magyar

Executive Artistic Director, KPVAC dba Encore Arts

### 3. Vicinity Map



The existing residence is located north of the Around the Bend shopping/office structure, between Wallis and Main street and south of the Wallis turn off from FM 359.



#### 4. Context Map



I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com

Special Use Permit Application



I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com



5. Survey with metes and bounds from a registered land surveyor



CHURCHILL FULSHEAR LEAGUE ABSTRACT 29

LINE	BEARING	DISTANCE
L1	N 41°06'43" E	28.64'
L2	N 00°23'16" W	15.39'
L3	N 03°32'09" W	43.92'
L4	N 39°49'46" W	13.37'
L5	N 04°40'55" E	70.87'

SCALE 1" = 40'

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	1870.08'	177.67'	S 38°31'46" E	177.61'

DESCRIPTION OF A TRACT OF LAND CONTAINING 4.7409 ACRES (206,514 SQUARE FEET) SITUATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, FORT BEND COUNTY, TEXAS, BEING A TRACT OF LAND CONVEYED TO MARIA MENDEZ COMAYAGUA BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 2009066837 OF THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS. SAID 4.7409-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 5/8 INCH IRON ROD WITH CAP MARKED "RPLS 5685" IN THE WEST RIGHT-OF-WAY LINE OF F.M. 359 (80 FEET WIDE), FOR THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO THE CITY OF FULSHEAR BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 9370816 OF THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS AND FOR THE NORTHEAST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE ALONG AND WITH THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 359 AND A CURVE TO THE RIGHT WITH A RADIUS OF 1870.08 FEET, ARC LENGTH OF 177.67 FEET, CHORD BEARING OF SOUTH 38°31'46" EAST, AND CHORD DISTANCE OF 177.61 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1" IN THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 359, FOR THE NORTHEAST CORNER OF HARRIS STREET (60 FEET WIDE) AND FOR THE SOUTHEAST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 87°58'30" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID HARRIS STREET, A DISTANCE OF 62.08 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1" FOR THE NORTHWEST CORNER OF SAID HARRIS STREET AND FOR AN INTERIOR ANGLE OF THE SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 05°40'50" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID HARRIS STREET, A DISTANCE OF 282.13 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1" IN THE WEST RIGHT-OF-WAY LINE OF SAID HARRIS STREET, FOR THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO FORT BEND COUNTY EMERGENCY SERVICES DISTRICT #4 BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 2008046810 OF THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS AND FOR THE SOUTHERLY SOUTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 84°30'00" WEST, ALONG THE NORTH LINE OF SAID SERVICES DISTRICT TRACT, A DISTANCE OF 393.94 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1" FOR THE INTERSECTION OF THE NORTH AND EAST RIGHT-OF-LINES OF WALLIS STREET (30 FEET WIDE) AND FOR THE SOUTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 48°48'38" WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WALLIS STREET, A DISTANCE OF 159.81 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1" FOR THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO WILLIE GREEN AND TAYLOR GREEN BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 1948139004 OF THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS AND FOR THE NORTHERLY SOUTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 04°40'55" EAST, ALONG THE EAST LINE OF SAID GREEN TRACT, A DISTANCE OF 187.22 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1" FOR THE NORTHEAST CORNER OF SAID GREEN TRACT, FOR THE SOUTHWEST CORNER OF A TRACT OF LAND OWNED BY DOROTHY MAE EMERSON AND FOR AN INTERIOR ANGLE OF THE SAID TRACT HEREIN DESCRIBED;

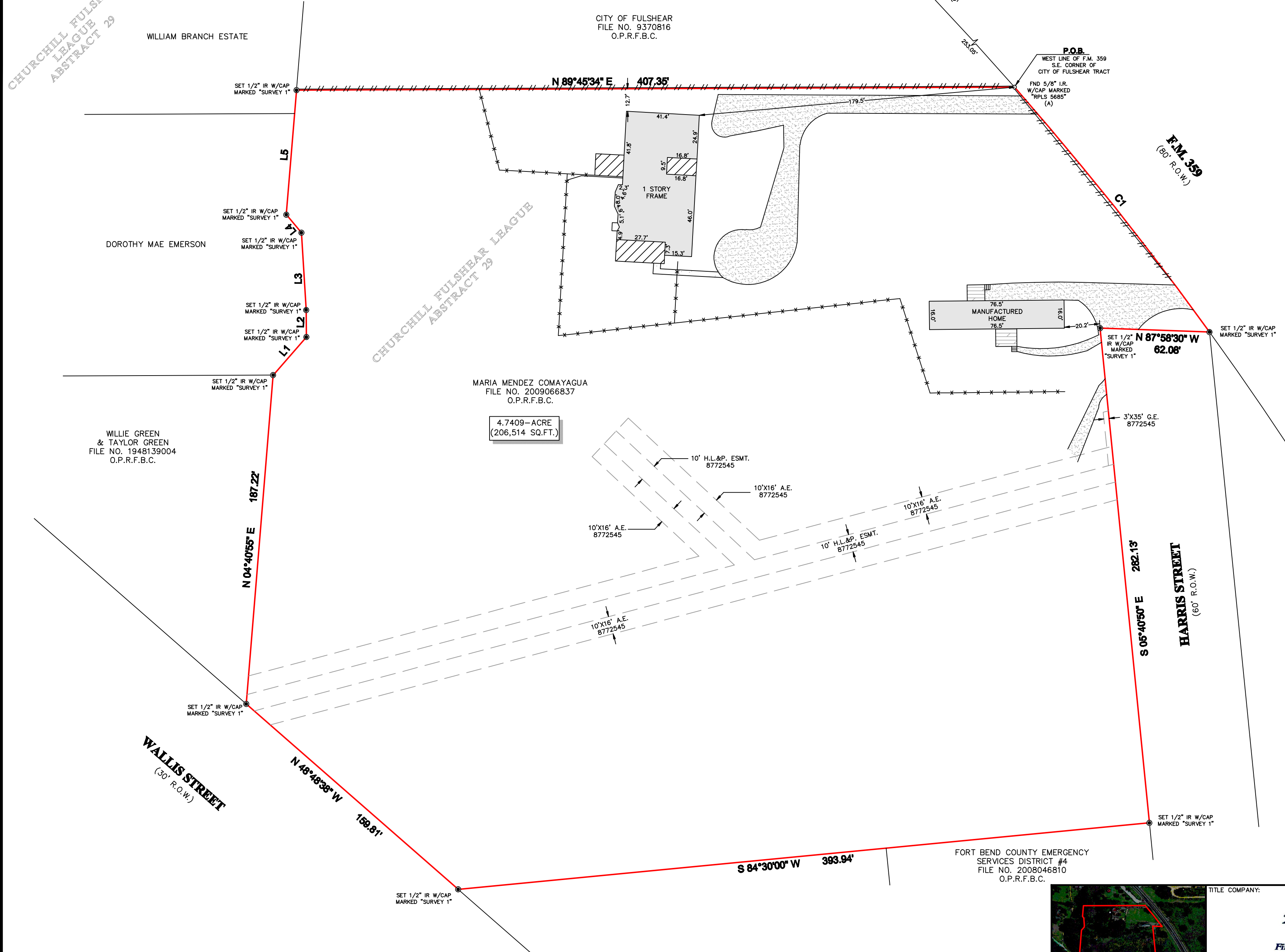
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THENCE NORTH 03°32'09" WEST, A DISTANCE OF 43.92 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1";

THENCE NORTH 39°49'46" WEST, A DISTANCE OF 13.37 FEET TO A SET 1/2 INCH IRON ROD WITH CAP MARKED "SURVEY 1" FOR THE SOUTHWEST CORNER OF SAID CITY OF FULSHEAR TRACT AND FOR THE NORTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 89°45'34" EAST, ALONG THE SOUTH LINE OF SAID CITY OF FULSHEAR TRACT, A DISTANCE OF 407.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.7409 ACRES (206,514 SQUARE FEET), MORE OR LESS.



