



CITY OF FULSHEAR

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441
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CITY COUNCIL MINUTES JULY 21, 2015

I. CALL TO ORDER

A Regular Meeting of the Fulshear City Council was called to order by Mayor Thomas C. Kuykendall, Jr., at 7:02 p.m. on July 21, 2015 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.

Members Present:

Thomas C. Kuykendall, Jr., Mayor

Jeff Roberts, Mayor Pro-Tem

Tricia Krenek

Tajana Mesic

Ramona Ridge

Erin Tristan

Members Absent:

None

City Staff Presents:

D. (Diana) Gordon Offord, City Secretary

C.J. Snipes, City Administrator

J. Grady Randle, City Attorney

Valerie Bryant

Kristina Brashear

Kenny Seymour

Lynn Raymer

Cheryl Stalinsky

Others Present:

Shannon Purcell

Kim Stacy

Randy Stacy

Bill Heede

Frank Pickard

Homer Salazar

L. Beustring

Diana Fraser

Stephanie Miles

Kyler Miles

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Continue- Others Present:

Paris Arthur
Maaz Khan
Jenna Lord
Leon Salazar
Karen VanHolter
Viola Randle
Kathy Ward
Laurie Szantay
Bill Sweitzer
Tyra Gilmore
John Pham
Stephen Gill
Denise Winters
Audrey Robinson
Mike Bradley
Jeff & Lyn Spittler
And 31 others who did not sign in

II. QUORUM

Mayor Kuykendall announced that a quorum was present and welcomed all citizens.

III. INVOCATION – Father Dat Hoang, Pastor of Saint Faustina Catholic Church, Fulshear, Texas

Father Dat gave the prayer.

IV. PLEDGE OF ALLEGIANCE

Mayor Kuykendall led the audience in the Pledge of Allegiance to the Flag.

V. CITIZEN COMMENTS – NO ACTION CAN BE TAKEN

Citizens who desire to address the City Council will be limited to three (3) minutes.

Bill Heede stated he wanted to set the record straight because several comments from member of Council that was incorrect and offensive regarding his appointment to the Planning and Zoning Commission. Mr. Heede stated that he has a long history of volunteer service with Boy Scouts of America and since moving here has been involved with the Cert Team for Emergency Preparedness. He stated he is twice retired; one from large Law Enforcement agency in California and Fortune Fifty Electronics Firm.

Laura Szantkay stated she wants to speak on multiple items on the agenda. She stated she is in favor of DHK Development regarding the new City Hall. She supports getting street lights on FM 1093 and FM 1463. She does not support the ordinance regarding Pedi-cabs.

Tyra Gilmore is concerned about having signs up on her street regarding “children at play”. She stated that vehicles pass to fast on her streets. Ms. Gilmore stated she has complained before and hope she does not have to come again because it is a safety issue.

John Pham stated he is a real estate agency and just wanted to introduce himself to Council. He wants Council to know if he is not allowed to put out his open house signs for a couple of hours on the weekend, his business will suffer. He stated his signs are bringing potential buyers to the area.

Denise Winters stated this is her first Council Meeting. She stated that her son saved a life of a child and she is here to stand in for him as he is at work.

Mayor Kuykendall thanked everyone for their comments.

VI. CONSENT AGENDA

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the consent agenda for a separate discussion and action.

