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**FULSHEAR CITY COUNCIL MINUTES
APRIL 30, 2015**

I. CALL TO ORDER

A Special Meeting of the Fulshear City Council was called to order by Mayor Thomas C. Kuykendall, Jr. at 6:19 p.m. Thursday, April 30, 2015 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.

II. QUORUM

A quorum was present. Mayor Kuykendall announced that Council Member Roberts was stuck in traffic.

Members Present:

Thomas C. Kuykendall, Jr., Mayor
Stephen Gill, Mayor Pro Tem
J. B. Collins, Jr.
Tricia Krenek
Tajana Mesic

Member Absent:

Jeff Roberts

City Staff Present:

D. (Diana) Gordon Offord, City Secretary
J. Grady Randle, City Attorney

Others Present:

Rhonda Pohlman
Steve Pohlman

III. PUBLIC HEARING

Mayor Kuykendall announced that the hearing is cancelled. An issue with TX Dot has brought to our attention. No action will be taken.

Mayor Kuykendall announced that the addendum to the Agenda item (Presentation: Texana Center) is cancelled. No action will be taken.

IV. BUSINESS

**FULSHEAR CITY COUNCIL MINUTES
APRIL 30, 2015
PAGE 2**

A. Consideration and possible action to approve Minutes from the March 3, 2015 and March 17, 2015 Meetings.

A motion was made by Council Member Gill to approve Minutes from the March 3, 2015 and March 17, 2015 meetings. It was seconded by Council Member Krenek.

Mayor Kuykendall asked if there is any discussion.

Council Member Mesic requested that her comments sent to the City Administrator, City Secretary, and City Attorney be added to the minutes of March 17, 2015.

Mayor Kuykendall explained that video conferencing and proxy voting is not acceptable. Mayor further explained that since she was absent from the meeting and not aware of the discussions that took place regarding agenda items, her comments may be inappropriate. Mayor Kuykendall stated to add comments to the City Secretary's minutes (Council Member Mesic was absent from the March 17 meeting) would be a violation of the law since the secretary must keep accurate documentation of what occurred during the meeting.

City Attorney, J. Grady Randle, stated it is likely a violation of law for the minutes of a City Council meeting to reference or attach a purported or intended vote by proxy. He stated it is the duty of the City Secretary to keep accurate minutes. City Attorney Randle stated that all needs to be there is the subject matter and the vote.

The discussion between Council Member Mesic and attorney continued for another few minutes. Council Member Mesic was satisfied with response from the other Council Members and City Attorney.

Council Member Krenek stated that the Texas Ethics Board and Attorney General office has all deal with the this issue and it is clear with that she calls for a vote.

Council Member Gill questioned why wasn't the March 3, 2015 minutes approved. It was stated it was attached to the March 17 minutes which was in question.

Mayor Kuykendall called for a vote.

The motion was carried by the following vote:

Ayes: Council Member Collins, Gill, Krenek, and Mesic

Nays: None

Absent: Council Member Roberts

B. Consideration and possible action to approve application for the City of Fulshear 2015 Transportation Alternative Program Application

Mayor Kuykendall stated part of this project is in the Metro Ride away and they stated that the ditch had to be taken care of first.

FULSHEAR CITY COUNCIL MINUTES
APRIL 30, 2015
PAGE 3

C.J. Snipes, City Administrator, stated more things are needed before an application can be submitted as he had spoken with the District office today. Drainage for the City must be first attended too.

Mayor Kuykendall announced that no action is needed on this item.

IV. EXECUTIVE SESSION- CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE.

Mayor Kuykendall announced that we would enter into Executive Session at 6:27 p.m. and a quorum was present.

V. RECONVENE AND TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF DEEMED APPROPRIATE

Mayor Kuykendall announced that Council would resume into regular session at 6:34 p.m. A quorum was present. He asked if there is any action to be taken.

A motion was made by Council Member Krenek to authorize that \$1000.00 / 90 day option on real estate. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Member Collins, Gill, Krenek, and Mesic

Nays: None

Absent: Council Member Roberts

Council Member Roberts walked into the room at 6:34 p.m.

VI. ADJOURNMENT

A motion was made by Council Member Collins to adjourn at 6:35 p.m. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Member Collins, Gill, Krenek, and Mesic

Nays: None

Abstain: Council Member Roberts

Mayor Kuykendall announced that we are adjourned at 6:35 p.m.


Thomas C. Kuykendall, Jr. – Mayor

Attest:


D. (Diana) Gordon Offord, City Secretary