

ORDER OF ELECTION

An election is hereby ordered to be held on MAY 06, 2000 for the purpose of: electing two Aldermen (Council Members) and one Mayor, each for a two year term. Said election shall be held at the following place in the City of Fulshear, Texas, and the following named persons are hereby appointed officers for said election: In Election Precinct Number 4006, at Fulshear City Hall, 30603 F.M. 1093, in Fulshear, Texas, with Brenda Lofton as Presiding Judge, and Corinne Oliver as Alternate Election Judge, and said Presiding Election Judge shall appoint the necessary clerk to assist her which shall not exceed one clerk. These three election officers shall also serve as the Early Voting Ballotboard for this May 06, 2000 election.

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

Early voting by personal appearance will be conducted each weekday at
FULSHEAR CITY HALL, 30603 F.M. 1093, FULSHEAR, TEXAS 77441

(location)

between the hours of 9:00 a.m. and 5:00 p.m. beginning on APRIL 19, 2000

(date)

and ending on MAY 02, 2000

(date)

Additional early voting will be held as follows:

Location	Date	Hours
<u>NONE</u>		

Applications for ballot by mail shall be mailed to:

CAROLYN H. MCRANEY, CITY OF FULSHEAR
(Name of Early Voting Clerk)

P.O. BOX 279
(Address)

FULSHEAR, TEXAS 77441-0279
(City) (Zip Code)

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

APRIL 28, 2000
(date)

Issued this the 16th day of FEBRUARY, 2000

Carl G. Utley
Signature of Presiding Officer, CARL G. UTLEY, MAYOR
VOTING: Viola Randle YES, J.B. Collins ABSENT
Scott Evans YES, Jerone McKinney YES
Gloria Simmons YES

ATTEST:
[Signature]

ORDINANCE NO. 00-859

ENVIRONMENTAL IMPACT STATEMENT

AN ORDINANCE AMENDING ORDINANCE NO. 604 99-852 REQUIRING AN ENVIRONMENTAL IMPACT STUDY AND PUBLIC HEARING FOR CONSTRUCTION OF COMMERCIAL, INDUSTRIAL TOWNHOUSE, APARTMENT AND MULTI-FAMILY DEVELOPMENTS; INFORMATION REQUIREMENTS; HEARING PROCEDURE; PROVIDING FOR PLANNING COMMISSION REVIEW STANDARD FOR APPROVAL AND ENFORCEMENT PROVISIONS.

WHEREAS, heretofore the City Council of the City of Fulshear, Texas, wishes to establish certain minimum standards for safety, health, welfare, environmental protection, neighborhood preservation, preservation of property values, access, parking and open spaces within commercial, industrial, townhouse, apartment and multi-family projects to be constructed within the limits of the City; and

WHEREAS, the City Council has determined that certain vacant lands within the limits of the City are available for the development of commercial, industrial, townhouse, apartments and multi-family projects which are not presently provided with public roads, water and sanitary sewer services and drainways sufficiently developed to provide the necessary services to said vacant lands, and projects may be contemplated that fail to address concerns as safety, health, welfare, environmental protection, neighborhood preservation, preservation of property values; and,

WHEREAS, in order that all residents in such commercial, industrial, townhouse, apartments and multi-family projects receive a quality of service equal to that of the other citizens of the City and to assure the safety, health, welfare, environmental protection, neighborhood preservation, preservation of property values, the City Council, in exercise of its police powers for the general health and welfare of its citizens has considered this Ordinance.

WHEREAS, the City Planning Commission should review and advise the City relative to such development.

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

SECTION I

The developer or owner of any commercial project, including industrial, townhouse, apartment or multi-family project containing FOUR (4) or more living units to be constructed on lands within the city shall, prior to commencement of any construction of improvements, or making an application for a building permit, present an environmental impact study of such project to the City of Fulshear, Texas. The environmental study shall contain the following information.