- A. CONSENT and APPROVAL of MINUTES from the June 1, 2015 and June 16, 2015 MEETINGS
- B. CONSENT and APPROVAL of ST. FAUSTINA CATHOLIC CHURCH/PRELIMINARY PLAT
- C. CONSENT and APPROVAL of CREEK FALLS AT CROSS CREEK RANCH LIFT STATION NO. 5/FINAL PLAT
- D. CONSENT and APPROVAL of CREEK FALLS AT CROSS CREEK RANCH SECTION FOUR/ FINAL PLAT
- E. CONSENT and APPROVAL of THE BROOKS AT CROSS CREEK RANCH SECTION 1/PRELIMINARY PLAT
- F. CONSENT and APPROVAL of CROSS CREEK COMMONS RETAIL SITE/PRELIMINARY PLAT
- G. CONSENT and APPROVAL of JORDAN RANCH STREET DEDICATION NO. 2/PRELIMINARY PLAT
- H. CONSENT and APPROVAL of JORDAN RANCH STREET DEDICATION NO. 3/PRELIMINARY PLAT
- I. CONSENT and APPROVAL of JORDAN RANCH SECTION 6/PRELIMINARY PLAT
- J. CONSENT and APPROVAL of JORDAN RANCH SECTION 7/PRELIMINARY PLAT
- K. CONSENT and APPROVAL of JORDAN RANCH SECTION 8/PRELIMINARY PLAT
- L. CONSENT and APPROVAL of JORDAN RANCH SECTION 9/PRELIMINARY PLAT
- M. CONSENT and APPROVAL of JORDAN RANCH SECTION 11/PRELIMINARY PLAT
- N. CONSENT and APPROVAL of JORDAN RANCH SECTION 12 /PRELIMINARY PLAT
- O. CONSENT and APPROVAL of FIRETHORNE SECTION 19 PARTIAL REPLAT NO. 2/FINAL PLAT

Council Member Mesic had questions about Item B on the Consent agenda. Council Member Mesic was satisfied with the response.

A motion was made by Council Member Mesic to approve the Consent Agenda as submitted. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

VII. REPORTS

Reports are presented to Council for informational purposes only and no action may be taken on any item contained in a report with a specific actionable item listed under Business Items.

- A. REPORT from SEVERN TRENT WATER COMPANY (Repairs, New installations, and reports to TCEQ.)

Jason Demel provided the Severn Trent Water Company report to Council. No action was taken.

- B. REPORT from the POLICE DEPARTMENT (Traffic Citations, arrests, incidents, calls for service)

Chief Kenny Seymour provided the Police Department Report to Council. No action was taken.

C. REPORT from the MUNICIPAL COURT CLERK (Fees and Fines)

Valerie Bryant provided the Municipal Court Clerk Report to the Council. No action was taken.

D. REPORT from the BUILDING SERVICE DEPARTMENT (Permits issued, inspections)

C. J. Snipes, City Administrator, provided the Building Service Report to Council. No action was taken.

Mayor Kuykendall announced that Michelle Killebrew would be returning to the City on August 17, 2015.

VIII. BUSINESS

Mayor Kuykendall asked to postpone item A as he awaits for one of the life guards who was responsible for saving a little boy's life. Council was silent.

A. PRESENTATION of PROCLAMATION of HEROISM for the LIFEGUARDS, VOLUNTEERS, and RESPONDERS ASSOCIATED with the JUNE 6, 2015 RESCUE of a CHILD

Mayor Kuykendall presented a proclamation to Mazz Kahn, Kyler Miles, and Denzel Winters(individually) and recognized other responders who assisted in this effort of saving a life. Mayor Kuykendall read the proclamation aloud and the audience applaud.

B. PRESENTATION of PROCLAMATION RECOGNIZING VOLUNTEER RESPONDERS to the BRAZOS RIVER FLOOD

Mayor Kuykendall acknowledge several first responders; Stephen Gill, Mr. Salazar, Mike Brady, and others who helped the Fulshear Community during the May floods. He also shared a video with the audience regarding the rising water and blocked roads. He presented the proclamation to Mr. Salazar.

Mayor Kuykendall asked to move item "AA" if there are no objections as he had Karen Vannerson and Richard Hill from Linebarger, Goggan, Blair, & Sampson, LLP (Attorneys at Law) as they have to go to another City's Council Meeting tonight also. View item "A" to see the results.

Mayor Kuykendall skipped to item E (checks Paid and Payables). View item "E" to see results.