**LEGEND**

	ASPHALT		WOOD DECK
	CONCRETE		FENCE
	COVERED AREA		WOOD
	STEPS		METAL
			G.E. = GUY EASEMENT
			A.E. = AERIAL EASEMENT

- NOTES:**
- ALL BEARINGS SHOWN HEREON ARE REFERENCED TO A TRACT OF LAND CONVEYED TO MARIA MENDEZ COMAYAGUA BY DEED RECORDED UNDER F.B.C.C.F. NO. 2009066837, POINTS (A) AND (B) WERE HELD FOR HORIZONTAL CONTROL.
  - FLOOD INFORMATION IS BASED ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP FOR THE COUNTY LISTED BELOW.
  - ABSTRACT INFORMATION FOR THE SUBJECT TRACT WAS PROVIDED BY THE TITLE INSURANCE COMPANY LISTED BELOW.
  - THIS SURVEY IS CERTIFIED TO THE TITLE INSURANCE COMPANY LISTED BELOW FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
  - ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
  - THERE ARE NO NATURAL DRAINAGE COURSES ON SUBJECT PROPERTY.
  - SUBJECT TO THE RESTRICTIVE COVENANTS AS LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED ON APRIL 15, 2014, UNDER G.F. NO. 1890973-H096.

**TITLE COMPANY:**

**First American Title**

G.F. #: 1890973-H096 | ISSUE DATE: APRIL 15, 2014

**PROJECT:** A LAND TITLE SURVEY OF A TRACT OF LAND CONTAINING 4.7409 ACRE (206,514 SQUARE FEET) SITUATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, FORT BEND COUNTY, TEXAS.

**CLIENT:** GEORGE LANE

**ADDRESS:** 7926 F.M. 359

**FLOOD ZONE:** "X" | **FLOOD MAP#:** 48157C 0085 L

**FLOOD MAP DATE:** APR. 2, 2014 | **FLOOD MAP COUNTY:** FORT BEND

**SURVEYORS CERTIFICATE:** IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON JAN. 13, 2014 AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING; AND THAT THERE ARE NO ENCROACHMENTS OR PROTRUSIONS AS SHOWN.

**RICHARD FUSSELL**  
PROFESSIONAL LAND SURVEYOR  
4148

**FIRM CREW/ JOB#**  
JP 6-27995-14

**DRAFTER:** CB | **DATE:** JUN. 13, 2014



Metes and Bounds of 4.7.09 acres in the Churchill Fulshear League, Abstract 29, Fort Bend County TX copied from First American Title Land Survey by Richard Fussell. (3 pages)

LINE	BEARING	DISTANCE
L1	N 41°06'43" E	28.64'
L2	N 00°23'16" W	15.39'
L3	N 03°32'09" W	43.92'
L4	N 39°49'46" W	13.37'
L5	N 04°40'55" E	70.87'

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	1870.08'	177.67'	S 38°31'46" E	177.61'

I2M Associates, Texas Engineering Firm ID number: F-17920  
 535 E Fernhurst Dr, Katy, TX 77450  
 713-417-0710  
 Chief Engineer direct email: rick@richardbost.com

Special Use Permit Application



DESCRIPTION OF A TRACT OF LAND CONTAINING  
4.7409 ACRES (206,514 SQUARE FEET) SITUATED  
IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29  
FORT BEND COUNTY, TEXAS

BEING A TRACT OF LAND CONTAINING 4.7409 ACRES (206,514 SQUARE FEET),  
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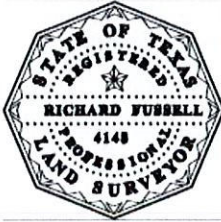
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I2M Associates, Texas Engineering Firm ID number: F-17920  
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SURVEYORS CERTIFICATE:  
IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS  
FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY  
SURVEY CONDUCTED UNDER MY SUPERVISION ON JUN. 13, 2014 AND  
THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE CURRENT  
STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL  
LAND SURVEYING, AND THAT THERE ARE NO ENCUMBRANCES OR  
PROTRUSIONS EXCEPT AS SHOWN.

*[Signature]*  
RICHARD FUSSELL  
R.L.S.# 4148

FIELD CREW JP	JOB# 6-27995-14
DRAFTER: CB	DATE JUN. 13, 2014

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com



January 25, 2018  
Mr. George Lane  
Fulshear Real Estate Partners  
4007 Penn Lane  
Fulshear Texas 77441

**SIGNED AND SEALED SURVEY FOR 7926 FM 359, FULSHEAR, TX**

George,

The attached Survey (attached to the accompanying email) is the correct signed and sealed survey for the above mentioned property. The document (sent earlier to your office) has a signed surveyor's seal, the address (7926 FM 359), FBC Flood Map coordinates, a photo showing the existing house, meets and bounds, and an aerial photo. This document should suffice for any City of Fulshear Planning Submittal you have coming up.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Johnson", with a long horizontal flourish extending to the right.

Warren Johnson AIA  
Principal  
STG Design Inc.



6. Compliance with the Comprehensive Plan (City Staff)



# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441  
Phone: 281-346-1796 ~ Fax: 281-346-2556  
[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

Special Use Permit Request

## **Re: Special Use Permit Request/ Conformance with the Comprehensive Plan:**

**Property Address:** 7926 FM 359  
Fulshear, TX 77441

The owner of the property located at 7926 FM 359, along with their designated local representative are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for a residence. They are requesting to use the property for commercial use, specifically for theater and art education services.

As it concerns the requested use of this property in the Downtown District, the City of Fulshear Comprehensive Plan **generally** addresses this possibility. We find that the section cited below provides some relevance to this request:

### **City of Fulshear Comprehensive Plan Page 5.7 - Retail/Office Item #4**

*Downtown should be a major focus for office, retail and service activities, particularly through adaptive re-use of existing structures or redevelopment of vacant properties and sites with heavy commercial or industrial uses.*

Based on a review of the documentation and of the Comprehensive Plan, City Staff has reason to believe that the proposed use as requested by the applicant will offer service activities through a re-use of the current structure on the property and will not increase the danger of fire; will not adversely affect the public health, safety and well-being; nor will it substantially diminish or impair the property values within the neighborhood. Thus, we find that the request for the property located at 7926 FM 359 is in line with the Comprehensive Plan.