- A. A master plan of the proposed development of the lands included in the application. The plan shall be drawn to scale and shall have delineated on it the size, shape and location of all improvement (buildings, recreation facilities, parking areas, streets, and etc.) to be made on the property with sufficient dimensions to determine the open spaces, parking areas, building sizes, offset distances, street widths and other improvements. Also as relates to townhouses, apartments and multi-family developments, the developer shall furnish the size of each residential unit, the total number of living units and the estimated total number of persons to be occupying the development.
- B. A complete lay-out of all streets and parking areas within the planned development, and the connection of the streets within the development to the existing neighborhood streets within one-fourth (1/4th) mile surrounding the development, with the proposed traffic flow on the streets providing access to the development. Also, the developer will provide a traffic count over SEVEN (7) consecutive days for the hours between 6:00 o'clock a.m. and 8:30 o'clock a.m. and between 4:00 o'clock p.m. and 6:30 o'clock p.m. at a point on the major streets where intersections will provide access to the development, and an estimate of the total number of vehicles from the development which will be using such intersections during those hours.
- C. A complete plan for the water system and the fire protection system proposed to be installed by the developer within the development. The plan shall show the size and location of all water lines within the development, as well as the location of the fire hydrants required to provide fire protection for the development. Further, the plan shall delineate the size and location of the existing water systems of the City, designating where connections to the water system in the development. Information shall be provided making an estimate of the total estimated water use, in gallons, during peak periods of demand, and the total estimated water use, in gallons, to be used monthly.

- D. The study shall include a complete plan of the sanitary sewer system proposed to be installed within the lands being developed. Such plan shall include the size, location and estimated depth of the sanitary sewer system within the development, as well as the size, location and depth of the existing sewer lines of the City and proposed connections the sanitary sewer system within the development. In addition to the above information, the study shall provide an estimate of the peak load from the development, at the point of intersection with the system of the City, expressed in gallons, and an estimated monthly load from the development, expressed in gallons.
- E. The plan shall show a cross section of the elevations of the lands to be developed, the proposed drainage system within the development and the existing drainage system into which the drainage system from the development will empty, or that will be affected by the drainage system to be constructed by the developer in the development. In addition to such drainage plan, the study shall include a drainage study, which shall certify the location of the lands to be developed in relation to the flood prone areas as designed by the Federal Flood Insurance Program, and if such development is within the flood prone area, what remedial actions are being taken to satisfy the regulations for construction of improvements within a flood prone area. The study shall also include the capacity of the existing drainage system and the increase resulting from the development; and the improvement, if any, required making the existing drainage system adequate to take an increase resulting from the development.

SECTION II

A. PLANNING COMMISSION

- 1. When the developer or owner has submitted all of the plans, information and studies required by this Ordinance, the City Planning Commission, within SIXTY (60) days after the receipt by the City of all the required information, set a time and date for a meeting to be held on the proposed environmental impact statement and development
- 2. The purpose of the meeting shall be to give the developer or owner an opportunity to present its proposed environmental impact statement and development to the City Planning Commission and for the City Planning Commission to hear testimony from the appropriate City officials, the developer or owner and any interested persons, concerning the development or requirements of services necessary for the proposed development.
- 3. The City Planning Commission after such hearing shall make recommendations to the City Council for the approval or disapproval of the environmental impact statement or proposed development.

B. CITY COUNCIL

- 1. After the Planning Commission has made its recommendation to the City Council, the City Council shall conduct a public hearing within SIXTY (60) days after the recommendation of the City Planning Commission, based on the evidence and testimony introduced at such meeting:
- 2. The City Council may hear testimony from the appropriate City officials, the developer or owner, and any interested persons concerning the development or the requirements of services necessary for the proposed development. The City Council shall consider the development, City standards for safety, health, welfare, environmental protection, neighborhood preservation, preservation of property values, access, parking, and open spaces, and determine the capability of the city to provide the necessary services to the development.
- 3. In the event the City Council shall determine that the environmental impact study is complete, and the existing services, (including access roads, water and sanitary sewer services, and drainage facilities) of the City are adequate to provide such services to the proposed development.
- 4. If, however, the City Council shall determine that the environmental impact study is incomplete or the existing capability of the necessary services to be provided by the City are not adequate to provide the necessary services or the standards are not satisfied, then, the City Council may approve as much of the environmental impact study and/or proposed development as may be appropriate.