C. CONSIDERATION of PRESENTATION by DHK DEVELOPMENT on a PROPOSAL for new CITY HALL COMPLEX to be LOCATED within FULSHEAR VILLAGE

Mayor Kuykendall called Doug Konopka to present his proposal to the Council. Mr. Konopka stated currently his project is called "Fulshear Run Commercial District". He stated it was approved several years ago as part of the PUD and at that time it was called "Fulshear Village". He stated that the current name is subject to change. He provided Council with a draft of his proposed project and stated it is subject to change. He stated that the project consist of approximately 30 acres and also introduced Frank and Jed Pickard (part owners of the property). Mr. Konopka presented Council with a copy of a colored map outlining his proposed project. He stated the color yellow represents restaurants or retail on the first floor, the purple color represents multi-family residential, the orange office buildings, the pink a hotel, and the light blue a farm's market, the dark blue what could be a City Hall, the grey parking, and the beige open space for parks. Mr. Konopka continued his presentation for another fifteen minutes and offered to answer any questions.

There was a ten minute discussion among the Council regarding the negotiations project with DHK Development. Council Member Roberts says he thinks the City is rushing into negotiations. Council Member Krenek disagreed as she looks at opportunity for the City to say identify its needs and

DHK states this is what they can offer. Council Member Mesic asked if this left opportunity open for other developers who might wish to enter into project agreement to construct a City building. Mayor Kuykendall stated anyone who would like to do this, he welcomed them to come forth.

Council continued the discussion among themselves for another ten minutes.

D. CONSIDERATION and POSSIBLE ACTION to APPROVE FURTHER NEGOTIATIONS with DHK DEVELOPMENT on POTENTIAL RELATIONSHIP for CITY FACILITIES

A motion was made by Council Member Krenek to approve the City enter into a 120 day feasibility discussion with DHK no sooner than September, 2015. It was seconded by Council Member Ridge.

Council Member Mesic requested that the motion be amended so to enter into a 180 days in order to give us more time.

Council Member Krenek amended her motion and makes a new motion to enter into a 180 day feasibility negotiations with DHK to begin no sooner than 9-1-2015. It was seconded by Council Member Ridge.

Mayor open the floor for discussion again. Council was silent.

The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, and Tristan

Nays: Council Member Roberts

Mayor Kuykendall stated the new motion is that 180 days agreement no sooner than September 1, 2015. Mayor asked if any discussion. Council Member Mesic stated that she would like input from someone who is on the architectural design committee. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, and Tristan

Nays: Council Member Roberts

E. CONSIDERATION and POSSIBLE ACTION to APPROVE CHECKS PAID and PAYABLES from JUNE 13, 2015 to JULY 17, 2015

Council Member Mesic asked about the legal bills. Mayor Kuykendall stated we need to have a workshop as these are quite lengthy. Council Member Mesic asked City Attorney, J. Grady Randle a question regarding the billing on June 11th. Attorney Randle stated he needed to research his files.

Council Member Mesic asked a question regarding the billing for the stage during July 4th celebration. Ms. Brasher, Finance Director, asked Don McCoy, Chamber Director, to help her out. Mr. McCoy stated that since the 4th fell on a Saturday the billing for the stage had to be partial paid back in March or otherwise the risk the chance of it not being available during the July 4th celebration (had to be reserved early)

A motion was made by Council Member Krenek to approve checks paid and payables from June 13, 2015 to July 17, 2015. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

Mayor Kuykendall announced that we are now back to Item A of the Business Section. Go to Item A to see result.

