ORDINANCE 90-777

-4136 Order of Election (186)
escribed by Secretary of State
ctions 3.006, 83.010, 85.004, 85.007, V.T.C.A., Election Code

HART GRAPHICS, Austin

ORDER OF ELECTION

An election is hereby ordered to be held on MAY 05, 1990 for the purpose of: electing two ALDERMEN(Council Members), each for a two year term, and electing one MAYOR for a two year term. Said election shall be held at the following place in the City of Fulshear, Texas, and the following named persons are hereby appointed officers for said election: In election precinct # 4006, at City Hall of Fulshear Building, in said City, with Carolyn H. Smith, as presiding judge, and Barbara J. Stone, as alternate presiding judge, and said presiding judge shall appoint the necessary clerk to assist her which shall not exceed one clerk. The hourly rate of pay shall be $5.00 and shall not exceed fourteen (14) hours for each election officer.

bsentee voting by personal appearance will be conducted each weekday at

CITY HALL OF FULSHEAR, FULSHEAR, TEXAS,
(location)

etween the hours of 9:00 a.m. and 5:00 p.m. beginning on APRIL 16, 1990
(date)

nd ending on MAY 01, 1990.
(date)

dditional absentee voting will be held as follows: NONE

Location	Date	Hours

pplications for ballot by mail shall be mailed to:

CAROLYN H. SMITH, CITY OF FULSHEAR
(Name of Absentee Voting Clerk)

P.O. BOX 279
(Address)

FULSHEAR, TX. 77441
(City) (Zip Code)

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

APRIL 27, 1990.
(date)

Issued this the 06th day of FEBRUARY, 19 90.

C B Bentley
Signature of Presiding Officer MAYOR

VOTING: P.PRESLEY yes, F.SMART yes
T.HARKNESS absent V.RANDLE yes

ATTEST:

Carolyn H Smith

ORDINANCE NO. 90-778

AN ORDINANCE OF THE CITY OF FULSHEAR AUTHORIZING ENTERING INTO AN INTERLOCAL AGREMENT WITH THE HOUSTON GALVESTON AREA COUNCIL (HGAC), TEXAS FOR THE PURCHASE OF MATERIALS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Fulshear, and the Houston Galveston Area Council (HGAC), are desirous of entering into an Interlocal Agreement to purchase materials, through the HGAC cooperative purchasing program, which is anticipated will save the City money; and,

WHEREAS, Houston Galveston Area Council (HGAC), has complied with all applicable state laws relative to bidding; and,

WHEREAS, the attached Agreement represents the agreement between the City of Fulshear and the Houston Galveston Area Council (HGAC).

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

I

The Mayor of the City of Fulshear, is authorized to enter into the Interlocal Agreement with the Houston Galveston Area Council (HGAC) attached hereto.

II

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

This ordinance is effective on the date of passage.

PASSED AND APPROVED this 19 day of February, 1990.

THE CITY OF FULSHEAR, TEXAS

By: C B Bentley
CARL BENTLEY
Mayor

ATTEST:

By: Carolyn W. Smith
CAROLYN SMITH
City Secretary

ALDERMAN VOTING:

P. PRESLEY	YES
V. RANDLE	YES
F. SMART	YES
T. HARKNESS	YES

HOUSTON-GALVESTON AREA COUNCIL
INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT ("Agreement"), made and entered into pursuant to the Interlocal Cooperation Act (Article 4413(32c) V.T.C.S.) by and between the Houston-Galveston Area Council, hereinafter referred to as H-GAC, having its principal place of business at 3555 Timmons Lane, Suite 500, Houston, Texas 77027 and City of Fulshear, Texas, hereinafter referred to as the local government having its principal place of business at 6920 Katy-Fulshear Road.

WITNESSETH:

WHEREAS, H-GAC is a regional planning commission created under Acts of the 59th Legislature, Regular Session, 1965, recodified as Chapter 391 Texas Local Government Code; and

WHEREAS, H-GAC has entered into an agreement with the local government on the 19th day of February, 1990 and

WHEREAS, the local government desires to purchase certain governmental administrative functions, goods or services; and

WHEREAS, H-GAC hereby agrees to perform the scope of services outlined in Article 5 as hereinafter specified in accordance with the Agreement, and

NOW, THEREFORE, H-GAC and the local government do hereby agree as follows:

ARTICLE 1 LEGAL AUTHORITY

The local government warrants and assures H-GAC that it possesses adequate legal authority to enter into this Agreement. The local government's governing body has authorized the signatory official(s) to enter into this Agreement and bind the local government to the terms of this Agreement and any subsequent amendments hereto.

ARTICLE 2 APPLICABLE LAWS

H-GAC and the local government agree to conduct all activities under this Agreement in accordance with all applicable rules, regulations, ordinances and laws in effect or promulgated during the term of this Agreement.

ARTICLE 3 WHOLE AGREEMENT

The Interlocal Agreement and Attachments, as provided herein, constitute the complete Agreement between the parties hereto, and supersedes any and all oral and written agreements between the parties relating to matters herein. Except as otherwise provided herein, this Agreement cannot be modified without written consent of the parties.

ARTICLE 4 PERFORMANCE PERIOD

The period of this Interlocal Agreement shall be for the (balance of) fiscal year of the local government which begins January, 1990 and ends February, 1990. This contract shall thereafter automatically be renewed annually for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which the local government may make any payment due H-GAC beyond the fiscal year in which such obligation was incurred under this Agreement.