SECTION III

It shall be unlawful for any building permit to be issued for the construction of any improvements covered by this ordinance prior to the approval of such development, or the portion thereof by the City Planning Commission and the City Council as provided in Section II. No final inspection shall be made on any improvements in the development, nor shall water and sewer services be provided to any part of the development, unless, and until the developer or owner shall have completed any improvements required to be made by the terms of the approval of the development made by the City Council as provided in Section II.

SECTION 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.

SECTION V

This Ordinance shall take affect upon its passage, and it shall be posted and the caption shall be published in the official newspaper of the City.

PASSED AND APPROVED this 6th day of June, 2000.

CITY OF FULSHEAR, TEXAS

By: 
J. Michael Dinges
Mayor

ATTEST:



VOTING ALDERMAN:

VIOLA RANDLE	AYE
SCOTT EVANS	AYE
J. B. COLLINS, JR.	AYE
GLORIA SIMMONS	AYE
JERONE McKINNEY	AYE

ORDINANCE NO. 00-860

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, ADOPTING A PUBLIC FUNDS INVESTMENT POLICY FOR THE CITY; REPEALING ORDINANCE NO. 85-719, PASSED AND APPROVED THE 13TH DAY OF AUGUST 1985, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

* * * * *

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

Section 1. Pursuant to the provisions of TEXAS GOVERNMENT CODE, Chapter 2256, the Public Funds Investment Act (the "Act"), the City Council of the City of Fulshear, Texas, hereby adopts a Public Funds Investment Policy for the City. A copy of such Policy is attached hereto as Exhibit "A" and made a part hereof for all purposes.

Section 2. Ordinance No. 85-719, passed and approved the 13th day of August 1985, and all other ordinances or parts or ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 3. 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 such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 07 day of September, 2000.



J. Michael Dinges

Mayor

ATTEST:



Kathy Mayfield
City Secretary

ORDINANCE NO. 00-861

AN ORDINANCE APPROVING AND ADOPTING THE CITY OF FULSHEAR, TEXAS, GENERAL BUDGET FOR THE FISCAL YEAR 2001; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, within the time and in the manner required by law, the Mayor presented to the City Council a proposed general budget of expenditures of the City of Fulshear for the 2000-2001 fiscal year; and

WHEREAS, pursuant to a motion of the City Council and after notice required by law, a public hearing on such general budget was held at the regular meeting place of the City Council at the Town Hall of the City of Fulshear, 30603 F.M. 1093, on the 30th day of August 2000, at which hearing all citizens and taxpayers of the City had the right to be present and to be heard and those who requested to be heard were heard; and

WHEREAS, the City Council has considered the proposed general budget and has made such changes therein as in its judgment were warranted by law and were in the best interest of the citizens and taxpayers of the City; and

WHEREAS, a copy of such general budget has been filed with the City Secretary and the City Council now desires to approve and adopt the same; now, therefore,

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

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council hereby approves and adopts the general budget described in the preamble of this Ordinance, a copy of which is attached hereto and made a part of this Ordinance for all purposes and a copy of which is on file with the City Secretary. The City Secretary is hereby directed to place on said budget an endorsement, which shall be signed by the City Secretary, which shall read as follows:

"The Original General Budget of the City of Fulshear, Texas, for the Fiscal Year 2000-2001."
Such budget, as thus endorsed, shall be kept on file in the office of the City Secretary as a public record.

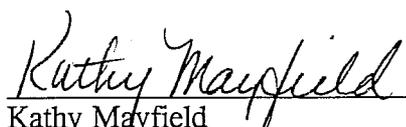
Section 3. In support of said budget and by virtue of the adoption thereof, including any and all changes adopted thereto, the several amounts specified for the various purposes named in said budget are hereby appropriated to and for such purposes.

PASSED, APPROVED, AND ADOPTED this 20th day of September 2000.



