



# *CITY OF FULSHEAR*

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

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## **CITY COUNCIL MINUTES APRIL 19, 2016**

### **I. CALL TO ORDER**

*A Regular Meeting of the Fulshear City Council was called to order by Thomas C. Kuykendall, Jr., Mayor at 7:05 p.m. here at City Hall located at 30603 FM 1093, Fulshear Texas.*

### **II. QUORUM**

*Mayor Kuykendall announced that a quorum was present.*

#### ***Council Members Present:***

*Thomas C. Kuykendall, Jr., Mayor  
Jeff Roberts, Mayor Pro Tem  
Tricia Krenek  
Tajana Mesic  
Ramona Ridge  
Erin Tristan*

#### ***City Staff:***

*D. (Diana) Gordon Offord, City Secretary  
Michael Ross, Assistant City Administrator  
Kristina Brashear, Finance Director  
Angela Fritz, Economic Director  
David Leyendecker, City Engineer  
J. Grady Randle, City Attorney  
Valerie Bryant, Court Clerk  
Michael McCoy, Captain Police Dept.  
Kenny Seymour, Chief of Police  
Lynn Raymer, Executive Assistant  
Toni Velie, Utility Billing Clerk  
Lindsay Miller, Police Sergeant*

#### ***Others Present:***

*Kim Stacey  
Karen Van Halter  
Shannon Purcell  
Bill Heede*

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Continue- Others Present:

*William Conlan*

*Laurie Szantay*

*James Murdoch*

*Viola Randle*

*Cherryl Finney*

*Stephen Gill*

*Jeffrey Duke*

*Ed Krenek*

*Mike Roller*

*Shannon Hofer*

*And 46 others who did not sign in*

**III. INVOCATION- Dr. Charles Wisdom, Second Baptist Church, Katy, Texas**

*Dr. Charles Wisdom led the audience in prayer.*

**IV. PLEDGE OF ALLEGIANCE**

*Mayor Kuykendall introduced four young recipients of the Ms. Fulshear pageant ( Jacqueline McNulty, Maddison Parker, Zaida Gomez, and Cassi Newbill) to lead 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**

*Attorney Karen Van Holtan expressed her opinion where the citizens' comment should be appear on the agenda (request tape recording for all the comments). She stated general comments can be at the beginning and comments regarding agenda items should be heard at the time of that particular agenda item.*

**VI. PUBLIC HEARINGS**

**A. The City Council of the City of Fulshear, Texas, ("CITY") has received a request from Waller County Road Improvement District #1 ("RID") to approve a Strategic Partnership Agreement ("SPA") between the CITY and the RID for land consisting of all that certain land within the RID owned by LOIS HOUSTON ASSOCIATES LLC, being more particularly described in the SPA.**

**The purpose of the public hearing is to receive input from the public on the proposed SPA. Members of the public who wish to present testimony or evidence regarding the proposed SPA will be given the opportunity to do so.**

**For more information and to obtain copies of the SPA prior to the hearing, please contact D. (Diana) Gordon Offord, City Secretary, at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas ("Fulshear City Hall").**

**Date: April 19, 2016**

**Time: 7:00 p.m.**

**Place: Fulshear City Hall**

- B. The City Council of the City of Fulshear, Texas, ("CITY") has received a request from Waller County Road Improvement District #1 ("RID") to approve a Strategic Partnership Agreement ("SPA") between the CITY and the RID for land consisting of all that certain land within the RID owned by LOIS HOUSTON ASSOCIATES LLC, being more particularly described in the SPA.

The purpose of the public hearing is to receive input from the public on the proposed SPA. Members of the public who wish to present testimony or evidence regarding the proposed SPA will be given the opportunity to do so.

For more information and to obtain copies of the SPA prior to the hearing, please contact D. (Diana) Gordon Offord, City Secretary, at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas ("Fulshear City Hall").

Date: April 19, 2016

Time: 7:15 p.m.