H-GAC or the local government may cancel this Agreement at any time upon 30 days written notice to the other party to this Agreement. The obligations of the local government, including its obligation to pay H-GAC for all costs incurred under this Agreement prior to such notice shall survive such cancellation, as well as any other obligation incurred under this Agreement, until performed or discharged by the local government.

ARTICLE 5 SCOPE OF SERVICES

The local government appoints H-GAC its true and lawful purchasing agent for the purchase of certain materials and services through the Council's Cooperative Purchasing Program, as enumerated through the submission of a duly executed purchase order, order form or resolution. All material purchased hereunder shall be in accordance with specifications established by H-GAC.

The materials and services shall be procured in accordance with procedures governing competitive bidding by H-GAC; and at the unit prices and administrative fee as indicated in the current H-GAC Order Form and Price Lists.

Ownership (title) of material purchased shall transfer directly from the vendor to the local government. The local government agrees to provide H-GAC with documentation of receipt and acceptance of material within five (5) days of acceptance of same.

ARTICLE 6 PAYMENTS

The local government agrees that, upon the presentation by H-GAC of a properly documented, verified proof of performance and a statement of costs H-GAC has incurred in accordance with the terms of this Agreement, it shall pay H-GAC, from current revenues available to the local government during the current fiscal year, on or before the date of the delivery of materials and services to be provided under this agreement.

ARTICLE 7 CHANGES AND AMENDMENTS

Any alterations, additions, or deletions to the terms of this Agreement which are required by changes in Federal and State law or regulations are automatically incorporated into this Agreement without written amendment hereto, and shall become effective on the date designated by such law or regulation.

H-GAC may, from time to time, require changes in the scope of the services offered through the H-GAC Cooperative Purchasing Program to be performed hereunder.

ARTICLE 8 TERMINATION PROCEDURES

Either H-GAC or the local government may cancel or terminate this Agreement upon thirty (30) days written notice by certified mail to the other party. In the event of such termination prior to completion of any purchase provided for herein, the local government agrees to pay for services on a prorated basis for materials and services actually provided and invoiced in accordance with the terms of this Agreement, including penalties, less payment of any compensation previously paid.

ARTICLE 9 SEVERABILITY

All parties agree that should any provision of this Agreement be determined to be invalid or unenforceable, such determination shall not effect any other term of this Agreement, which shall continue in full force and effect.

ARTICLE 10 FORCE MAJEURE

To the extent that either party to this Agreement shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, judgement, act of God, or specific cause reasonably beyond the parties' control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed. Determination of force majeure shall rest solely with H-GAC.

ARTICLE 11 VENUE

Venue and jurisdiction of any suit, or cause of action arising under or in connection with the Agreement shall lie exclusively in Harris County, Texas.

This instrument, in duplicate originals, has been executed by the parties hereto as follows:

CITY OF FULSHEAR
Local Government

X BY CB Bentley DATE 02-19-90
Official

ATTEST:

Carolyn W. Shick
CITY SECRETARY

HOUSTON-GALVESTON AREA COUNCIL

BY _____ Date _____
Manager of Cooperative Purchasing

BY _____ Date _____
Jack Steele
Executive Director

ORDINANCE NO. 90-779

AN ORDINANCE AMENDING ORDINANCE NUMBER 598, DESIGNATING LEA LANE, OAK LANE, TERRY LANE, WALKER, RED BIRD LANE, AS AN URBAN STREET AND SETTING A SPEED LIMIT OF 20 MILES PER HOUR ON LEA LANE, OAK LANE, TERRY LANE, WALKER, RED BIRD LANE; DESIGNATING PENN LANE, AS AN URBAN STREET AND SETTING A SPEED LIMIT OF 30 MILES PER HOUR ON PENN LANE; DESIGNATING OLD KATY-FULSHEAR ROAD from the North Boundary of F.M. 1093 to 6920 OLD KATY-FULSHEAR ROAD AS AN URBAN STREET AND SETTING A SPEED LIMIT OF 30 MILES PER HOUR ON OLD KATY-FULSHEAR ROAD from the North Boundary of F.M. 1093 to 6920 OLD KATY-FULSHEAR ROAD; DESIGNATING OLD KATY-FULSHEAR ROAD from 6920 OLD KATY-FULSHEAR ROAD TO THE CURRENT CITY LIMITS AS AN URBAN STREET AND SETTING A SPEED LIMIT OF 45 MILES PER HOUR ON OLD KATY-FULSHEAR ROAD from 6920 OLD KATY-FULSHEAR ROAD TO THE CURRENT CITY LIMITS; PROVIDING FOR THE ERECTION AND MAINTENANCE OF SPEED LIMIT SIGNS; PROVIDING FOR A FINE OF NOT MORE THAN $200.00 UPON CONVICTION OF A VIOLATION UNDER THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR POSTING AND PUBLISHING.