J. Michael Dinges
Mayor

ATTEST:



Kathy Mayfield
City Secretary

ORDINANCE NO. 00-862

AN ORDINANCE PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF FULSHEAR, TEXAS, FOR THE YEAR 2000 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

* * * * *

WHEREAS, pursuant to Section 26.05 of the Texas Property Tax Code, the governing body of each taxing unit shall adopt a tax rate for the current tax year; and

WHEREAS, all notices and hearings required by law as a prerequisite to the passage, approval, and adoption of said tax rate ordinance have been timely and properly given and held; now, therefore,

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

Section 1. The facts and recitations set forth in the preamble of this Ordinance are found to be true and correct and are hereby adopted, ratified, and confirmed.

Section 2. All property subject to ad valorem taxation by the City of Fulshear, Texas, shall be equally and uniformly assessed for such purposes at One Hundred Percent (100%) of the fair market value of such property.

Section 3. There is hereby levied for general purposes and use by the City of Fulshear, Texas, for the year 2000, and for each year thereafter until otherwise provided, an ad valorem tax at the rate of Forty-two and 174/1000 Cents (\$.42174) on each One Hundred Dollars (\$100) of assessed valuation on all property, real, personal, and mixed, within the corporate limits upon which an ad valorem tax is authorized by law to be levied by the City of

Fulshear, Texas. The proceeds from such tax shall be applied to the payment of the general and current expenses of the government of the City. All such taxes shall be assessed and collected in current money of the United States of America.

Section 4. All ad valorem taxes levied hereby, as reflected by Section 3 hereof, shall be due and payable on or before January 31, 2001. All ad valorem taxes due the City of Fulshear, Texas, and not paid on or before January 31 following the year for which they were levied shall bear penalty and interest as prescribed in the Property Tax Code of the State of Texas.

Section 5. All ordinances and parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

PASSED, APPROVED, AND ADOPTED this 20th day of September 2000.



J. Michael Dinges
Mayor

ATTEST:



Kathy Mayfield
City Secretary

ORDINANCE NO. 00-863

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, ADOPTING A DROUGHT CONTINGENCY PLAN; ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE

* * * * *

WHEREAS, the City of Fulshear, Texas recognizes that the amount of water available to the City and its water utility customers is limited and subject to depletion during periods of extended drought;

WHEREAS, the City recognizes that natural limitations due to drought condition and other natural disasters cannot guarantee an uninterrupted water supply for all purposes;

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Natural Resource Conservation Commission require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of Fulshear, Texas, the City Council deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

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

Section 1.

That the City of Fulshear, Texas, Drought Contingency Plan attached hereto as Exhibit A and made part hereof for all purposes, and as previously adopted at the December 13, 2000, meeting of City Council, is the official policy of the City.

Section 2.

That all ordinances that are in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 3.

Should any paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

Section 4.

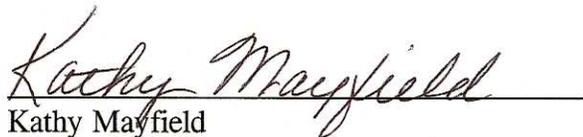
This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

PASSED AND APPROVED AND ADOPTED this 17th day of January, 2001.



J. Michael Dinges
Mayor

ATTEST:



Kathy Mayfield
City Secretary

ORDINANCE NO. 00-864

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, ESTABLISHING A SIX MONTH MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR AND THE ISSUANCE OF BUILDING PERMITS, DEVELOPMENT PERMITS, SUBDIVISION PLATS AND OTHER DEVELOPMENT RELATED APPLICATIONS; PROVIDING FOR AN APPEAL PROCESS; PROVIDING FOR THE INITIATION OF REVIEW OF THE CITY OF FULSHEAR DEVELOPMENT REGULATIONS; DECLARING AN EMERGENCY AND EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the City Council of the City of Fulshear is located within Fort Bend County, which has been experiencing a high rate of growth over the last few years; and

WHEREAS, the City is located near major thoroughfares and the path of development in the Katy area, and reasonably believes that development will soon approach its boundaries; and