Place: Fulshear City Hall

*Mayor Kuykendall announced that the Public Hearing was opened at 7:13 p.m. He also stated that the City annexed approximately 1000 acres close to Igloo Road which includes the "Rooms To Go Store".*

*There were no public comments from the audience. Mayor Kuykendall announced that the Public Hearing was now closed. At 7:14p.m.*

VII. **CONSENT AGENDA**

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

- A. Consent and approval of Fulshear Trace Crossing/ Preliminary Plat
- B. Consent and Approval of Creek Falls at Cross Creek Ranch Section8/Preliminary Plat
- C. Consent and Approval of Creek Falls Dr. Extension No. 1/ Preliminary Plat
- D. Consent and Approval of CCOC/LLC Final Plat
- E. Consent and Approval of Tamarron Parkway Phase 3/Street Dedication/Final Plat
- F. Consent and Approval of Tamarron Parkway Phase 4/ Street Dedication/Final Plat
- G. Consent and Approval of Tamarron Coles Canyon and Riley's Ridge (formerly Tamarron Park Drive and Riley's Ridge)Street Dedication/Final Plat
- H. Consent and Approval of Sugar Creek Montessori Fulshear/Final Plat
- I. Consent and Approval of The Commons at Fulshear/Preliminary Plat
- J. Consent and Approval of Master Signage Plan for Fulshear Run

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*Council Member Krenek stated she would like to discuss items B,E, F, and I. Council Member Ridge stated she would like to add A. Council Member Tristan added J. Mayor Kuykendall stated we would take each item, one at a time.*

**Item A: Fulshear Trace Crossing/Preliminary Plat.**

*City Engineer, David Leyendecker, stated that the plat meets all requirement and he would recommend approval. There was discussion among the Council Members.*

*Council Member Ridge stated she received a couple of calls regarding this developer was cutting down trees and she assumed that the city wanted to maintain the small town charm and preserve our trees. Council Member Mesic also added a few comments (request tape recording for all the comments). Attorney Randle stated that since the city does not have a tree ordinance, we cannot compel another restrictions since all plat requirements have been met.*

*A motion was made by Council Member Krenek to approve Fulshear Trace Crossing/Preliminary Plat as submitted. It was seconded by Mayor Pro Tem Roberts. The motion was carried by the following vote:  
Ayes: Council Member Krenek, Mesic, Ridge, Roberts, and Tristan  
Nays: None*

**Item B: Creek Falls at Cross Creek Ranch Section 8/Preliminary Plat**

*Council Member Krenek addressed a question to the City Engineer regarding right of ways. David Leyendecker, City Engineer, responded. He stated that all the issues has been resolved with Center Point.*

*A motion was made by Council Member Krenek to approve Creek Falls at Cross Creek Ranch Section 8/ Preliminary Plat 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*

**Item C: Creek Falls Dr. Extension No. 1/Preliminary Plat**

*A motion was made by Council Member Krenek to approve Creek Falls Dr. Extension NO. 1/Preliminary Plat. 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*

**Item D: CCOC/LLC Final Plat**

*Council Member Krenek asked if the changes have been made or does this plat have to return to PnZ?  
City Engineer, David Leyendecker, stated we were on a short time frame but now all changes have been made and he would recommend approval.*

*A motion was made by Mayor Pro Tem Roberts to approve CCOC/ LLC Final Plat. It was seconded by Council Member Tristan. The motion was carried by the following vote:*

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

**Item E: Tamarron Parkway Phase 3/Street Dedication/ Final Plat**

*Council Member Krenek had a question regarding name changes on the plat. City Engineer, David Leyendecker, provided a response.*

**Item F: Tamarron Parkway Phase 4/Street Dedication/Final Plat**

*A motion was made by Council Member Krenek to approve items E and F. It was seconded by Council Member Ridge. The motion was carried by Council Member Ridge. The motion was carried by the following vote:*

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

**Item G: Tamarron Coles Canyon and Riley's Ridge (formerly Tamarron Park Drive and Riley's Ridge) Street Dedication Final Plat**

*Council Member Krenek stated the name keep changing and is it Riley or Riley's? City Engineer, David Leyendecker stated it should not be any Tamarron on the name and it should be "Coles Canyon and Riles Ridge" Street Dedication Final Plat. Mr. Leyendecker stated that the plat is called Tamarron. He stated he would check on that.*

*A motion was made Council Member Krenek to amend Item G and to approve Coles Canyon and Riles Ridge Street Dedication Final Plat ( that was formerly Tamarron Coles Canyon and Riley's Ridge) Street Dedication Final Plat. 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*

**Item H: Sugar Creek Montessori Fulshear/ Final Plat**

*There was some discussion regarding whether an access driveway has been approved by TXDOT. Mayor Kuykendall asked if granting this approval would override and assist the developer in showing the city agrees with this option.*

*Mr. Leyendecker stated usually in these type of situations the developer would have to ask for a letter of sponsorship from the city and this has not happen as yet.*