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

I

Section I is amended by adding to Section I A, to read:

"Section I A. The street hereinafter named is hereby expressly designated as a street within an urban district within the City and that the maximum speed limit of 20 miles per hour is established and determined for any vehicle traveling along any portion of the street listed as follows:

HUGGINS DRIVE	LEA LANE
WALLIS STREET	OAK LANE
HARRIS STREET	TERRY LANE
WILSON STREET	WALKER LANE
SYMMS STREET	RED BIRD LANE
FIFTH STREET	SHADY LANE
FOURTH STREET	COUNTRY LANE
THIRD STREET	
SECOND STREET	
FIRST STREET"	

Section I is amended by adding to Section I B, to read:

"Section I B. The street hereinafter named is hereby expressly designated as a street within an urban district within the City and that the maximum speed limit of 30 miles per hour is established and determined for any vehicle traveling along any portion of the street listed as follows:

PENN LANE"

Section I is amended by adding to Section I C, to read:

"Section I C. The street hereinafter named is hereby expressly designated as a street within an urban district within the City and that the maximum speed limit of 30 miles per hour is

established and determined for any vehicle traveling along any portion of the street listed as follows:

> OLD KATY-FULSHEAR ROAD from the North boundary of F.M. 1093 to 6920 OLD KATY-FULSHEAR ROAD."

Section I is amended by adding to Section I D, to read:

"Section I D. The street hereinafter named is hereby expressly designated as a street within an urban district within the City and that the maximum speed limit of 45 miles per hour is established and determined for any vehicle traveling along any portion of the street listed as follows:

> OLD KATY-FULSHEAR ROAD from 6920 OLD KATY-FULSHEAR ROAD to the current City Limits."

II

The Mayor and Department of Public Works is authorized and instructed to purchase, install, post and maintain the traffic control devices provided by Ordinance No. 598 and all amendments thereto displaying the speed limits provided by this Ordinance to vehicular traffice traveling along such highways, post and maintain speed limit signs along highways within the City of Fulshear, Texas displaying the speeds provided by this Ordinance to vehicular traffic traveling along such highways.

III

Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than $200.00 upon conviction of such violation; provided however if such person convicted of an offense under this Ordinance which offense is also a violation of the penal laws of the State of Texas, such person shall be subject to the penalties set out in the penal laws of the State of Texas for the offense.

IV

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

V

If any provision, section, subsection, sentence, clause, phrase of this Ordinance, or the application of same to any

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

VI

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

PASSED AND APPROVED this 16th day of April, 1990.

THE CITY OF FULSHEAR, TEXAS
By: _____
PAT L. Presley
Mayor Pro-Tem

ATTEST:
By: _____
CAROLYN SMITH
City Secretary

ALDERMEN VOTING:

V. RANDLE	YES
T. HARKNESS	YES
P. PRES LEY	YES
J. H. LIEM	YES
F. Smart	YES

Rec 90-780

16-4148—ORDER DECLARING RESULT OF CITY OFFICER ELECTION (176) Hart Graphics, Austin, Texas

Order Declaring Result Of City Officers' Election

THE STATE OF TEXAS
CITY OF FULSHEAR

On this the 08th day of MAY, 19 90, the City Council of the City of FULSHEAR, Texas, convened in SPECIAL session open to the public at the regular meeting place thereof with the following members present, to-wit:

C.B. BENTLEY, Mayor,
PAT L. PRESLEY, Mayor PRO-TEM
FRANCES SMART, Alderman
VIOLA RANDLE, Alderman
TOM HARKNESS, Alderman
JACK H. LIEM, Alderman
CAROLYN H. SMITH, City Secretary,

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

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

AYES: _____

_____, NOES: _____

The resolution is as follows:

There came on to be considered the returns of an election held on the 05th day of MAY, 19 90, for the purpose of electing the hereinafter named officials, and it appearing from said returns, duly and legally made, that there were cast at said election 209 valid and legal votes; that each of the candidates in said election received the following votes:

FOR MAYOR

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
FRANCES SMART	137
C.B. BENTLEY	70

FOR ALDERMAN

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
VIOLA RANDLE	165
NARVELENE BANKS	96
ERNESTINE WILLIAMS	46
JACK (J.H.) LIEM	42
FRANK LIEM	01
JO DOUGLAS	02

FOR ALDERMAN (Continued)

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED
SETHORA WEST	01
N.T. WOMACK	01
DIANE EVANS	01
KENNETH WISE	01
DAVID CHAVEZ	01

FOR _____

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

FOR _____

NAME OF CANDIDATE	TOTAL NUMBER OF VOTES RECEIVED

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

That said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that FRANCES SMART was duly elected Mayor of said City at said election[2] and VIOLA RANDLE AND NARVELENE BANKS XXXXXXXX were duly elected Aldermen of said City at said election, and that XXXXXX XXXXXXXX was duly elected XXXXX, and said above named parties are hereby declared duly elected to said respective offices, subject to the taking of their oaths and filing bond as provided by the laws of the State of Texas.

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

PASSED, ADOPTED AND APPROVED this the 08th day of MAY 1990.

ATTEST: Carolyn H. Smith, Secretary

C.B. Bentley, Mayor

ORDINANCE NO. 90-781

AN ORDINANCE AMENDING ORDINANCE NUMBER 590, MAKING IT UNLAWFUL TO DISCHARGE FIREARM OR DEADLY WEAPON, AIR RIFLES AND OTHER PROJECTILES WITHIN THE CITY OF FULSHEAR, TEXAS; PROVIDING THAT THE VIOLATION OF SUCH ORDINANCE SHALL BE A MISDEMEANOR PUNISHABLE UPON CONVICTION BY FINE UP TO THE AMOUNT OF ONE THOUSAND DOLLARS ($1,000.00), AND CONTAINING A SAVING CLAUSE, A REPEALER CLAUSE, AN EFFECTIVE DATE, PUBLISHING AND POSTING.