Sincerely,

Sharon Valiante, Public Works Director  
Brant Gary, Executive Director of Planning & Development  
City of Fulshear

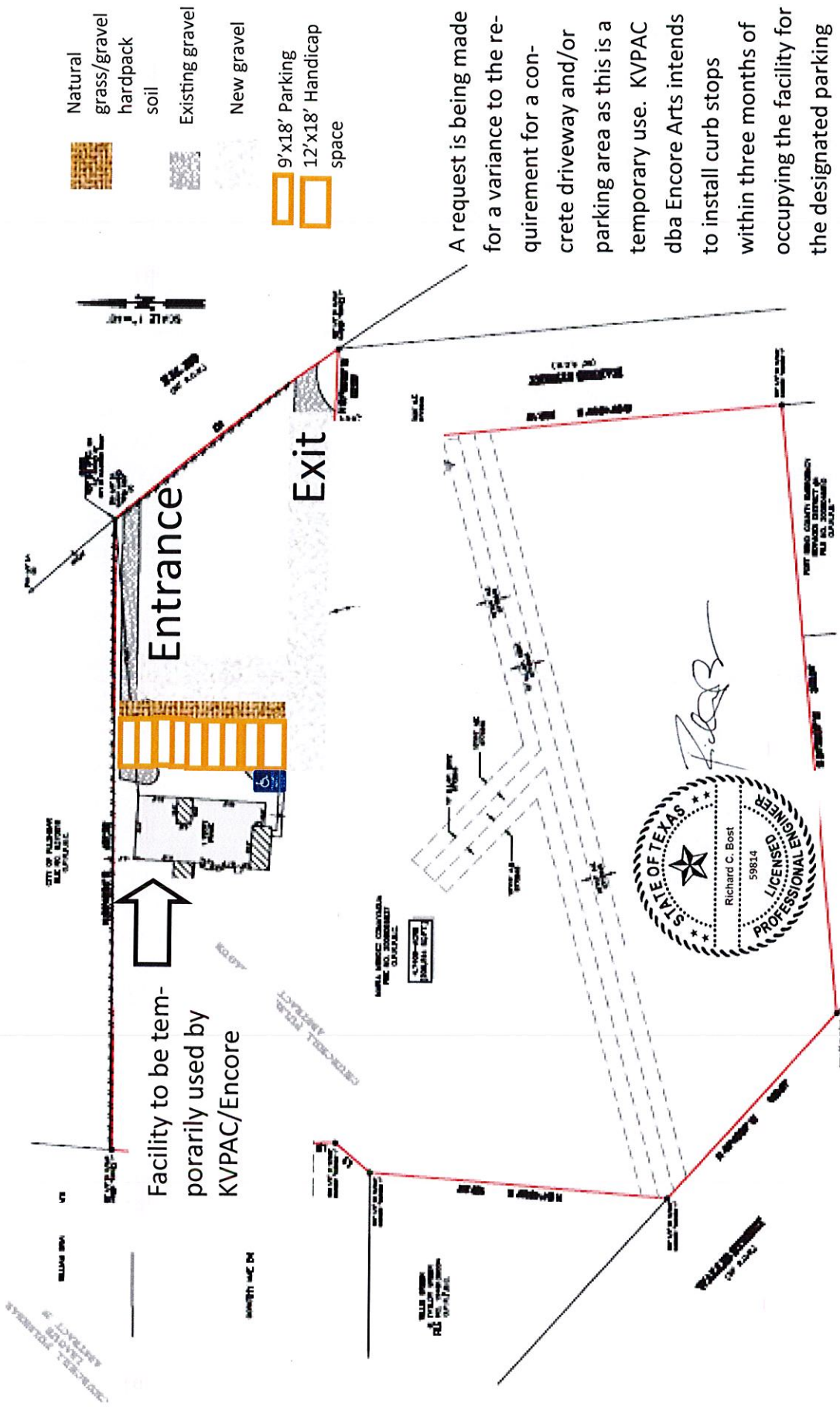


## 7. Site Plan

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I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com





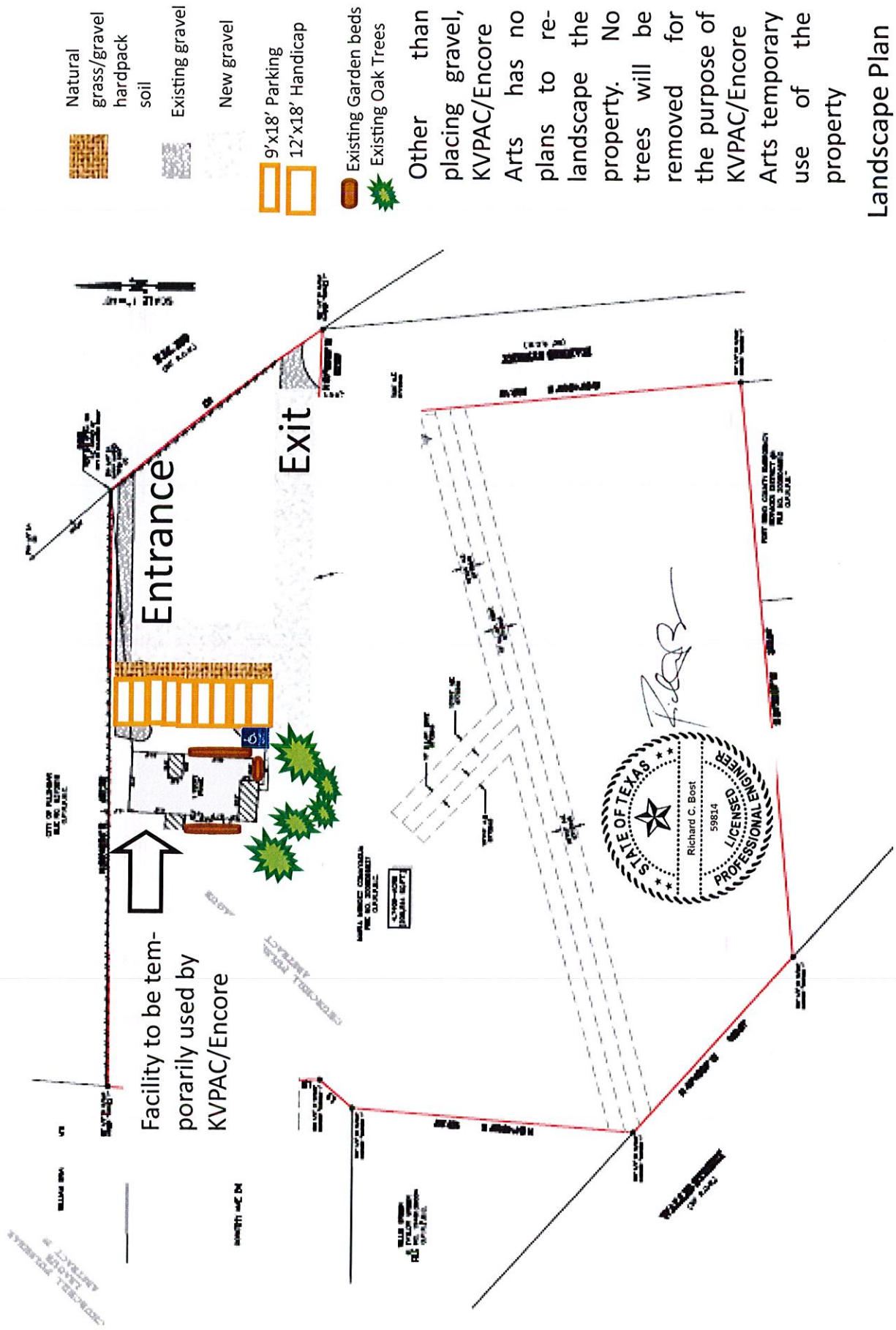
A request is being made for a variance to the requirement for a concrete driveway and/or parking area as this is a temporary use. KVPAC dba Encore Arts intends to install curb stops within three months of occupying the facility for the designated parking spaces.