*A motion was made by Council Member Krenek to approve Sugar Creek Montessori Fulshear Final Plat. 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*

**Item I: The Commons at Fulshear /Preliminary Plat**

*A motion was made by Mayor Pro Tem Roberts to approve The Commons at Fulshear/ Preliminary Plat. It was seconded by Council Member Tristan.*

*Council Member Krenek requested that the city staff facilitate the recommendations in Mr. Leyendecker's review regarding Huggins Road needs to be aligned with a reversed curve from one side of Katy-Fulshear to the other.*

*Mayor Kuykendall asked if there was any other discussion. He called for a vote. The motion was carried by the following vote:*

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

**Item J: Master Signage Plan for Fulshear Run**

*Council Member Tristan stated that there has been some changes regarding signage. She asked the question if this needs be approved now. Council Member Ridge shared what had been done thus far regarding signs. Mayor Kuykendall stated that some of the recommendations has not been shared with Council as yet.*

*Doug Konopka, developer of Fulshear Run, stated that his current signage plan meets the current sign ordinance of the City. There was a few minutes of discussion between the developer and Council Members. Council Member Krenek had questions regarding the wayfinding signs. Mr. Konopka provided a response. (for entire conversation, request a copy of tape recording)*

*A motion was made by Council Member Mesic to approve the master signage plan for Fulshear Run. It was seconded by Council Member Krenek. The motion was carried by the following vote:*

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

**Mayor Kuykendall announced that we are now back to Item 6: Second Public Hearing**

*Mayor Kuykendall read the Public Hearing regarding a SPA (Strategic Partnership Agreement) request from the Waller County Road Improvement District (RID) #1 consisting of all certain land within the RID owned by Lois Houston Associates LLC. Mayor Kuykendall announced that the Second Public Hearing will opened at 7:37 p.m. The audience was silent. Mayor Kuykendall closed the Public Hearing at 7:39 p.m.*

*Mayor Kuykendall acknowledged various City departments for all of their assistance and hard work during the Emergency Management operations here at City Hall on yesterday due to the flooding waters in the area.*

**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 the Water Sewer Operator (Repairs, New Installations, and reports to TCEQ)**

*Jason Demel provided the report from Severn Trent Water Company. Water Plant No. 1 had repairs due to a lighting strike. Mr. Demel stated this was the last report they will be providing to Council. No action was taken.*

**B. Report from the Police Department (Traffic Citations, arrests, incidents, calls for service)**

*Chief Seymour provided the report to Council from the Police Department. No action was taken.*

**C. Report from the Municipal Court Clerk (Fees and Fines)**

*Valerie Bryant provided the report to Council from the Municipal Court. No action was taken.*

**D. Report from the Building Service Department ( Permits issued, inspections)**

*Michael Ross, Assistant City Administrator, provided the Building Service Report to the Council. No action was taken.*

**VIII. BUSINESS**

**A. Presentation of proclamation recognizing Motorcycle Awareness Month for May of 2016**

*Mayor Kuykendall presented a proclamation to the " Steel Hill Motorcycle Club" and read the proclamation aloud to Council and audience.*

**B. Presentation of proclamation recognizing Autism Awareness Month for April of 2016**

*Mayor Kuykendall also read a proclamation regarding autism and recognized Hope for Three along with other autism groups.*

**C. Presentation of proclamation recognizing Child Abuse Prevention Month for April of 2016**

*Mayor Kuykendall also recognized Child Abuse Prevention and shared a proclamation with Council and audience.*

**D. Presentation and recognition of the Fulshear Police Department by the Texas Police Chiefs Association**

*Mayor Kuykendall introduced Chief of Texas Police Association. He presented a plaque to Chief Seymour recognizing the City of Fulshear Police department as one of the finest to receive the best practices award which was voted by the Texas Police Association Board of Directors 2-16-2016. The audience applauded.*

*Chief Seymour presented a short speech to the group regarding the best practices standards set for the City of Fulshear Police Department. He stated that Sgt. Lindsay Miller was the program manager designated to head the program. (request copy of tape recording for all comments).*

**E. Presentation and recognition of Sgt. Lindsey Miller and Sgt. Felix Vargas**

*Both Sgt. Miller and Sgt. Vargas was recognized for their outstanding accomplishments by the Chief Seymour. They both received plaques. The audience applauded.*