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

I

It shall be unlawful to discharge any firearm or other deadly weapon, air rifle, pettet gun, BB gun, carbon dioxide (CO2) gun, bow, crossbow, or so called hunting slingshot so that the projectile therefrom originating from public property or that crosses any public property, or crosses any thoroughfare or property line within the City of Fulshear, Texas; except that any rifle, pellet gun, BB gun, carbon dioxide gun, bow, crossbow, or so called hunting slingshot may be discharged by any party upon his own property and upon the property of another only when acting in such other person's presence and with his permission.

II

Any person violating this Ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to punishment by fine not exceeding ONE THOUSAND AND NO/100 ($1,000.00) DOLLARS.

III

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

IV

If any provision, section, subsection, sentence, clause, phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion thereof or provision, or regulation contained herein,

shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this Ordinance are declared to be severable for that purpose.

V

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

PASSED AND APPROVED this 21st day of MAY, 1990.

THE CITY OF FULSHEAR, TEXAS

By: Frances Smart
FRANCES SMART
Mayor

ATTEST:

By: Carolyn Smith
CAROLYN SMITH
City Secretary

ALDERMEN VOTING:

V. RANDLE	YES
P. PRES LEY	YES
T. HARKNESS	YES
J. H. LIEM	YES
N. BANKS	YES

edged itself indebted to the bearer, on the 5th day of June, 1990, in the sum of TEN THOUSAND AND NO/100 ($10,000.00) DOLLARS, in lawful money of the United States of America, with interest thereon from date hereof, at the rate of TEN per cent (10%) per annum, payable June 5, 1995, and interest payable on June 5, 1991 and annually on the 5th day of June of each year thereafter, which interest is evidenced by coupons attached hereto, principal and interest payable at 30603 F. M. 1093, in the City of Fulshear, County of Fort Bend, State of Texas 77441, upon presentation and surrender of Warrants or proper coupons; and the City Secretary is authorized, ordered and directed to pay bearer said principal sum and interest as the same matures. In the event the sum of money evidenced by this Warrant and annexed coupons shall not be paid at maturity, the sum shall thereafter bear interest at the rate of TEN (10%) percent per annum, until fully paid, and in the event of such default and it becomes necessary for the holder hereof or of any of the coupons attached hereto to place claim therefore in the hands of an attorney for collection or to institute suit thereon, then said City obligates itself to pay to holder an additional ten per cent as attorney's fees.

This warrant is one of a series of FIVE (5) Warrants of like date and tenor, except as to maturities, numbered one (1) to five (5), inclusive in the denomination of $10,000.00 each, aggregating the sum of $50,000.00, issued for the purpose of evidencing the indebtedness due by the City of Fulshear, Texas, to the bearer for the purchase of the City Hall Building, in accordance with the contracts therefor, and pursuant to an ordinance passed by the City Council of said City, which ordinance is recorded in the Minutes of said Council.

The date of this Warrant in conformity with the ordinance above mentioned is June 5, 1990.

entire series of which this is one, does not exceed any constitutional or statutory limitation; and that a sufficient tax to pay the principal and interest of this Warrant and the entire series of which this is one has been levied for said purpose and will continue to be annually levied, assessed and collected while said Warrants or any of them are outstanding.

The City reserves the right to call and redeem prior to maturity, pay without penalty or fee all principal, plus accrued interest due on this Time Warrant, and in such event interest shall cease to accrue on this Time Warrant.

The holder of the Time Warrant and Interest Coupons shall provide the City of Fulshear with their mailing address.

IN WITNESS WHEREOF, the City Council of the City of Fulshear, Texas, has caused the seal of the City to be hereto affixed and this Warrant to be signed by the Mayor, countersigned by the City Secretary, and registered by the City Secretary and the interest coupons hereto attached to be executed by the Mayor and City Secretary as of the 5th day of June, 1990.

THE CITY OF FULSHEAR, TEXAS

By: _____
FRANCES SMART, Mayor

COUNTERSIGNED:

By: _____
CAROLYN SMITH, City Secretary

REGISTERED as of the 5th day of June, 1990.

_____
CAROLYN SMITH, City Secretary
City of Fulshear, Texas

WARRANT NO. 5

CAROLYN SMITH, City Secretary

FRANCES SMART, Mayor

No. 2 ON THIS THE 5th DAY OF JUNE, 1992. $1,000.00

The City Secretary of the City of Fulshear, in the County of Fort Bend, Texas, will pay to bearer at 30603 F.M. 1093, Fulshear, Texas 77441, the sum of ONE THOUSAND AND NO/100 ($1,000.00) DOLLARS, being TWELVE (12) months' interest due that date on the "City of Fulshear City Hall, Purchase Warrants, Series 1990" dated June 5, 1990.

Subject to rights of the City of Fulshear to call and redeem the Time Warrant and terminate accrual of any interest.

WARRANT NO. 5

CAROLYN SMITH, City Secretary

FRANCES SMART, Mayor

No. 3 ON THIS THE 5th DAY OF JUNE, 1993. $1,000.00

The City Secretary of the City of Fulshear, in the County of Fort Bend, Texas, will pay to bearer at 30603 F.M. 1093, Fulshear, Texas 77441, the sum of ONE THOUSAND AND NO/100 ($1,000.00) DOLLARS, being TWELVE (12) months' interest due that date on the "City of Fulshear City Hall, Purchase Warrants, Series 1990" dated June 5, 1990.