## Site Plan



## 8. Landscape Plan

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: [rick@richardbost.com](mailto:rick@richardbost.com)



- Natural grass/gravel hardpack soil
- Existing gravel
- New gravel

- 9'x18' Parking
- 12'x18' Handicap

- Existing Garden beds
- Existing Oak Trees

Other than placing gravel, KVPAC/Encore Arts has no plans to re-landscape the property. No trees will be removed for the purpose of KVPAC/Encore Arts temporary use of the property

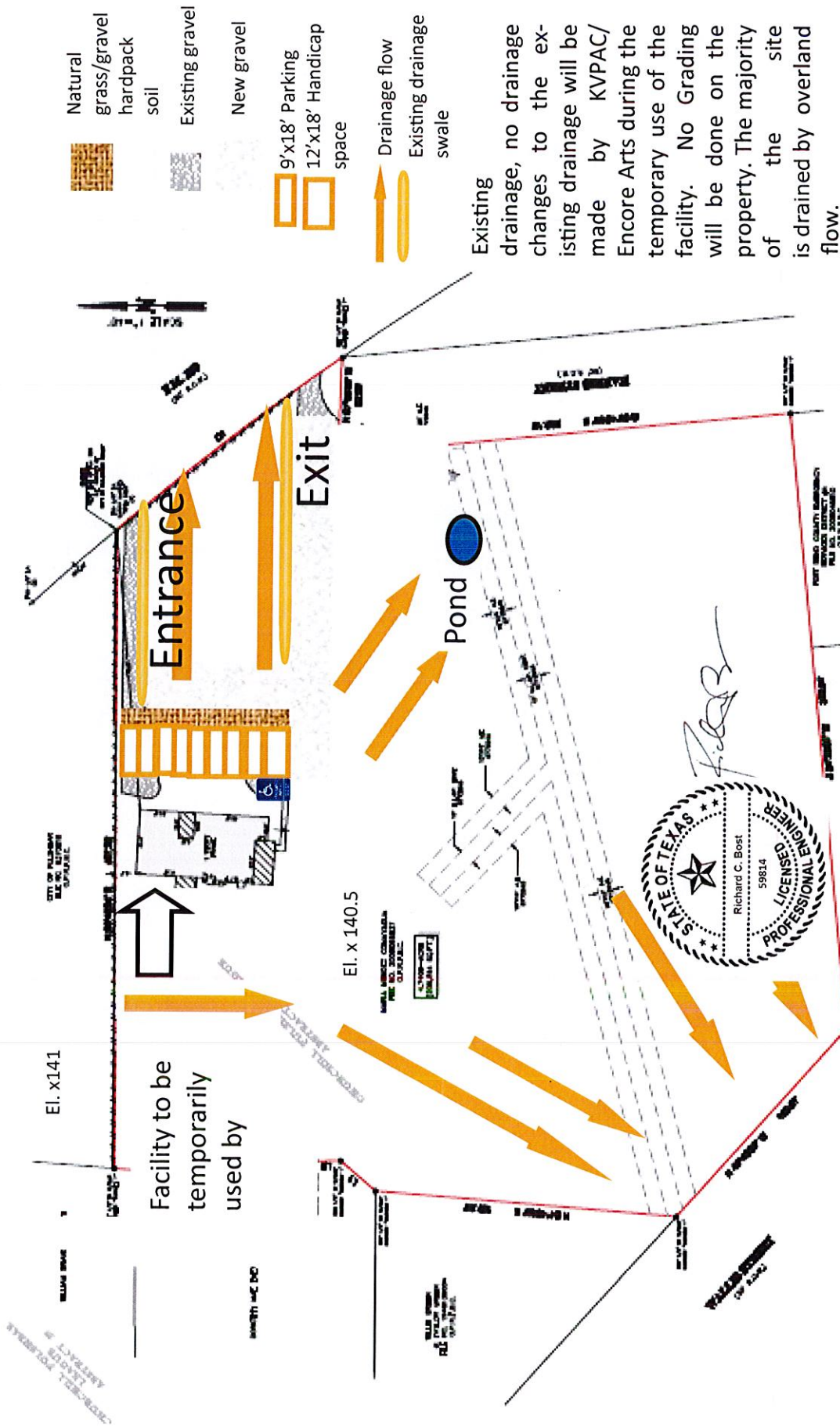
Landscape Plan



## 9. Grading and Drainage Plan

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I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com