**F. Consideration and possible action to approve checks paid and payables from March 12, 2016 through April 14, 2016**

*Several of the Council Members had questions regarding the payables and checks paid. Kristina Brasher, Finance Director, provided a response. Council was satisfied with answers received.*

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*A motion was made by Mayor Pro Tem Roberts to approve checks paid and payables from March 12, 2016 through April 14, 2016. 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 deferred lease agreement between the City of Fulshear and Stefano-Ratcliff for the expansion of leased space for the Fulshear Police Department**

*A motion was made by Mayor Pro Tem Roberts to approve deferred lease agreement between the City of Fulshear and Stefano-Ratcliff for the expansion of leased space for the Fulshear Police Department. 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*

**H. Consideration and possible action to approve amended and restated Utility Agreements between the City of Fulshear and Fulshear MUD's 3A and 3B**

*Council Member Krenek asked a question regarding the restated agreement and to make sure the agreement contains exhibit A which is a description of the property.*

*A motion was made by Council Member Krenek to approve amended and restated Utility Agreements between the City of Fulshear and Fulshear MUD's 3A and 3B. 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*

**I. Consideration and possible action to approve Ordinance No. 2016-1213 an Ordinance of the City of Fulshear designating parking restrictions on roadways around Randolph Elementary School in certain area during certain times and days**

*Michael Ross, Assistant City Administrator, gave a synopsis concerning the requested proposed parking restrictions around Randolph school. He stated that this was brought to the attention of Mr. Snipes via Council Member Krenek. The drop off and pick up around the school is causing driveways to be blocked, traffic jams, delaying other vehicles that pick up trash or impeding emergency vehicle passage. Both the Police Department and City Engineer has observed the situation. He stated that Council Member Krenek shared comments she received from several residents. Mr. Ross stated there is a letter from the City Engineer that has both pros and cons. Mr. Ross stated no recommendation has been made and that it is open for discussion.*

*Lady from the audience stood up and requested that no parking be listed for certain hours and she is concerned for the safety of a small child. ( request tape recording for all the comments) City Secretary asked her name and she stated Shannon Hooker.*

*Council Member Krenek suggested to have signage for the surrounding area as well.*

*William Conlan supports signage. (for all the comments, request a copy of the tape recording)*

*Chief Seymour provided comments to the Council regarding the parking situation regarding Randolph Elementary School.*

*Council Member Tristan, Mayor Pro Tem Roberts, and Council Member Mesic each provided their view on the parking issue. Council Member Krenek suggested we draft a proposed ordinance to be discussed at the next meeting. (request a copy of tape recording for all the comments).*

*A motion was made by Council Member Mesic to postpone until the May meeting proposed Ordinance No. 2016-1213 an ordinance of the City of Fulshear designating parking restrictions on roadways around Randolph Elementary School in certain areas during certain times and days. 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*

**J. Consideration and possible action to approve Resolution No. 2016-302 a Resolution of the City of Fulshear adding members and delineating the responsibilities of the Architectural Design Committee**

*Laurie Szantay stated she suggest no additional members be added to this the Architectural Design Committee. She provided Council with her reasons.*

*Council Member Krenek presented her reasoning for adding more members to the group. She suggested adding David Worley and William Conlan.*

*Mayor Kuykendall also gave his support for Mr. Worley and Mr. Conlan being added to the group.*

*A motion was made by Council Member Krenek to approve Resolution No. 2016-302 a resolution of the City of Fulshear adding members and delineating the responsibilities of the Architectural Design Committee. Mayor Kuykendall asked if there is a second. Council was silent. Mayor Kuykendall stated that motion dies for a lack of a second.*

*Mayor Kuykendall stated we will now take public comments and then we can heard from the Council.*

*Ed Krenek stated he would like to see the most qualified people on committees who gives recommendations to the Council. He stated that the people being considered are the most highly qualified and to deny the citizens of the most qualified people is outrageous. (for all comments request a copy of the tape recording)*

*Council Member Tristan stated she recognized that both potential committee members are highly qualified yet she has to take in consideration what the current members of the architectural design committee has accomplished with a staff of five. She indicated both gentlemen are working on other things and their expertise will not go to waste.*

*A debate continued among Council members regarding appointing more members to the architectural design committee. Council Member Krenek restated her motion to appoint two new committee members , Resolution No. 2016-302. Council was silent. Mayor Kuykendall states motion dies for lack of a second.*

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*Mayor Pro Tem Roberts shared some comments and his views for not adding more members to the Architectural design. (request tape recording for all comments)*