Subject to rights of the City of Fulshear to call and redeem the Time Warrant and terminate accrual of any interest.

WARRANT NO. 5

CAROLYN SMITH, City Secretary

FRANCES SMART, Mayor

WARRANT NO. 5

CAROLYN SMITH, City Secretary

FRANCES SMART, Mayor

No. 5 ON THIS THE 5th DAY OF JUNE, 1995. $1,000.00

The City Secretary of the City of Fulshear, in the County of Fort Bend, Texas, will pay to bearer at 30603 F.M. 1093, Fulshear, Texas 77441, the sum of ONE THOUSAND AND NO/100 ($1,000.00) DOLLARS, being TWELVE (12) months' interest due that date on the "City of Fulshear City Hall, Purchase Warrants, Series 1990" dated June 5, 1990.

Subject to rights of the City of Fulshear to call and redeem the Time Warrant and terminate accrual of any interest.

WARRANT NO. 5

CAROLYN SMITH, City Secretary

FRANCES SMART, Mayor

ORDINANCE NO. 90-783

AN ORDINANCE AMENDING ORDINANCE NO. 88-757 PROVIDING FOR A FINE NOT TO EXCEED $1,000.00; PROVIDING A SEVERANCE CLAUSE AND PROVIDING AN EFFECTIVE DATE AND POSTING AND PUBLISHING OF CAPTION.

WHEREAS, the City Council finds it reasonable that the fine for each violation shall be increased to a ceiling of $1,000.00 for each violation.

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

I

Section V is amended to read as follows:

"Any person or other person violating this ordinance shall be guilty of a misdemeanor and upon conviction shall be subject to punishment by fine not exceeding ONE THOUSAND AND NO/100 ($1,000.00) DOLLARS, providing further that this penalty is cumulative of and in addition to the penalties provided in Ordinance No. 88-757 and by law."

II

This Ordinance shall be passed and effective upon publishing of the Ordinance as required by law, and all Ordinances or portion of Ordinances heretofore passed in conflict with the terms hereof are specifically repealed.

III

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

IV

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

PASSED AND APPROVED THIS the 18th day of June, 1990.

THE CITY OF FULSHEAR, TEXAS

By: _____
FRANCES SMART
Mayor

ATTEST:

By: _____
CAROLYN SMITH
City Secretary

VOTING ALDERMEN:

PAT L. PRESLEY	YES
V. RANDLE	YES
T. HARKNESS	ABSENT
J. LIEM	YES
N. BANKS	YES

ORDINANCE NO. 90-784

AN ORDINANCE MAKING PROVISIONS FOR THE POSTING OF NUMBERS AND DIRECTIONS, PROVIDING FOR DEFINITIONS, PROVIDING FOR SPECIFICATIONS FOR NUMBERS GENERALLY, PROVIDING FOR NUMBERING SYSTEMS FOR COMMERCIAL UNITS IN BUILDINGS, PROVIDING THAT THE VIOLATION OF SUCH ORDINANCE SHALL BE A MISDEMEANOR PUNISHABLE UPON CONVICTION BY FINE OF UP TO THE AMOUNT OF TWO HUNDRED ($200.00) DOLLARS, AND CONTAINING A SAVING CLAUSE, A REPEALER CLAUSE, AN EFFECTIVE DATE, PUBLISHING AND POSTING.

WHEREAS, the City Council of the City of Fulshear determines that it is necessary for the health, safety, and welfare of its citizens and residences that all structures have numbers and directions that are posted and readily visible.

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

ARTICLE I.

A. DEFINITIONS.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Commercial building shall mean and include any building used in whole or in part for any trade, business, the provision of services for remuneration, or for any commecial purpose, but the term commercial building shall not include any building used for residential or lodging purposes.

2. Commercial unit shall mean and include the portion of any commercial building that is used by any corporation, partnership, association or sole proprietorship which does not occupy the entire building.

3. Family shall mean and include one or more individuals living together in a single house-keeping unit.

4. Identifying Number shall mean the address number assigned by Houston Lighting & Power Company, the Director of Public Works, or where no such number has been assigned any number, letter, or number and letter combination which is distinct from any other number, letter, or number and letter combination used on the same premises.

5. Lodging Unit shall mean and include any room, other than one in a residential unit, which is generally used for sleeping purposes.

6. Premises shall mean any tract or tracts of land under common ownership. Premises shall also include the total area of any condominium or town house development where the owners of individual units hold all or part of the land in common.

7. Residential Unit shall mean and include any building or portion thereof designed as a dwelling for a family.

8. Person shall mean and include an individual, partnership or corporate entity.

B. DIRECTORY FOR APARTMENTS, ETC.

Whenever there are FOUR (4) or more residential units on

the same premises, there shall be a directory posted and maintained near the principal entrance to the premises unless an identifying number posted on each unit is clearly visible from the public street. Such directory shall indicate by a map or clearly worded directions the exact location of each residential unit on the premises. This section shall not apply if all units on the premises are located in one building which must meet the requirements of subsection (C) below.