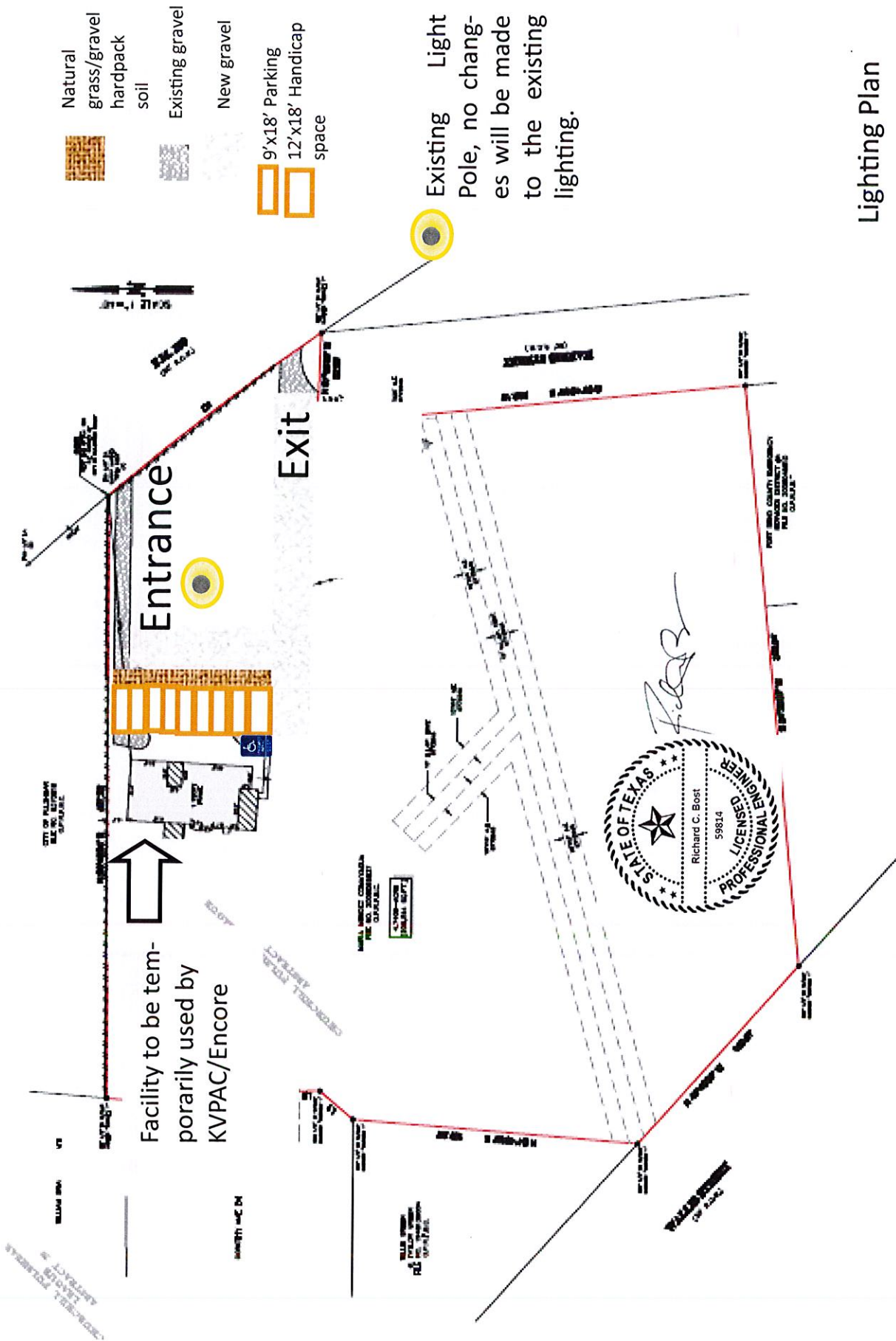


## Grading and Drainage Plan



## 10. Lighting Plan

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: [rick@richardbost.com](mailto:rick@richardbost.com)



Existing Light Pole, no changes will be made to the existing lighting.

Lighting Plan



## 11. Building Elevations

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: [rick@richardbost.com](mailto:rick@richardbost.com)





Special Use Permit Application



Elevation of North side of existing structure no changes

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com



Elevation of West side of existing structure no changes

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com



Elevation of East side of existing structure no changes

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com

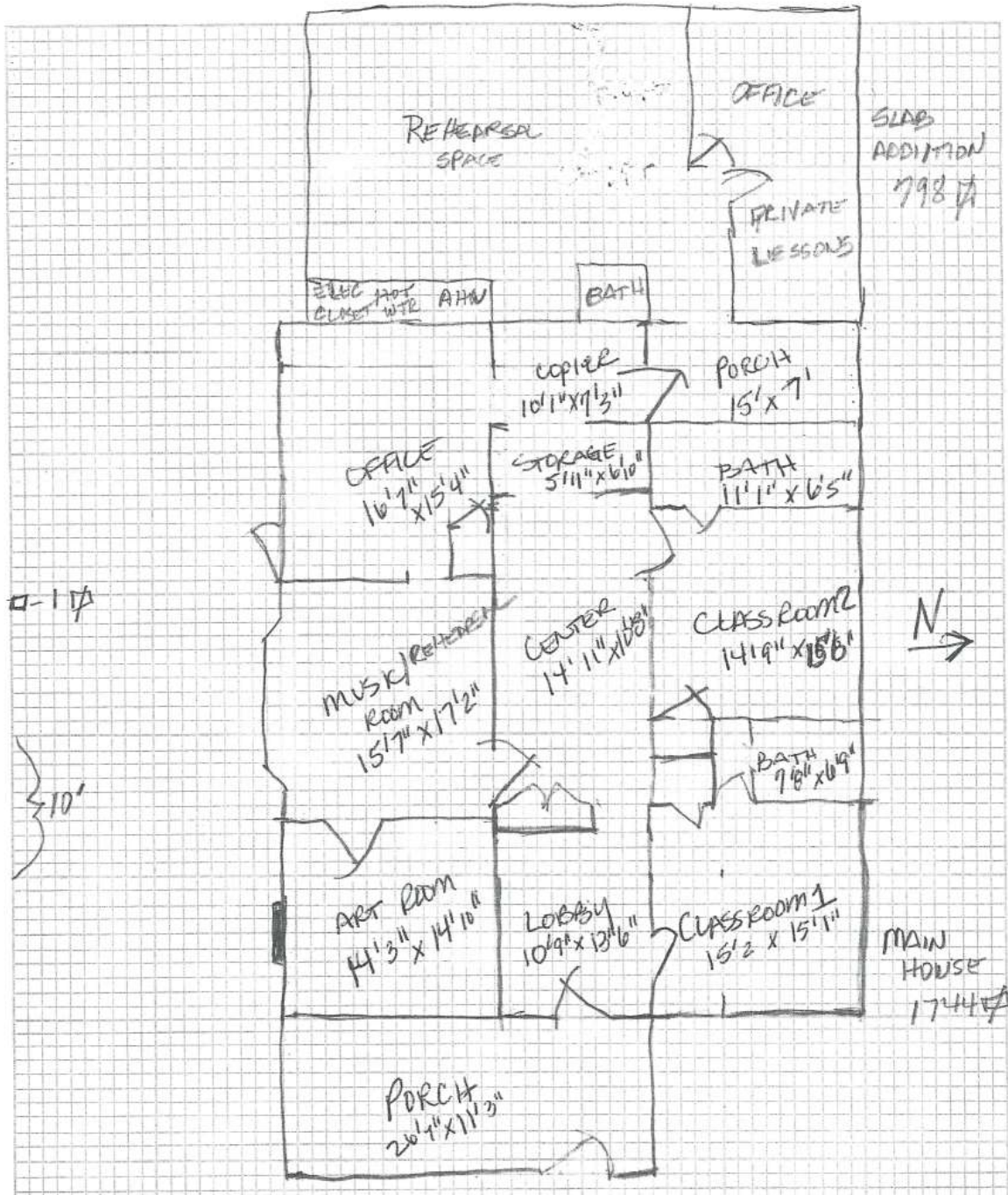


Special Use Permit Application



Elevation of North side of existing structure no changes

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com





## 12. Traffic Impact Study with Parking and Driveway Plan

February 7, 2018

Ms. Sharon Valiante, Public Works Director  
City of Fulshear  
P.O. Box 279  
Fulshear, TX 77441

Re: KVPAC Project  
City of Fulshear, Texas

Dear Sharon:

I have reviewed the parking requirements for this project calculated by the City's Permit office along with the maximum occupancy of the building. With a maximum occupancy of 30, this use will have a very small impact on the traffic flow on F.M. 359. Therefore no Traffic Impact Analysis is required for the project.

I do recommend that the project provide at a minimum of ten (10) parking spaces with at least one (1) space being ADA accessible. These spaces need to be marked and located on an all weather non-dusting surface. The City's Ordinance requires concrete but since this use is temporary in nature the staff would agree to asphalt or another non-dusting surface. The parking spaces need to have painted stripes along with the proper ADA signage. If you need additional information or if you have any questions please feel free to contact me.