*Council Member Krenek expressed her views and reiterated her support for adding more members to the committee.*

*Council Member Ridge suggested hiring a consultant rather than adding more members.*

*Council Member Mesic supported not adding more members. The debate continued among the Council for another ten minutes. No agreement regarding this issue was reached. Another debate among the Council Members re-energize itself again. The debate took on another fifteen minutes.*

*Mayor Kuykendall also showed his support for adding more members (for all the comments, request a tape recording)*

*Council Member Krenek asked Mr. Conlan to share his credentials with Council. He stated he was a civil engineer and has experience with drainage issues, flood plain, drainage study on FM 1093 and served on MUD 172.*

*Council Member Mesic added her comments to the debate. Council Member Krenek made a motion to approve Resolution No. 2016-302 an resolution of the City of Fulshear adding members and delineating the responsibilities of the Architectural Design Committee. Mayor Kuykendall asked if we have a second. Council was silent. Mayor Kuykendall stated motion dies for lack of a second.*

*Council Member Mesic asked if she can make an amended. Council Member Tristan asked if Mr. Conlan will be willing to serve on any other committee. Mr. Conlan stated he has already spoken to Tommy (referring to the Mayor) and Michelle (referring to the Building Official, Michelle Killebrew) regarding the Board of Adjustments.*

*Mayor Kuykendall stated we are talking about the architectural design committee and brought the group back on track.*

*A motion was made by Council Member Tristan to approve Resolution No. 2016-302 a resolution of the City of Fulshear (this is my amended Grady- without adding new members) and delineating the responsibilities of the Architectural Design Committee. It was seconded by Council Member Mesic. The motion was carried by the following vote:*

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

*Nays: Council Member Krenek*

*City Council Meeting of 6-21-2016, Council Member Krenek stated clarification regarding item J: It should reflect that Council Member Tristan motion to approve Resolution 2016-302 without adding new members and was seconded by Council Member Mesic.*

*Mayor Kuykendall announced that items K and L will be taken together.*

- K. Consideration of and possible action on Resolution No. 2016-303 a Resolution of the City of Fulshear authorizing a project of the City of Fulshear Development Corporation (CDC), a type "A" economic development sales tax corporation**
- L. Consideration of and possible action on Resolution No. 2016-304 a Resolution of the City of Fulshear authorizing a project of the Fulshear Development Corporation (FDC), a type "B" economic development sales tax corporation**

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*Mayor Kuykendall recommends the Council go into Executive Session and announces that Council will enter into Executive Session at 9:08 p.m.*

*A motion was made by Council Member Krenek to enter into Executive Session. 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*

*Entered Executive Session at 9:09 p.m.*

*Mayor Kuykendall stated we would re-enter into Regular Session at 9:58 p.m.*

*Mayor Kuykendall stated that items K and L were read prior and now we will move to item M.*

**M. Consideration and possible action to approve Memorandum of Understanding between the City of Fulshear and Arts Fulshear providing for the use of the Irene Stern Community Center during certain times and dates**

*Michael Ross, City Administrator, announced that city staff has been working with Arts Fulshear on an agreement and a copy is included in Council's packet. He stated that this has led to some back and forth communication but a few things have to be ironed out. He stated that looking at payment issue and Arts Fulshear is proposing to pay \$12 an hour and also notification when the facility will be used by the City will require a 72 hour notice versus a 15 day notice. These two items are still being discussed.*

*Council Member Krenek suggests that the agreement come back to Council in final form- May meeting.*

*A motion was made by Council Member Krenek to approve the Memorandum of Understanding between the City of Fulshear and Arts Fulshear for the use of the Irene Stern Community Center to be finalized at the next meeting. It was seconded by Council Member Tristan.*

*Council Member Mesic suggested that in the agreement also should be included something for the underprivileged.*

*Council Member Tristan had questions about the hours of operation for Arts Fulshear. Ms. Simmons, representative for Arts Fulshear, shared a proposed schedule with Council.*

*There was another five minute discussion among the Council and Ms. Simmons. (request tape recording for all the comments)*

*The motion was carried by the following vote:*

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

*Nays: None*

*Mayor Kuykendall stated he would like to take Items N- Q all together if there are no objections from the Council.*