WHEREAS, the City wishes to ensure that its development regulations reflect current land development trends, enhance community character and accurately reflect the goals for future development within its municipal boundaries; and

WHEREAS, there are currently no applications pending or submitted to the City; and

WHEREAS, the City wishes to ensure that land development occurs in a safe, orderly and healthful pattern, and seeks by its regulations to promote the health, safety, morals, and general welfare of the municipality; and

WHEREAS, Council hereby authorizes the Planning Commission of the City of Fulshear to undertake an evaluation of the City's land development regulations, hold such public hearings as may be required by law, and directs the committee to work expeditiously and report back to the full Council as soon as practicable; and

WHEREAS, the City Council finds that it is in the public interest to preserve the status quo by not accepting applications for development, including building permits, subdivision plats, preliminary plats, final plats and replats, or other applications which will result in the development of land or the intensification of existing uses for land located within the municipal boundaries of the City, and its extraterritorial jurisdiction, if applicable, pending public deliberation and completion of the regulatory review; now, therefore,

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

Section 1. That for a period of time from the effective date of this Ordinance, up to and including June 13, 2001, no application may be accepted by the City of Fulshear for a development application of any type, including but not limited to an application for a building permit, a preliminary or final plat, or a replat, or any other applications which will result in the development of land or the intensification of existing uses, for any real property located within the municipal boundaries or the extraterritorial jurisdiction of the City of Fulshear, Texas.

Section 2. That the Planning Commission of the City of Fulshear is hereby appointed, and City staff is directed to assist the Commission to undertake appropriate review and analyses, evaluate alternatives, and prepare recommendations as to appropriate development regulations, or amendments to the City's current development regulations, in accordance with state law, based on the City's future land use plan, adjacent land development patterns, and other relevant information. The Commission is directed to conduct such analyses expeditiously, and report back to the full City Council with such recommendations and revisions on or before April 13, 2001.

Section 3. That appeals for relief from hardship caused by this moratorium may be made to and shall be considered by the City Council, who shall hold a public hearing on such request and make a decision to grant or deny the application based on the following factors:

- A. The purpose of the request;
- B. The uses and character of the neighborhood or area affected, including an analysis of adjacent land development patterns;
- C. Feasibility studies or economic analyses related to the need for immediate development of the property, including market studies, traffic impact analyses, and such other information as Council requires sufficient to assist them in making a determination; and
- D. Information establishing whether or not the land has previously been platted, drainage analyses, and whether or not the land is restricted by private deed restrictions.
- E. Any other facts and information City Council finds appropriate.
- F. If the City Council determines that a waiver should be granted under this Section for a particular piece of property, such development applications shall be submitted to the appropriate City official, and shall comply with all requirements of State law, City Ordinances and related regulations.

Section 4. City staff is hereby directed to not accept a development application of any type, including but not limited to an application for a building permit, a preliminary or final plat, or a replat, or any other applications which will result in the development of land or the intensification of existing uses, for any real property located within the municipal boundaries or the extraterritorial jurisdiction of the City of Fulshear, Texas. Any documents received

purporting to apply for such applications shall be immediately returned to the owner or his agent, with a copy of this Ordinance. Any application so declined for processing shall be considered administratively incomplete.

Section 5. The temporary suspension referenced in Section 1, above, shall not affect or in any way suspend or prohibit the issuance of building permits on lots for which final subdivision plats have previously been approved and filed of record, for which no further subdivision platting is required, or for which an administratively complete application has been made prior to the effective date of this Ordinance.

Section 6. This Ordinance shall be in full force and effect from the date of passage up to and including June 13, 2001, unless earlier repealed by the adoption of revisions to the City's subdivision regulations, or unless extended by Council.

Section 7. That an emergency exists for the immediate preservation of the public health safety and general welfare which requires that this Ordinance take effect immediately from and after its passage, in accordance with the provisions of State law, and it is accordingly so ordained.

Section 8. 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 such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this 13 day of December, 2000.

CITY OF FULSHEAR

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Mayor

ATTEST

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City Secretary