Very truly yours,



David Leyendecker, P.E., R.P.L.S.  
Engineer for the City

DL/pe

Photo of the Entrance/Exit





## Parking and Driveway Plan



As this SUP request is for a temporary situation of less than 18 months, an exception to installing paved and marked parking is being requested. The gray line on the photo denotes where the gravel will be replaced for the circular drive to facilitate pick up and drop off of students by parents. The parking space closest to the handicap ramp once it is constructed will be marked with handicap parking signage.



Example of vehicles parked in front of building



13. Sign Plan

I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com

Special Use Permit Application



I2M Associates, Texas Engineering Firm ID number: F-17920  
535 E Fernhurst Dr, Katy, TX 77450  
713-417-0710  
Chief Engineer direct email: rick@richardbost.com



## 14. Public Notice Requirements



The only structure within 300 feet of the existing residence is the City Park owned by the City of Fulshear:

CITY OF FULSHEAR  
c/o Diana Gordon Offord PO Box 279 Fulshear, TX 77441-0279

Other adjacent property owners further than the required 300 feet are:

Commercial Vacant, .5 acre  
Hardee, Stephen Craig  
8906 Four Leaf DR Sugar Land, TX 77479-6972

Residential  
Emerson, Dorothy Mae  
PO Box 203 San Felipe, TX 77473-0203

Commercial Vacant  
Fu, Xiangdong  
5322 Riverstone Crossing Dr Sugar Land, TX 77479-4826

Commercial  
Fort Bend County Emergency Services District #4  
PO Box 494 Fulshear, TX 77441-0494

Commercial  
Casey Property LLC  
c/o Carla Casey PO Box 424 Fulshear, TX 77441-0424

14. Notice

This Property has  
requested a  
**Special Use Permit**  
**1/23/18**

For information regarding this request contact the City of Fulshear at 30603 FM 1093 Fulshear, Texas 77441, 281-346-1796. Two Public Hearings will be held for this request.



## Special Use Request

APPLICANT/OWNER: I2M Associates / Fulshear Real Estate Partners II, LP

ADDRESS OF PREMISES: 7926 FM 359, Fulshear, TX 77441

REQUESTING: use of property as commercial, variance for the current energy compliance measures, and a variance to the requirement for a concrete driveway and/or parking area

HEARING DATE: 2/09/2018

### PLANNING AND ZONING COMMISSION REVIEW

GRANTED

DENIED

RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: MINIMUM OF 10 PARKING SPACES - WITH AT LEAST

ONE ADA ACCESSIBLE SPACE - MARKED AND LOCATED ON AN ALL-WEATHER NON-DUSTING SURFACE.

CHAIRMAN SIGNATURE: Ann R. Pearson DATE: 2-9-18

*"The Planning and Zoning Commission finds that granting the Special Use Permit will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being, or substantially diminish or impair property values within the neighborhood."*

### CITY COUNCIL REVIEW

GRANTED

DENIED

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_



**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEM:</b>	L
<b>DATE SUBMITTED:</b>	February 13, 2018	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	Brant Gary, Executive Director of Planning and Development
<b>SUBJECT:</b>	<b>Consideration and possible action regarding a policy recommendation from the Planning and Zoning Commission to the City Council concerning possible changes to the Prohibited Signs section of the City's Sign Ordinance</b>		
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. <b>Ordinance 2018-1274 amending the Section 13(b) of the City's Sign Ordinance regarding prohibited signs</b></li> <li>2. <b>Resolution 2018-380 reaffirming the current verbiage and interpretation of the City's Sign Ordinance</b></li> </ol>		

**EXECUTIVE SUMMARY**

Members of the Planning and Zoning Commission requested an agenda item for the Commission to consider a policy recommendation to the City Council regarding the verbiage in Section 13(b) of the City's Sign Ordinance regarding prohibited signs.

Per City Staff's understanding of the intent of the Commission, the potential policy recommendation would propose to change the Sign Ordinance as follows:

**Current:**

- **Sec. 28-5. - Prohibited signs.**

It shall be unlawful for any person to construct, erect, install, display, maintain, reconstruct, place, locate, relocate or make use of any of the following signs within the city:

(13) Illuminated signs which:

- a. Are illuminated to such intensity or without proper shielding so as to constitute a hazard to the operation of motor vehicles upon a public street or substantially interfere with the reasonable enjoyment of residential property; or
- b. **Have** any type of intermittent illumination, including flashing, fading, revolving or blinking lights, or any type of moving, traveling or changing message by means of lights or illumination.

**Proposed:**

- **Sec. 28-5. - Prohibited signs.**

It shall be unlawful for any person to construct, erect, install, display, maintain, reconstruct, place, locate, relocate or make use of any of the following signs within the city:

(13) Illuminated signs which:

- a. Are illuminated to such intensity or without proper shielding so as to constitute a hazard to the operation of motor vehicles upon a public street or substantially interfere with the reasonable enjoyment of residential property; or **BUS-152**

- b. Operate using** any type of intermittent illumination, including flashing, fading, revolving or blinking lights, or any type of moving, traveling or changing message by means of lights or illumination, **along with any automated message changes in excess of one instance per 24-hour period.**

Adoption of Ordinance 2018-1274 would formally change the City's Sign Ordinance as described. Alternatively, Council can choose to reaffirm the current verbiage and interpretation of the City's sign ordinance by adopting Resolution 2018-380.

### **RECOMMENDATION**

City staff has no formal recommendation regarding this policy recommendation by the Planning and Zoning Commission to the City Council concerning potential changes to the sign ordinance.

ORDINANCE NO. 2018-1274

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING CITY OF FULSHEAR CODE CHAPTER 28, SEC. 28-5 PROHIBITED SIGNS SUBSECTION (13) ILLUMINATED SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Fulshear, Texas, hereby finds and determines that the public health, safety and welfare, requires that it's code provisions regarding prohibited signs be amended, and the City Council accepts the recommendation of the Planning & Zoning Commission subsequent to the February 9, 2018 meeting; and

**WHEREAS**, the City adopted Ordinance No. 2012-1058, later codified and adopted in the City of Fulshear, Fulshear Code of Ordinances, Chapter 28, Sec. 28-5 Prohibited Signs, Subsection (13) Illuminated Signs, an ordinance making it unlawful for any person to construct, erect, install, display, maintain, reconstruct, place, locate, relocate or make use of any of the following signs within the city:

(13) Illuminated signs which:

- a. Are illuminated to such intensity or without proper shielding so as to constitute a hazard to the operation of motor vehicles upon a public street or substantially interfere with the reasonable enjoyment of residential property; or
- b. Have any type of intermittent illumination, including flashing, fading, revolving or blinking lights, or any type of moving, traveling or changing message by means of lights or illumination; and

**WHEREAS**, the City desires to amend the City of Fulshear Code of Ordinances, Chapter 28, Sec. 28-5 Prohibited Signs, Subsection (13) Illuminated Signs to allow illuminated LED signs; and

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

**Section 1.** All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied herein verbatim.

**Section 2.** City of Fulshear, Code of Ordinances, Chapter 28, Sec. 28-5 Prohibited Signs, Subsection (13) Illuminated Signs is hereby amended to read as follows:

**“Sec. 28-5. - Prohibited signs.**

It shall be unlawful for any person to construct, erect, install, display, maintain, reconstruct, place, locate, relocate or make use of any of the following signs within the city:

(13) Illuminated signs which:

a. Are illuminated to such intensity or without proper shielding so as to constitute a hazard to the operation of motor vehicles upon a public street or substantially interfere with the reasonable enjoyment of residential property; or

b. Operate using any type of intermittent illumination, including flashing, fading, revolving or blinking lights, or any type of moving, traveling or changing message by means of lights or illumination, along with any automated message changes in excess of one instance per 24-hour period.”