F. CONSIDERATION and POSSIBLE ACTION to APPROVE 10/20 YEAR WRITE OFF per TEXAS PROPERTY TAX CODE SECTION 33.05

A motion was made by Council Member Mesic to approve 10/20 year write off per Texas property Tax Code Section 33.05. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

G. CONSIDERATION and POSSIBLE ACTION to APPROVE INTERLOCAL COOPERATION AGREEMENT with FORT BEND COUNTY to be INCLUDED in the IMPLEMENTATION of the COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

A motion was made by Council Member Mesic to approve InterLocal Cooperation Agreement with Fort Bend County to be included in the implementation of the County's Community Development Block Grant (CDBG) Program. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

H. CONSIDERATION and POSSIBLE ACTION to APPROVE REVISED INTERLOCAL COOPERATION AGREEMENT BETWEEN the CITY and FORT BEND COUNTY for RADIO COMMUNICATIONS

C.J. Snipes, City Administrator, stated this is a renewal with an increased rate. Council Member Krenek had questions regarding the rates. Mr. Snipes provided answers which appeared satisfactory.

A motion was made by Council Member Mesic to approve revised InterLocal Cooperation Agreement between the City and Fort Bend County for Radio Communications. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

I. CONSIDERATION and POSSIBLE ACTION to AUTHORIZE the MAYOR to SIGN EASEMENT AGREEMENT with CENTERPOINT ENERGY for the PROVISION of POWER to the NEWLY EXPANDED WASTE WATER TREATMENT PLANT in CROSS CREEK RANCH

A motion was made by Council Member Mesic to authorize the Mayor to Sign Easement Agreement with CenterPoint Energy for the provision of Power to the Newly expanded waste water treatment plant in Cross Creek Ranch. It was seconded by Council Member Roberts.

Mayor opened up for discussion. Council Member Krenek had question regarding the build-out. An explanation was provided by C. J. Snipes, City Administrator.

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The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

J. CONSIDERATION and POSSIBLE ACTION to APPROVE INTERLOCAL AGREEMENT BETWEEN the CITY of FULSHEAR and TEXAS MUNICIPAL LEAGUE INTER-GOVERNMENTAL EMPLOYEE BENEFITS POOL (TML-IEBP) SETTING RATES for EMPLOYEE HEALTH CARE COVERAGE for FISCAL YEAR 2015-2016

A motion was made by Council Member Krenek to approve InterLocal Agreement between the City of Fulshear and Texas Municipal League Inter-Governmental Employee Benefits Pool (TML-IEBP) setting rates for Employee Health Care Coverage for Fiscal Year 2015-2016. It was seconded by Council Member Mesic. The motion was carried the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

K. CONSIDERATION and POSSIBLE ACTION to APPROVE INTERLOCAL AGREEMENT BETWEEN the CITY of FULSHEAR and the TEXAS MUNICIPAL LEAGUE INTER-GOVERNMENTAL EMPLOYEE BENEFITS POOL (TML-IEBP) for the PROVISION of CONTINUATION of CARE (COBRA) COVERAGE for FISCAL YEAR 2015-2016

A motion was made by Council Member Mesic to approve InterLocal Agreement between the City of Fulshear and the Texas Municipal League Inter-Governmental Employee benefits Pool (TML-IEBP) for the provision of continuation of care (COBRA) coverage for Fiscal Year 2015-2016. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

L. CONSIDERATION and POSSIBLE ACTION to APPROVE CREATION of the DIRECTOR of PLANNING, DEVELOPMENT and PUBLIC WORKS POSITION for the CURRENT FISCAL YEAR

C.J. Snipes, City Administrator, provided explanation to Council regarding the position. Council Members discussed among themselves for approximately five minutes.

Council Member Krenek questioned whether this position would be operating any software like Mainstar, etc. Explanation was provided by C. J. Snipes.

A motion was made by Council Member Krenek to approve creation of the Director of Planning, Development and Public works position for the current fiscal year. It was seconded by Council Member Mesic.

Mayor asked if there were any comments. Council Member Mesic stated she would like the position to include education qualifications to be required instead preferred along with five years of supervisory experience in the field.

Council Member Krenek stated she would like to amend the motion. It was seconded by Council Member Mesic. Mayor Kuykendall stated that the motion has been amended based on comments from Council Member Mesic. Mayor Kuykendall called for a vote:

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Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None

A motion was made by Council Member Tristan to approve amended job description for Director of Planning, Development, and Public Works. It was seconded by Council Member Roberts.