- N. Consideration of and possible action on Resolution No. 2016-303 a Resolution of the City of Fulshear authorizing a project of the City of Fulshear Development Corporation (CDC), a type "A" economic development sales tax corporation
- O. Consideration of and possible action on Resolution No. 2016-304 a Resolution of the City of Fulshear authorizing a project of the Fulshear Development Corporation (FDC), a type "B" economic development sales tax corporation
- P. Consideration of and possible action to approve on Resolution No. 2016-305 a Resolution of the City of Fulshear authorizing and approving a loan agreement between the City of Fulshear Development Corporation (CDC) and the Office of the Governor Economic Development and Tourism Division and related documents, authorizing the execution and delivery of the loan agreement, and other matters in connection therewith.
- Q. Consideration of and possible action to approve on Resolution No. 2016-306 a Resolution of the City of Fulshear authorizing and approving a loan agreement between the Fulshear Development Corporation (FDC) and the Office of the Governor Economic Development and Tourism Division and related documents, authorizing the execution and delivery of the loan agreement, and other matters in connection therewith.

*A motion was made by Council Member Krenek to approve Resolutions No. 2016-303, Resolution No.2016- 304, Resolution No.2016- 305 and Resolution No.2016- 306 (Items N through Q). 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*

*A motion was made by Council Member Krenek to authorizing a non-binding letter with Jeffrey Duke as a result of Executive Session. 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*

- R. Consideration and possible action to approve Ordinance No. 2016-1214 and ordinance of the City of Fulshear approving a Strategic Partnership Agreement between the City of Fulshear and Waller County RID No. 1

*A motion was made by Council Member Krenek to approve Ordinance No. 2016-1214 and ordinance of the City of Fulshear approving a Strategic Partnership Agreement between the City of Fulshear and Waller County RID No. 1. It was seconded by Mayor Pro Tem Roberts. The motion was carried by the following vote:*

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

**S. Discussion and updates on the Employee Handbook, Requested by Councilmember Mesic**

*Michael Ross, Assistant City Administrator, provided an update to Council. (request a copy of tape recording for all comments.)*

*Council Member Mesic gave a charge to new incoming Council Members to work with new HR director and implement performance reviews. No action was taken.*

**T. Discussion and update on the Water and Waste Water Operator Request for Qualifications/Proposals, Requested by Councilmember Mesic**

*Michael Ross, Assistant City Administrator, provided an update to the Council. (request a copy of tape recording for all comments) Council Member Mesic provided some pros and cons to the Council. No action was taken.*

**U. Discussion of Council Ethics and Conflicts of Interest Policy, Requested by Councilmember Mesic**

*Council Member Mesic provided some comments to the Council. (request a copy of tape recording for all comments) Council Member Mesic also had a question for the City Attorney, J. Grady Randle. City Attorney Randle provided a response. No action was taken.*

**V. Discussion of Legal Fees, Requested by Councilmember Mesic**

*Council Member Mesic provided some comments to the Council. She suggested hiring an in-house attorney versus outsourcing and did some comparison of data regarding the legal fees. (for all the comments, request a copy of tape recording) No action was taken.*

*Mayor Kuykendall stated that the next Council will have to come together and set priorities early as it will definitely have challenges.*

*A motion was made by Council Member Krenek based on the Executive Session to authorize the City to move forward with a funding agreement drafted by the City Attorney and authorize a \$100,000.00 contribution toward our Legacy 3 project. 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 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

LEGACY SECTION 3 SETTLEMENT ISSUE

SECTION 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.

*Executive Session was entered into at 9:09 p.m. See earlier documentation.*

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

*Regular Session was entered into at 9:58 p.m. See earlier documentation.*

- XI. ADJOURNMENT

*A motion was made by Council Member Mesic to adjourn. It was seconded by Council Member Tristan.*

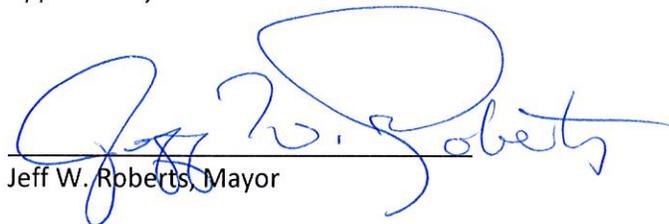
*The motion was carried by the following vote:*

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

*Nays: None*

*Mayor Kuykendall announced that we are adjourned at 10:21 p.m.*

*Approved by Council:*

  
Jeff W. Roberts, Mayor

Attest:

  
D. (Diana) Gordon Offord, City Secretary