**Section 3.** Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or, in the case of a violation of a provision of this Ordinance that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, a fine of not more than Two Thousand Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

**Section 4.** Severability. In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 5.** Repeal. All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 6.** Effective date. This Ordinance shall be effective and in full force when published as required by law.

**PASSED, APPROVED, and ADOPTED** this, the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Jeff W. Roberts, Mayor

**ATTEST:**

\_\_\_\_\_  
D. Gordon Offord, City Secretary

RESOLUTION NO. 2018-380

A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, ELECTING TO REJECT THE CITY OF FULSHEAR PLANNING & ZONING COMMISSION RECOMMENDATION TO AMEND FULSHEAR CODE CHAPTER 28, SEC. 28-5 PROHIBITED SIGNS SUBSECTION (13) ILLUMINATED SIGNS.

\* \* \* \* \*

**WHEREAS**, on February 9, 2018, the members of the City of Fulshear, Texas, Planning & Zoning Commission met and considered a policy recommendation to be made to the City Council regarding a change to verbiage in City of Fulshear Code Chapter 28 Signs, Sec. 28-5 Prohibited Signs subsection (13)(b) Illuminated Signs;

**WHEREAS**, the Planning & Zoning Commission decided to recommend to City Council a change in Fulshear City Code Chapter 28 Signs, Sec. 28-5 Prohibited Signs subsection (13)(b) Illuminated Signs as follows: change "Have" to "Operate using" which allows the technology of LED lighting without movement of script;

**WHEREAS**, the City Council elects to reject the recommendation of the Planning & Zoning Commission and the City Council desires to reaffirm its' policy and previous staff recommendation that illuminated LED signs are prohibited; and

**WHEREAS**, the City Council desires no amendments be made to City of Fulshear Code, Chapter 28 Signs, Sec. 28-5 Prohibited Signs subsection (13)(b) Illuminated Signs;

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

**Section 1.** That the facts set out in the preamble are true and correct and are incorporated herein for all purposes.

**Section 2.** That the City Council hereby rejects the February 9, 2018 Planning & Commission recommendation regarding changes to Chapter 28 Signs, Sec. 28-5 Prohibited Signs subsection (13)(b) Illuminated Signs and rejects the recommendation allowing LED lighting.

PASSED, APPROVED, and ADOPTED on the 19<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Jeff W. Roberts, Mayor

ATTEST:

\_\_\_\_\_  
D. Gordon Offord, City Secretary

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	February 20, 2018	<b>AGENDA ITEM:</b>	M
<b>DATE SUBMITTED:</b>	February 15, 2018	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	Brant Gary, Exec. Dir. of Planning & Development	<b>PRESENTER:</b>	Brant Gary, Exec. Dir. of Planning & Development
<b>SUBJECT:</b>	<b>CONSIDERATION OF RESOLUTION NO. 2018-381 APPOINTING MEMBERS TO THE HISTORIC PRESERVATION AND MUSEUM COMMITTEE</b>		
<b>ATTACHMENTS:</b>	1.) Res. No. 2018-381 - Relating to the Appointment of Members to the HPMC 2.) Applications from Mike Davenport and Pamela Davenport		
<b>EXPENDITURE REQUIRED:</b>		\$	
<b>AMOUNT BUDGETED:</b>		\$0	
<b>ACCOUNT:</b>			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>		\$0	
<b>ACCOUNT NO:</b>			

**EXECUTIVE SUMMARY**

The Historic Preservation and Museum Committee works on preservation project like the Historic Section House located in Frances Smart Park. The Committee was created in 2016 via Resolution No. 2016-314 with 5 members. Mayor Roberts has requested consideration for the appointment of two additional members: Mike Davenport and Pamela Davenport. Adoption of this resolution would increase the Committee size from 5 members to 7 members with all members having terms that expire in June of 2018.

**STAFF RECOMMENDATION**

Staff defers to the Mayor and Council on who is appointed; however we recommend appointments as needed so that the Committee can continue to execute their duties.

**RESOLUTION No. 2018-381**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPOINTING MEMBERS TO THE HISTORIC PRESERVATION AND MUSEUM COMMITTEE**

**WHEREAS**, the City Council of the City of Fulshear, Texas is desirous of continuing the functions of a Committee to assist in the preservation of our historic and cultural artifacts and guiding the development of a Museum intended for such a purpose; and

**WHEREAS**, the City Council of the City of Fulshear is desirous of appointing Members to such a Committee and;

**WHEREAS**, the City Council is desirous of ensuring the Committee has an odd number of representative spots for decision making; an

**WHEREAS**, the City Council of the City of Fulshear, Texas appreciates the willingness of those selected to serve and;

**WHEREAS**, the City Council of the City of Fulshear, Texas has considered the merits of such appointments and finds the persons listed below as competent and eligible for service;

**NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:**

**Section 1**

That those listed below shall serve on the Historic Preservation and Museum Committee:

***2 – Members who will serve through June 2018***

Mike Davenport

Term expires: June 1, 2018

Pamela Davenport

Term expires: June 1, 2018

Be named to serve as Members of the Historic Preservation and Museum Committee for terms as designated above during which they are expected to duly executing those responsibilities.

**This resolution duly passed this \_\_\_\_\_ day of February, 2018.**

\_\_\_\_\_  
Jeff W. Roberts, Mayor  
City of Fulshear, Texas

ATTEST:

\_\_\_\_\_  
D. Gordon Offord, City Secretary  
City of Fulshear, Texas



NOV 13 2017

CITY SECRETARY OFFICE



## CITY OF FULSHEAR TEXAS BOARDS AND COMMISSIONS APPLICATION

[SUBMIT](#)

The Mayor shall nominate, and by and with the approval of the City Council, shall appoint the members of all the boards and commissions of the City, and may remove the same at any time; and

**QUALIFICATION:** Except as otherwise provided by the Charter or other law, each candidate for appointment as a member of a board or commission shall reside within the corporate limits of the city, or within territory annexed prior to the appointment, for at least six (6) months preceding the appointment.

- All information provided in this application is public information pursuant to the Texas Public Information Act
- All individuals appointed to serve on a Board or Commission will be required to complete training relative to the Texas Open Meetings Act and to the Texas Public Information Act

Name MIKE DAVENPORT

Telephone Numbers (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_

Residential Address \_\_\_\_\_

Email \_\_\_\_\_

Business Address N/A

Business Telephone N/A

Do you live inside the city limits of Fulshear? Yes  No



If yes, how many years 1 yr.

Are you a registered voter? Yes  No

Voter Registration No. \_\_\_\_\_ (Required)

**I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS OR COMMISSIONS:**

Please check the appropriate boxes. If applying for more than one Board or Commission, please rank your preference by using No. 1 as your first choice.