Mayor Kuykendall stated there is a motion on the floor to approve amended job description as noted. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None

M. CONSIDERATION and POSSIBLE ACTION to APPROVE POLICY for the USE of AUTOMATIC ELECTRONIC DEFIBRILLATORS by the FULSHEAR POLICE DEPARTMENT

Council Member Tristan stated that training needs to be a part of the policy for lay rescuers. Council Member Roberts was concerned about liability. Chief Seymour stated in addition to this policy his department has certain standards that will also be required.

A motion was made by Council Member Tristan to approve policy for the use of Automatic Electronic Defibrillators by the Fulshear Police Department subject to training for the lay rescuers. It was seconded by Council Member Mesic. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None

N. CONSIDERATION and POSSIBLE ACTION to APPROVE LETTING of REQUESTS for QUALIFICATIONS for DEPOSITORY SERVICES

Council Member Krenek had several questions. C.J. Snipes, City Administrator, provided responses along with Finance Director, Kristina Brashear. Ms. Brashear stated that the auto correct may have inserted something or a typo occurred and she would review the document and make corrections.

A motion was made by Council Member Krenek to approve (RFQ) letting of requests for qualifications for depository services. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None

Mayor Kuykendall stated the typographical errors would be corrected.

O. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1190 an ORDINANCE of the CITY of FULSHEAR REPEALING and REPLACING ORDINANCE NO. 82-573 an ORDINANCE of the CITY REGULATING FIREWORKS

C. J. Snipes, City Administrator, provided an overview regarding the ordinance to the Council. He stated that this ordinance relates to fireworks within the City limits and the fines, should there be any violations. He stated last year there were 36 calls for service. This ordinance has not been updated since 1982.

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Council Member Krenek had a question regarding Section 3 of the proposed ordinance. She stated that the wording for this section of the ordinance makes it constructional ambiguous. For example, if someone purchased fireworks with the intent to use outside of the city, we are now criminalizing them due to the wording used in this section of the ordinance.

This situation was discussed among the Council for about ten minutes. Both the Chief of Police and the City Attorney provided their interpretations. Council Members agreed that the wording needs to be revised. Mayor Kuykendall states that we do have time to work on this.

A motion was made by Council Member Krenek to postpone Ordinance No. 2015-1190 an ordinance of the City of Fulshear repealing and replacing ordinance no. 82-573 an ordinance of the City regulating fireworks. It was seconded by Council Member Roberts. The motion was carried by the following vote:

Ayes: Council Member Krenek, Ridge, and Roberts

Nays: Council Member Tristan

Abstain: Council Member Mesic

P. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1191 an ORDINANCE of the CITY of FULSHEAR REGULATING the USE of HANDHELD DIGITAL DEVICES for OPERATORS of MOTOR VEHICLES within the MUNICIPAL LIMITS of the CITY of FULSHEAR

Council Member Ridge stated that she has a problem with not being able to "text" if you are stopped at a red light.

C. J. Snipes, City Administrator, stated he had discussed some issues with City Attorney, Grady, this afternoon about this issue and did not foresee that it would be resolved this afternoon.

A motion was made by Council Member Krenek to postpone Ordinance No. 2015-1191 an ordinance of the City of Fulshear regulating the use of handheld digital devices for operators of motor vehicles within the Municipal limits of the City of Fulshear. It was seconded by Council Member Mesic.

Mayor Kuykendall stated we are now open for discussion. Chief Seymour gave his opinion to the Council regarding this ordinance. Council discussed this issue for approximately another ten minutes. Mayor Kuykendall stated currently we have a motion to postpone and called for a vote. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

Q. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1192 an ORDINANCE of the CITY of FULSHEAR AMENDING ORDINANCE NO. 2012-1058 REGULATING SIGNS PROVIDING for MASTER SIGN PLANS for COMMERCIAL PROPERTIES CONSISTING of MORE than FIVE (5) CONTIGUOUS ACRES

C. J. Snipes, City Administrator, provided an explanation to the Council regarding proposed Ordinance No. 2015-1192. Council were satisfied with the responses.

