



CITY OF FULSHEAR

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441
PHONE: 281-346-1796 FAX: 281-346-2556

FULSHEAR CITY COUNCIL MINUTES JANUARY 29, 2015

I. CALL TO ORDER

A Special City Council Meeting was called to order on Thursday, January 29, 2015 by Mayor Thomas C. Kuykendall, Jr. at 6:21 p.m. in the Fulshear City Hall located at 30603 FM 1093 Rd., Fulshear, Texas 77441.

Present:

*Thomas C. Kuykendall, Jr., Mayor
Jeff Roberts
Tricia Krenek
Stephen Gill, Mayor Pro-Tem
Tajana Mesic*

Absent:

J. B. Collins, Jr.

City Staff Present:

*D. (Diana) Gordon Offord, City Secretary
Cheryl Stalinsky, Economic Development Director
Bryon Brown, Assistant City Attorney
C. J. Snipes, City Administrator*

Others Present:

*L. Beustring
Anna Catelas
Tim Green
Ramona Ridge
Owen BeMent*

II. QUORUM

Mayor Kuykendall announced that a quorum was present and Council Member Collins unable to be here.

Mayor Kuykendall stated that "Public Comments" would be allowed even though not listed on the agenda.

Larry Beustring, Resident of Bois D ' Arc area, stated that there is no need for Creation of Muds 4,5, and 6 as Doug Konopka will have water with his subdivision and the MUDs 4, 5, and 6 can tie into Mr. Konopka's project. Mr. Beustring stated that his understanding the MUDs planned to spend million and half dollars and they could give Mr. Konopka part of the money to do bigger water lines. Mr. Beustring is also concerned about the infrastructure. Mr. Beustring stated he is against approving Item A. (tape can be made available for all his comments).

III. BUSINESS

A. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1174 an ORDINANCE of the CITY of FULSHEAR APPROVING PETITIONS for CONSENT to CREATION and SUPPORT of LEGISLATION for FULSHEAR MUNICIPAL UTILITY DISTRICT NOS. 4, 5, and 6 (THE DISTRICTS)

C. J. Snipes, City Administrator, stated that the City Attorney Bryon Brown will discuss Ordinance No. 2015-1174 with the Council in detail. Mr. Snipes stated that in reference to Mr. Beustring comment that the creation of the MUDs will have limits.

City Attorney Brown, the developer (representative Tim Green), and Council discussed Ordinance No. 2015-1174 in detail about an hour. Mr. Brown stated this ordinance is for the creation of MUDs 4,5, and 6. He stated that item "A" deals with the issuance of bonds, the purpose, condition, and the terms. He stated it is well outlined. He stated that paragraph B deals with the commencement of construction and the plans specification and subject to all the City's ordinance, etc. Mr. Brown continued discussing as follows:

Item C: outlined the meetings of the board and when fifty (50) qualified voters are residing in the district, all public meetings will be held within the City or City's extraterritorial jurisdiction.

Item D: requires the district to submit its budget to the City

Item E: regarding annexing additional land

Item F: the City's Subdivision Ordinance

Item G: regarding the provision of services; the district will not be allowed to provided permanent water contract services (permanent identified as three (3) years or more)

Item H: regarding easements granted

Item I: requirement for the development agreement and expenses for processing the development agreement (it was decided that if no development agreement within five years, the \$20,000 range will not apply)

Item J: If commercial property is created within any of the District territory located in the City's extraterritorial jurisdiction, it would allow the City to collect sales tax

Item K: the owner or the developer of the land within the District shall pay a fee of \$10,000 to the City for processing the petition to create the District

Item L: the City's authority to designate a representative of the City who shall be provided with all notices, agendas, and related items for each meeting of the District's board. Mr. Brown stated the advantage of this item is that the designated representative will be getting notices of the meetings held by the district board.

There was a lot of questions and answers during the conversation of items "A" through "L". (Tape is available upon request of the entire meeting).

Mr. Green, representative for the district, had issues with the with items A and C in processing a bond request. There was a back and forth for an additional fifteen minute discussion between Mr. Green and the Council.

Council Member Krenek suggested that the Council enter into Executive Session for further discussion of this item.

Council Member Gill left at 7:38 p.m.

Mayor Kuykendall stated that Council would enter into Executive Session at 7:39 PM.

City Council reconvened back into Regular Session at 8:13 PM. A quorum was present. (Council Members Krenek, Mesic, Roberts, and Mayor Kuykendall)

Mayor Kuykendall announced that Bryon, City Attorney, would discuss some of the language as result of the Executive Session.

Mr. Brown comments were as follows: Starting with Exhibit C item "a".....

-Striking the first sentence and replacing that sentence with a new sentence that reads " no later than 90 days before the issuance of bonds the District financial advisors shall participate in a public hearing with the City presenting the amount of the bonds being proposed for issuance, the projects funded by such bonds, and the proposed debt tax rate after issuance of such bonds. That will be followed by another sentence which will read, "all bonds issued by the District will remain obligations of the District until dissolution." The remainder of paragraph "A" would be maintained.

Mayor Kuykendall stated that at this time we have revisions to items a, f, and i.

A motion was made by Council Member Krenek to approve Ordinance No. 2015-1174 an Ordinance of the City of Fulshear approving petitions for Consent to Creation and Support of Legislation for Fulshear Municipal Utility Districts Nos. 4, 5, and 6 as amended. It was seconded by Council Member Mesic. The motion was carried by the following vote:

Ayes: Council Members Krenek, Mesic, and Roberts

Nays: None

Absent: Council Members Collins and Gill

- B. CONSIDERATION and POSSIBLE ACTION to APPROVE DEVELOPMENT AGREEMENT between the CITY of FULSHEAR, TEXAS and FULSHEAR EQUINE, LLC, FULSHEAR INVESTMENTS, INC. and BEAZER HOMES TEXAS LP
- C. CONSIDERATION and POSSIBLE ACTION to APPROVE UTILITY AGREEMENT between the CITY of FULSHEAR, TEXAS and FULSHEAR INVESTMENTS, INC., FULSHEAR EQUINE LLC and BEAZER HOMES TEXAS, LP
- D. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1175 an ORDINANCE of the CITY of FULSHEAR APPROVING PETITION for CONSENT CREATION of FORT BEND COUNTY MUD NO. 174
- E. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1176 an ORDINANCE of the CITY of FULSHEAR APPROVING ANNEXATION and SERVICE PLAN for a CERTAIN 272.406 ACRE TRACT of LAND into the CORPORATE LIMITS of the CITY of FULSHEAR, TEXAS herein DESCRIBED on PETITION from LANDOWNERS: FULSHEAR EQUINE LLC and FULSHEAR INVESTMENTS
- F. CONSIDERATION and POSSIBLE ACTION to APPROVE DEVELOPMENT AGREEMENT between the CITY of FULSHEAR, TEXAS and FORT BEND JORDAN RANCH LP

Council took no action on Items "B" through "F".

IV. ADJOURNMENT

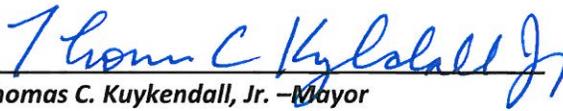
A motion was made by Council Member Mesic to adjourn. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Members Krenek, Mesic, and Roberts

Nays: None

Absent: Council Members Collins and Gill

Mayor Kuykendall announced that we are now adjourned at 8:18 PM.


Thomas C. Kuykendall, Jr. - Mayor

Attest:


D. (Diana) Gordon Offord - City Secretary