C. POSTING OF NUMBERS AND DIRECTIONS.

(1) Each residential unit and each lodging unit shall have an identifying number posted and maintained on or within EIGHTEEN (18) inches of the principal entrance to the unit.

a) said identifying numbers shall be visible from the public right-of-way;

b) providing further that in the event the principal entrance shall not be visible from the public righ-of-way, then in such event, the identifying number shall be posted and maintained on a pole or marker sign at the property line adjoining the public right-of-way;

(2) If a building contains more than TWO (2) residential or lodging units which cannot be entered directly from outside, directions shall be posted and maintained outside the principal entrance to such building or inside such building where it is clearly visible upon entering the principal entrance to the building. Such directions shall indicate one of the following:

(a) The location of all units in the building by arrows, by a map, or by clearly worded directional information.

(b) The location of all units on the same floor as the principal entrance and the floor on which each other unit is located. When the directions at the principal entrance simply indicate the floor on which some units are located, directions shall be posted and maintained at the elevator entrance to each floor, or if there is no elevator, at the principal stairwell entrance. Such directions shall show the location of all units on that floor by arrows, a map, or clearly worded directional information.

If it is not obvious which entrance to a building is the principal entrace, a sign clearly indicating the location of the principal entrance shall be posted and maintained on all entrances which might be confused with the principal entrance; however, TWO (2) or more entrances may be considered principal entrances if the person in control of the property so desires. Where TWO (2) or more entrances are considered principal entrances, all numbers and directories must be posted and maintined at each such entrance as though it were the only principal entrance.

(3) If a building contains FOUR (4) or more residential or lodging units, identifying numbers shall be posted and maintained at each end of said building indicating the units contained therein. If the numbers posted at one end of the building are clearly visible from a public street or private driveway, and the opposite end of the building is not visible from either a public street or a private driveway, numbers shall be required only on the end of the building that is clearly visible from the public street or private driveway. It shall not be necessary to post the identifying

numbers of all unis contained in the building at the ends of said building if the numbers posted at the ends indicate the units contained in the building. (Example: Where a building contains units numbered 1 to 20, it shall be adequate to post "1-20" on the end of the building). The numbers required by this subsection shall be at least FOUR (4) inches in height, shall be permanently affixed to the outside of the building, and shall be of a color which is in contrast to the background.

D. LISTING OF OCCUPANTS.

It shall not be necessary to list the occupants of any unit on any sign or directory used to comply with this article.

E. SPECIFICATIONS FOR NUMBERS - GENERALLY.

All numbers which are to be posted and maintained on or within EIGHTEEN (18) inches of an entrance shall be:

(1) Permanently affixed to the outside of the door or on the outside wall of such building or unit, except as provided in Section C (1);

(2) Of a color which is in contrast to the background.

(3) At least THREE (3) inches in height, except:

a. On residential or lodging units which had numbers posted on June 18, 1990, numbers at least TWO (2) inches in height shall meet the requirements of this section.

b. On units contained in buildings where numbers are posted pursuant to Section C, numbers posted on or within EIGHTEEN (18) inches of the entrance of the unit shall be at least TWO (2) inches in height.

F. SAME - FOR COMMERCIAL UNITS AND BUILDINGS.

(1) Each commercial building shall have an identifying number posted and maintained on or within THIRTY-SIX (36) inches of the principal entrance.

The identifying number of the building shall also be posted and maintained on any sign which:

(a) Sets out the name of the building; and

(b) Is located on the same premises as the building; and

(c) Is visible to persons traveling on the street from which the address is derived.

(2) Each commercial unit having its principal entrance in such a location that it can be entered directly from outside the building shall have an identifying number posted and maintained on or within THIRTY-SIX (36) inches of the principal entrance.

(3) If it is not obvious which entrance is the principal entrance of a commercial building or a commercial unit, a sign clearly indicating the location of the principal entrance shall be posted and maintained on all entrances which might be confused with the principal entrance. However, TWO (2) or more entrances may be considered principal entrances if the person in control of the property so desires. Where TWO (2) or more entrances are considered principal entrances, all numbers must be posted and maintained at each such entrance as though it were the only principal entrance.

(4) All numbers which are to be posted and maintained on

commercial units and commercial buildings pursuant to this article shall be:

a. Permanently affixed to the outside of the door or on the outside wall of such building or unit;

b. Of a color which is in contrast to the background; and

c. At least THREE (3) inches in height.

All numbers which are posted and maintained on a sign or marker pursuant to this section shall be permanently affixed to the sign or marker and meet the same color and size requirements as specified in Subsections (4)(b) and (4)(c) above.

Provisions of this section shall not be construed to authorize the erection or maintenance of any sign or marker in contravention of any applicable provisions of the Building Code or Sign Ordinance.

ARTICLE II.
COMPLIANCE WITH ARTICLE PROVISIONS NOTICE;
PENALTIES FOR NON-COMPLIANCE

A. It shall be the responsibility of each owner of the property and of each person having control over the property to ensure that any number required to be posted and maintained on such property is so posted on such property at all times.

B. Charges may be filed in municipal court for any violation of this article upon proper complaint under the following conditions.

(1) Written notice has been given the person charged, by an officer or employee of the City, either by hand delivery or by certified mail, return receipt requested. Such notice shall inform the person that identifying numbers must be posted on each building, lodging, residential or commercial unit and/or, in the case of residential units, that a directory must be maintained, as applicable. The notice shall also set out the requirements for such numbers and/or, if applicable, such directory, as specified in this article shall be accompanied by a copy of applicable provisions of this article.