A motion was made by Council Member Mesic to approve Ordinance NO. 2015-1192 an ordinance of the City of Fulshear amending ordinance No. 2012-1058 regulating signs providing for master sign plans for

Commercial properties consisting of more than five (5) contiguous acres. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None

R. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1193 an ORDINANCE of the CITY of FULSHEAR ANNEXING a CERTAIN 25.29 ACRE TRACT of LAND on PETITION of the MOST REVEREND DANIEL CARDINAL DINARDO, ARCHBISHOP of the HOUSTON GALVESTON ARCHDIOCESE

A motion was made by Council Member Krenek to approve Ordinance No. 2015-1193 an Ordinance of the City of Fulshear annexing a certain 25.29 acre tract of land on petition of the most Reverend Daniel Cardinal Dinardo, Archbishop of the Houston Galveston Archdiocese. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None

S. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1194 an ORDINANCE of the CITY of FULSHEAR REPEALING and REPLACING ORDINANCE NO. 2007-952 REGULATING OUTDOOR LIGHTING

J. Grady Randle, City Attorney, provided an explanation to the Council regarding the proposed dark sky ordinance. He explained that the City previously had adopted the ordinance used by Fort Bend County regarding dark skies. Attorney Randle stated he wanted to draft an ordinance that was enforceable and yet allowed the City to have its dark skies.

Council Member Mesic provided her support for dark skies along with comments she had obtained from city residents and other cities.

A motion was made by Council Member Mesic to postpone until the next meeting. It was seconded by Council Member Ridge.

Council Member Krenek stated that the public needs to be educated on dark skies and does not know what "Luminaire" means. She also stated if we are going to seek penalties ranging from \$500 to \$2000, then the public needs to be educated.

Council Member Ridge spoke of inviting someone who had expertise in "dark skies".

Council Member Tristan wants "safety" to be considered when someone has to walk home down a dark road. Also, what kind of impact will this have on developers?

Council continued to discuss the pros and cons among themselves. Mayor Kuykendall stated we have a motion to postpone and called for a vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None

T. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2015-1195 an ORDINANCE of the CITY of FULSHEAR REGULATING the OPERATION and USE of PEDI CABS

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Mayor Kuykendall announced that we will have Citizen's Comments from Karen Vanholder.

Ms. Karen Vanholder introduce herself to Council. Ms. Vanholder sates she support the ordinance for Pedi cabs and her reasons why. She states this is a great for those who have limited mobility and this is a business she would like to bring to the City of Fulshear.

Council Member Mesic states her concern is safety and many residents questioned why is it needed?

Council Member Krenek praised the resident for taking the initiative and thinks the City needs to take proactive measures in setting standards for Pedi cabs.

Council Member Tristan asked the question if there is any training to go along with this?

Council Members discussed the following in length among themselves: safety, insurance, designated routes, training requirements, and colors for the Pedi cabs.

Council Member Krenek suggested that we need to postpone so that all the comments can be incorporated in to this ordinance. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

U. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2015-283 a RESOLUTION of the CITY of FULSHEAR APPOINTING REPLACEMENT MEMBER to the ARCHITECTURAL DESIGN COMMITTEE

Mayor Kuykendall recommends that Derek Einkauf be appointed to the Architectural Design Committee who would be replacing Ira Leary.