Type A Economic Development Corporation

Type B Economic Development Corporation

Parks and Recreation Advisory Board

Planning and Zoning Commission

Zoning Board of Adjustment

HISTORICAL COMMITTEE

Occupation/area of expertise CONSULTING BUSINESS FOR OIL & GAS

\_\_\_\_\_

Work experience applicable to the City Board or Commission in which you are applying

\_\_\_\_\_

Have you attended a City Council meeting? Yes  No

Have you attended a Board or Commission meeting for which you have

applied? Yes  No

Do you have knowledge/training regarding the applied Board or Commission?

Yes  No  If yes, please list: \_\_\_\_\_

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List any experience that qualifies you to serve in the position indicated WE  
RENOVATED THE MAYES HOUSE ON SECOND ST. IN  
DOWNTOWN FULSHEAR. HISTORICAL RESEARCH DONE ON HOUSE.

Do you have working knowledge in any of the following areas? Please check all that apply

- Real Estate/ Development
- Manufacturing/ Industrial Operations
- Business Development
- Law/Contractual Administration
- Building/Construction
- Banking/Finance
- Real Estate/ Development
- Promotion/Marketing
- Business Management

Do you currently serve on any other City Board or Commission at this time? If so, which Board or Commission? No

Do you have any business or personal relationship with the City of Fulshear that would affect your ability to have impartial judgment in City matters? Attach separate page, if necessary

Yes  No  If yes, please explain \_\_\_\_\_

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What type of service do you feel the Board or Commission to which you have applied

has brought to the community? Attach separate page, if necessary

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Do you know the purpose of the Board or Commission for which you have applied?  
Please provide a brief statement

TO ADDRESS, PRESERVE & PROMOTE HISTORICAL  
STRUCTURES IN THE CITY.

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What do you hope to contribute to the community by serving on the Board or  
Commission to which you applied? Attach a separate page, if necessary

TO MAKE THE CITY OF FULSHEAR BEAUTIFUL BY  
PRESERVING THE HISTORY OF OUR TOWN.

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List any civic or community activity to which you have been involved

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List volunteer experience

FUNDRAISING FOR GOLF TOUR.  
CHURCH EVENTS  
   
   
 

**I understand that if any member of the public makes a request for information included in this application for appointment must be disclosed under the Public Information Act. I also understand that it may not be legally possible to maintain the confidentiality of such information, and I hereby release the City of Fulshear, and its agents, employees and officers, from any and all liability whatsoever if the information must be released pursuant to the Public Information Act**

I swear that all of the statements in my application and attached addendum, if any, are true and correct. I hereby affirm that I am aware of the requirements of the position and certify that I meet those requirements

Applicant Signature Will Dabert Date 11/13/2017

**All applications must be signed and submitted to the City Secretary. If there are no vacancies at the time of submittal, all applications are kept two years from receipt of the applications and will be destroyed as mandated**

Submit applications:

City of Fulshear  
Attn: D. Offord  
P. O. Box 279  
30603 FM 1093  
Fulshear, TX 77441  
281-346-1796

NOV 13 2017

CITY SECRETARY OFFICE



## CITY OF FULSHEAR TEXAS BOARDS AND COMMISSIONS APPLICATION

[SUBMIT](#)

The Mayor shall nominate, and by and with the approval of the City Council, shall appoint the members of all the boards and commissions of the City, and may remove the same at any time; and

**QUALIFICATION:** Except as otherwise provided by the Charter or other law, each candidate for appointment as a member of a board or commission shall reside within the corporate limits of the city, or within territory annexed prior to the appointment, for at least six (6) months preceding the appointment.

- All information provided in this application is public information pursuant to the Texas Public Information Act
- All individuals appointed to serve on a Board or Commission will be required to complete training relative to the Texas Open Meetings Act and to the Texas Public Information Act

Name Pamela Daveuport

Telephone Numbers (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_

Residential Address \_\_\_\_\_

Email \_\_\_\_\_

Business Address N/A

Business Telephone N/A

Do you live inside the city limits of Fulshear? Yes  No

If yes, how many years 1yr.

Are you a registered voter? Yes  No

Voter Registration No. \_\_\_\_\_ (Required)

**I AM INTERESTED IN SERVING ON THE FOLLOWING BOARDS OR COMMISSIONS:**

Please check the appropriate boxes. If applying for more than one Board or Commission, please rank your preference by using No. 1 as your first choice.

- Type A Economic Development Corporation
- Type B Economic Development Corporation
- Parks and Recreation Advisory Board
- Planning and Zoning Commission
- Zoning Board of Adjustment
- Historical Committee

Occupation/area of expertise \_\_\_\_\_

Human Resources/Training, Oil + Gas Consulting Business

Work experience applicable to the City Board or Commission in which you are applying

\_\_\_\_\_  
\_\_\_\_\_

Have you attended a City Council meeting? Yes  No

Have you attended a Board or Commission meeting for which you have

applied? Yes  No

Do you have knowledge/training regarding the applied Board or Commission?

Yes  No  If yes, please list: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

List any experience that qualifies you to serve in the position indicated We have recently renovated the Mayes House in downtown Fulshear. Historical research done on house, Mayes

Do you have working knowledge in any of the following areas? Please check all that family, etc. apply

- Real Estate/ Development
- Manufacturing/ Industrial Operations
- Business Development
- Law/Contractual Administration
- Building/Construction
- Banking/Finance
- Real Estate/ Development
- Promotion/Marketing
- Business Management

Do you currently serve on any other City Board or Commission at this time? If so, which Board or Commission? No

Do you have any business or personal relationship with the City of Fulshear that would affect your ability to have impartial judgment in City matters? Attach separate page, if necessary

Yes  No  If yes, please explain \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

What type of service do you feel the Board or Commission to which you have applied



has brought to the community? Attach separate page, if necessary

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Do you know the purpose of the Board or Commission for which you have applied?  
Please provide a brief statement

To address, preserve, promote historical structures in the City. Promote City of Fulshear history and way to inform, educate residents and visitors.

What do you hope to contribute to the community by serving on the Board or Commission to which you applied? Attach a separate page, if necessary

All of the above, help in decision-making process in how to address issues on locations, budgeting + preserving historical artifacts.

List any civic or community activity to which you have been involved

Harvey clean up.

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List volunteer experience

Fundraising for school events, managing  
Project Prom + Fun Food days for 2500+  
high school. Organized fundraising golf  
tournaments, fun runs. Church associated  
events - meals, phone banks, galas.

**I understand that if any member of the public makes a request for information included in this application for appointment must be disclosed under the Public Information Act. I also understand that it may not be legally possible to maintain the confidentiality of such information, and I hereby release the City of Fulshear, and its agents, employees and officers, from any and all liability whatsoever if the information must be released pursuant to the Public Information Act**

I swear that all of the statements in my application and attached addendum, if any, are true and correct. I hereby affirm that I am aware of the requirements of the position and certify that I meet those requirements

Applicant Signature Pamela Davenport Date 11/10/17

**All applications must be signed and submitted to the City Secretary. If there are no vacancies at the time of submittal, all applications are kept two years from receipt of the applications and will be destroyed as mandated**

Submit applications:

City of Fulshear  
Attn: D. Offord  
P. O. Box 279  
30603 FM 1093  
Fulshear, TX 77441  
281-346-1796