(2) The person charged did not comply with the applicable provisions of this article within TEN (10) days of the date such person received notice pursuant to Subsection (b)(1) hereof.

C. Any person who fails to ensure that all numbers or, if applicable, directories required by this article, are posted and maintained on property under his control after receiving notice as provided in Subsection (b) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less that FIFTEEN $15.00) DOLLARS nor more than TWO HUNDRED AND NO/100 ($200.00) DOLLARS for each offense. Each day a number or, if applicable, directory, required to be posted under this article is not so posted shall constitute a separate offense.

III

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

IV

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

V

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

PASSED AND APPROVED this 3rd day of July, 1990.

THE CITY OF FULSHEAR, TEXAS

By: _____
FRANCES SMART
Mayor

ATTEST:

By: _____
CAROLYN SMITH
City Secretary

ALDERMEN VOTING:

V. RANDLE	YES
P. PRES LEY	YES
T. HARKNESS	ABSENT
J. H. LIEM	YES
N. BANKS	YES

ORDINANCE NO.

90-785

AN ORDINANCE AMENDING ORDINANCE NUMBER 580, AND ORDINANCE NUMBER 697 DESIGNATING CERTAIN INTERSECTIONS AS STOP INTERSECTIONS; PROVIDING FOR THE ERECTION OF STOP SIGNS AT ONE OR MORE ENTRANCES TO DESIGNATED INTERSECTIONS; PROVIDING FOR A FINE OF NOT MORE THAN $200.00 UPON CONVICTION OF A VIOLATION UNDER THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR POSTING AND PUBLISHING.

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

I

Section II is amended by adding to Section II stop signs at the intersection of First Street and Wilson on the East and West intersections of said streets on First Street to read:

"Section II. The intersections hereinafter named are hereby expressly designated as stop intersections. A stop sign or stop signs shall be erected and maintained on the streets hereinafter names at their intersection with the streets also named, and every vehicle shall stop at such sign or at a clearly marked stop line before entering the hereinafter designated intersection on the streets hereinafter named, except when directed to proceed by a police officer.

On First Street and Wilson Street at the East intersections of said streets and at the West intersection of said streets."

The balance of said Ordinance to remain in full force and effect.

II

The Mayor and Department of Public Works is authorized and instructed to purchase, install, post and maintain the traffic control devices provided by Ordinance No. 580 and all amendments thereto displaying the stops signs provided by this Ordinance to vehicular traffic traveling along such highays post and maintain stop signs along highways within the City of Fulshear, Texas displaying the stops signs provided by this Ordinance to vehicular traffic traveling along such highways.

III

Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than $200.00 upon conviction of such violation; provided however if such person convicted of an offense under this Ordinance which

offense is also a violation of the penal laws of the State of Texas, such person shall be subject to the penalties set out in the penal laws of the State of Texas for the offense.

IV

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

V

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

VI

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

PASSED AND APPROVED this 16th day of July, 1990.

THE CITY OF FULSHEAR, TEXAS

By: Frances Smart
F. SMART
Mayor

ATTEST:

By: Carolyn H. Smith
CAROLYN SMITH
City Secretary

ALDERMEN VOTING:

V. RANDLE	YES
T. HARKNESS	ABSENT
P. PRESLEY	YES
J. LIEM	YES
N. BANKS	YES

ORDINANCE NO. 90-786

AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT ON A CITY FIRE TRUCK ~~AND A FIRE PROTECTION SERVICES CONTRACT~~ WITH THE FULSHEAR VOLUNTEER FIRE DEPARTMENT, INC., PROVIDING FOR SERVICES TO BE RENDERED, CONSIDERATION TO BE PAID, SEVERABILITY, EFFECTIVE DATE, PUBLISHING AND POSTING.

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

1. The Mayor is authorized to enter into the Lease Agreement attached hereto as an Exhibit "A" on the 1967 Ford Pumper Truck, Vehicle Identification Number C95LUB12311 for the sum of ONE AND NO/100 ($1.00) DOLLAR, commencing Aug 7 , 1990 and ending Aug. 6, 1991 and continuing on a year to year basis unless prior terminated by the City; consideration for said Lease shall be the sum of ONE AND NO/100 ($1.00) DOLLAR paid by the Fire Department.

~~2. The Mayor is hereby authorized to enter into a Fire Protection Services Contract on the terms and conditions described in Exhibit "B" attached hereto and made a part hereof.~~

II

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

III

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

IV

The City Secretary is instructed to post and publish notice

of this Ordinance as required by law, by publishing only the descriptive caption.

PASSED AND APPROVED this the 07 day of AUG., 1990.

THE CITY OF FULSHEAR, TEXAS

By: Frances Smart
FRANCES SMART, Mayor

ATTEST:

By: Carolyn W. Smith
CAROLYN SMITH, City Secretary

VOTING ALDERMAN:

V. RANDLE	YES
P. PRESLEY	YES
T. HARKNESS	ABSENT
J. LIEM	ABSENT
N. BANKS	YES

ORDINANCE 90-787

AN ORDINANCE ADOPTING THE 1991 BUDGET

FOR THE CITY OF FULSHEAR,TEXAS

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

1. The Budget as proposed and presented by the Mayor and Board of Council Members of the City of Fulshear, Texas, for the fiscal year January 01, 1991 through December 31,1991, is hereby approved and adopted by the City of Fulshear, Texas.