A motion was made by Council Member Krenek to approve Resolution No. 2015-283 a resolution of the City of Fulshear appointing replacement member to the Architectural Design Committee. It was seconded by Council Member Roberts. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

V. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2015-284 a RESOLUTION of the CITY of FULSHEAR CONSENTING to the ANNEXATION of a CERTAIN .4890 ACRE TRACT of LAND into FULSHEAR MUD 1

A motion was made by Council Member Tristan to approve Resolution No. 2015-284 a resolution of the City of Fulshear consenting to the annexation of a certain .4890 acre tract of land into Fulshear MUD 1. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

W. CONSIDERATION and POSSIBLE ACTION to APPROVE AMENDMENT to FULBROOK on FULSHEAR CREEK MASTER SIGN PLAN AMENDMENT

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Bill Sweitzer, representative regarding sign request for the clock that will be located on James Lane. Mr. Sweitzer made his presentation to the Council. Mr. Sweitzer stated that the lighting will be the same as what is currently on James Lane and that the clock will not have sound.

A motion was made by Council Member Krenek to approve amendment to Fulbrook on Fulshear Creek Master Sign Plan Amendment. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

X. CONSIDERATION and POSSIBLE ACTION to RENEW LEASE AGREEMENTS for POLICE and BUILDING SERVICES OFFICE SPACE at FULSHEAR BUSINESS PARK between the CITY of FULSHEAR and STEFANO-RATCLIFF

A motion was made by Council Member Krenek to renew lease agreements for Police and Building Services office space at Fulshear Business Park between the City of Fulshear and Stefano-Ratcliff. It was seconded by Council Member Tristan. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

Y. CONSIDERATION and POSSIBLE ACTION to APPROVE PURCHASE ORDER REQUEST for POLICE VEHICLES

Chief Seymour stated he had already in his budget for one more vehicle. He stated he had a little incident. This would make a total of three but only requesting purchase of two vehicles. A short discussion continued among Council Members, City Administrator and Chief Seymour regarding purchase of Police vehicles. Council was satisfied with responses received.

A motion was made by Council Member Roberts to approve purchase order request for Police Vehicles. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

Z. CONSIDERATION and POSSIBLE ACTION to APPROVE INTERLOCAL COOPERATION CONTRACT between the CITY of FULSHEAR and the STATE of TEXAS – DEPARTMENT of PUBLIC SAFETY

A motion was made by Council Member Mesic to approve InterLocal Cooperation Contract between the City of Fulshear and the State of Texas-Department of Public Safety. It was seconded by Council Member Ridge. The motion was carried by the following vote:

Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan

Nays: None

AA. CONSIDERATION and POSSIBLE ACTION to APPROVE UTILITY COLLECTIONS AGREEMENT with LINEBARGER, GOGGIN, BLAIR and SAMPSON, LLP

A motion was made by Council Member Mesic to approve Utility Collections Agreement with Linebarger, Goggin, Blair, and Sampson, LLP. It was seconded by Council Member Ridge. The motion was carried by the following vote:

*Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None*

IX. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING.

A GOVERNMENTAL BODY MAY CONDUCT A CLOSED MEETING TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

SECTION 551.071, CONSULTATION WITH ATTORNEY; SPECIFICALLY SUB-SECTIONS:

1) WHEN THE GOVERNMENTAL BODY SEEKS THE ADVICE OF ITS ATTORNEY ABOUT:

(A) PENDING OR CONTEMPLATED LITIGATION; OR

(B) A SETTLEMENT OFFER; OR

2) ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER

(A) INTEGRITY COLLISION AND BUENTELLO WRECKER SERVICE v. CITY OF FULSHEAR

(B) POTENTIAL LITIGATION INVOLVING D&J CONSTRUCTION, INC.

(C) CENTER POINT ENERGY v. CITY OF FULSHEAR AND JOHNSON DEVELOPMENT

Mayor Kuykendall announced that we will enter Executive Session at 10:11 p.m. and a quorum was present.

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

Mayor Kuykendall announced that the Council will resume into Regular Session as 10:52 p.m. and a quorum was present.

Mayor Kuykendall asked if any action needed to be taken from Executive Session? Council Member Krenek responded, "no".

XI. ADJOURNMENT

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

*Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan
Nays: None*

Mayor Kuykendall announced we are now adjourned.



Thomas C. Kuykendall, Jr., Mayor

Attest:



D. (Diana) Gordon Offord, City Secretary