2. The Public Hearing having been duly held on October 04, 1990 at 7:00 p.m., at City Hall, 30603 F.M. 1093, Fulshear, Texas, with all persons having been heard, this Ordinance shall take effect and be in full force from and after its adoption.

PASSED AND APPROVED THIS THE 04 day of OCTOBER, 1990.

Frances Sweet

MAYOR

ATTEST:

Carolyn H. Smith

Carolyn H. Smith,City Secy-Treas

VOTING:

P.L.Presley YES, V. Randle YES, T. Harkness YES,

N. Banks YES, J. Liem ABSENT.

ORDINANCE 90-788

AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF FULSHEAR; PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE YEAR 1990; APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE; PROVIDING FOR PENALTIES AND INTEREST AND PROVIDING AN EFFECTIVE DATE.

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

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

(1) For the maintenance and support of the general government (General Fund) on each One Hundred Dollar ($100.00) valuation of property.

SECTION 2. All monies collected under this Ordinance for the specific items therein named, be and the same are hereby appropriated and set apart for the specific purpose indicated in each item and that the Assessor and Collector of Taxes, the City Treasurer and the City Secretary shall keep these accounts so as to readily and distinctly show the amount collected, the amounts expended and the amount on hand at any time, belonging to such funds, it is hereby made the duty of the Tax Assessor and Collector of Taxes and every person collecting money for the City of Fulshear, to deliver to the City

ORDINANCE NO. 90-789

AN ORDINANCE ADOPTING A REQUIREMENT THAT ALL WRITE-IN CANDIDATES FOR ELECTION TO CITY OFFICE MUST FILE A DECLARATION OF WRITE-IN CANDIDACY WITH THE CITY SECRETARY THIRTY (30) DAYS PRIOR TO ELECTION DAY; PROVIDING A SEVERANCE CLAUSE AND PROVIDING AN EFFECTIVE DATE AND POSTING AND PUBLISHING OF CAPTION.

WHEREAS, it is the desire of the City Council of the City of Fulshear, Texas, to adopt a requirement that all write-in candidates for election to City office must file a declaration of write-in candidacy with the City Secretary at least THIRTY (30) days prior to election day but not sooner than the date the election is called by City Council ; and

WHEREAS, Section 146.001 of the Election Code, which governs City elections, allows the City of Fulshear, Texas to pass an ordinance that would require write-in candidates to declare their candidacy.

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

I.

That each and every write-in candidate file a declaration of write-in candidacy at least THIRTY (30) days prior to election day with the City Secretary, but not sooner than the date the election is called by the City Council. Failure to file the declaration shall invalidate the write-in vote for that candidate.

II.

This Ordinance shall be passed and effective upon publishing of the Ordinance as required by law, and all Ordinances or portion of Ordinances heretofore passed in conflict with the terms hereof are specifically repealed.

III.

If any provision, section, subsection, sentence, clause, phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance

that no portion thereof or provision, or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this Ordinance are declared to be severable for that purpose.

IV.

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

PASSED AND APPROVED THIS the 04 day of OCTOBER, 1990.

THE CITY OF FULSHEAR, TEXAS

By: Frances Smart
FRANCES SMART,
Mayor

ATTEST:

By Carolyn H Smith
CAROLYN SMITH
City Secretary

VOTING ALDERMEN:

P. PRESLEY	YES
V. RANDLE	YES
T. HARKNESS	YES
J. LIEM	ABSENT
N. BANKS	YES

Ordinance No. 90-790

AN ORDINANCE SUSPENDING THE OPERATION OF THE PROPOSED SCHEDULE OF RATES FOR ELECTRIC UTILITY SERVICE FILED BY HOUSTON LIGHTING & POWER COMPANY; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING A REPEALER CLAUSE AND SEVERANCE CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

* * * * * *

WHEREAS, on or about November 9, 1990, Houston Lighting & Power Company, (the "Company") filed with the City a proposed schedule of rates for electric utility service within the City's limits to be effective on or about December 17, 1990; and,

WHEREAS, the City Council desires to have sufficient time to evaluate the merits of such proposed schedule of rates prior to its taking effect; **NOW THEREFORE,**

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

Section 1. Pursuant to the provisions of the **TEX. REV. CIV. STAT. ANN.** art. 1446c & 43(d) (Vernon supp. 1990), the City Council does hereby suspend the operation of the Company's proposed schedule of rates for a period of time ending on March 18, 1991 for Step 1 and for a period of time ending on October 31, 1991 for Step 2 (the 90th day following the proposed effective date of such schedule), but such suspension shall not take effect until a copy of this ordinance is delivered to the Company, as provided below.

Section 2. The Mayor is hereby authorized to deliver a true and certified copy of this ordinance to the Company at once. Such copy shall constitute a statement of the reasons for suspending the Company's rates and shall also constitute notice of such suspension.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 4. If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the

remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for this purpose.

This ordinance is effective from date of its passage.

PASSED APPROVED AND ADOPTED this 06 day of DECEMBER, 1990.

THE CITY OF FULSHEAR, TEXAS

BY: Frances Smart
FRANCES SMART
Mayor

ATTEST:

BY: Carolyn H Smith
CAROLYN SMITH
City Secretary

Aldermen Voting:

P. Presley Absent

V. Randle Yes

T. Harkness Yes

J. Liem Yes

N. Banks Yes