



CITY OF FULSHEAR

"FIND YOUR FUTURE IN FULSHEAR"

30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

CITY COUNCIL:

MAYOR: Jeff Roberts

MAYOR PRO-TEM: Erin Tristan

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Tricia Krenek

COUNCIL MEMBER: Lauren Ashley

COUNCIL MEMBER: Ramona Ridge

STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

REGULAR CITY COUNCIL MEETING FEBRUARY 21, 2017

NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, FEBRUARY 21, 2017 AT 7:00 P.M.** AT CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS 77441 FOR THE PURPOSE OF CONSIDERING THE FOLLOWING ITEMS. THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS RESERVES THE RIGHT TO MEET IN A CLOSED/EXECUTIVE SESSION OF ANY OF THE BELOW ITEMS SHOULD THE NEED ARISE AND IF AUTHORIZED UNDER THE PROVISIONS OF TITLE 5, CHAPTER 551, OF THE TEXAS GOVERNMENT CODE, INCLUDING, BUT NOT LIMITED TO, SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), 551.087 (ECONOMIC DEVELOPMENT), 418.175.183 (DELIBERATIONS ABOUT HOMELAND SECURITY ISSUES) AND AS AUTHORIZED BY THE TEXAS TAX CODE, INCLUDING, BUT NOT LIMITED TO, SECTION 321.3022 (SALES TAX INFORMATION).

I. OPENING

A. CALL TO ORDER

B. QUORUM & ROLL CALL

C. INVOCATION – REV. DALE OLSEN, FULSHEAR, TEXAS

D. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG – *I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible and with Liberty and Justice for all*

E. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG - *Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible*

II. CITIZENS COMMENTS

THIS IS AN OPPORTUNITY FOR CITIZENS TO SPEAK TO COUNCIL RELATING TO AGENDA AND NON-AGENDA ITEMS. SPEAKERS ARE ADVISED THAT COMMENTS CANNOT BE RECEIVED ON MATTERS WHICH ARE THE

SUBJECT OF A PUBLIC HEARING ONCE THE HEARING HAS BEEN CLOSED. SPEAKERS ARE REQUIRED TO REGISTER IN ADVANCE AND MUST LIMIT THEIR PRESENTATIONS TO THREE MINUTES EACH.

III. PUBLIC HEARINGS

A. SPECIAL USE PERMIT REQUEST – THRIVE CHURCH

IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE NO. 2010-1028, THE CITY COUNCIL WILL HOLD A PUBLIC HEARING AT ITS REGULAR MEETING ON TUESDAY, FEBRUARY 21, 2017 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE FULSHEAR CITY HALL, LOCATED AT 30603 FM 1093 WEST, FULSHEAR, TEXAS 77441, AT WHICH TIME ALL INTERESTED PERSONS WILL BE GIVEN AN OPPORTUNITY TO BE HEARD.

THE LOCATION OF THE PREMISES IN QUESTION IS LOCATED IN THE DOWNTOWN DISTRICT, 0029 C FULSHEAR TRACT 87-C, SPECIFICALLY AT THE ADDRESS: 30136 FM 1093, FULSHEAR TEXAS 77441.

THE APPLICANT IS SEEKING A SPECIAL USE PERMIT SO AS TO PERMIT THE EXISTING STRUCTURE TO BE USED AS COMMERCIAL OFFICE/ BUSINESS SPACE.

THE APPLICANT RESERVES THE RIGHT TO SUPPLEMENT THIS APPLICATION AND/OR SEEK AT THE TIME OF THE HEARING SUCH OTHER APPROVALS, INTERPRETATIONS AND/OR WAIVERS AS MAY BE REQUESTED OR REQUIRED BY THE APPLICANT OR THE BOARD/ COUNCIL.

A COPY OF THE SAID APPLICATION AND DOCUMENTS IS ON FILE IN THE CITY SECRETARY'S OFFICE AT THE CITY OF FULSHEAR CITY HALL LOCATED AT 30603 FM 1093 WEST, FULSHEAR, TEXAS 77441.

B. SPECIAL USE REQUEST – GOKI DEVELOPMENT CORPORATION

IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE NO. 2010-1028, THE CITY COUNCIL WILL HOLD A PUBLIC HEARING AT ITS REGULAR MEETING ON TUESDAY, FEBRUARY 21, 2017 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE FULSHEAR CITY HALL, LOCATED AT 30603 FM 1093 WEST, FULSHEAR, TEXAS 77441, AT WHICH TIME ALL INTERESTED PERSONS WILL BE GIVEN AN OPPORTUNITY TO BE HEARD.

THE LOCATION OF THE PREMISES IN QUESTION IS LOCATED IN THE DOWNTOWN DISTRICT, 1.09 ACRES OUT OF THE CHURCHILL FULSHEAR LEAGUE BLOCK 27, SPECIFICALLY THE ADDRESS IS: 30415 5TH STREET FULSHEAR, TEXAS 77441.

THE APPLICANT IS SEEKING A SPECIAL USE PERMIT PURSUANT TO THE ZONING ORDINANCE SO AS TO PERMIT THE USE OF A STRUCTURE TO BE COMMERCIAL USE.

SPECIFIC RELIEF IS REQUESTED FROM SECTION 1-193 (c)(2)(g) WHICH STATES THAT THE USE OF OFFICE WITHIN THE DOWNTOWN DISTRICT IS PERMITTED IF THEY ARE APPROVED IN THE PROCESS OUTLINED IN SECTION 1-283.

THE APPLICANT RESERVES THE RIGHT TO SUPPLEMENT THIS APPLICATION AND/OR SEEK AT THE TIME OF THE HEARING, SUCH OTHER APPROVALS, INTERPRETATIONS, AND/OR WAIVERS AS MAY BE REQUESTED OR REQUIRED BY THE APPLICANT OR THE BOARD/COUNCIL.

A COPY OF THE SAID APPLICATION AND DOCUMENTS IS ON FILE IN THE CITY SECRETARY'S OFFICE AT THE CITY OF FULSHEAR CITY HALL LOCATED AT 30603 FM 1093 WEST, FULSHEAR, TEXAS 77441

IV. CONSENT ITEMS

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 THE BROOKS AT CROSS CREEK RANCH SECTION 2/FINAL PLAT**
- B. CONSENT AND APPROVAL OF TAMARRON TRACE SECTION 2- STREET DEDICATION/FINAL PLAT**
- C. CONSENT AND APPROVAL OF TAMARRON TRACE SECTION 3 - STREET DEDICATION/FINAL PLAT**
- D. CONSENT AND APPROVAL OF TAMARRON COLES CANYON AND RILEY'S RIDGE - STREET DEDICATION/FINAL PLAT**
- E. CONSENT AND APPROVAL OF TAMARRON SECTION 16/FINAL PLAT**
- F. CONSENT AND APPROVAL OF TAMARRON SECTION 24/PRELIMINARY PLAT**
- G. CONSENT AND APPROVAL OF TAMARRON SECTION 31/PRELIMINARY PLAT**
- H. CONSENT AND APPROVAL OF TAMARRON SECTION 32/ (AMENDED) FINAL PLAT**
- I. CONSENT AND APPROVAL OF THE MARKET AT CROSS CREEK RANCH- PARTIAL REPLAT NO. 1/PRELIMINARY PLAT**
- J. CONSENT AND APPROVAL OF KATY ISD ELEMENTARY SCHOOL NO. 41/PRELIMINARY PLAT**
- K. CONSENT AND APPROVAL OF CROSS CREEK COMMONS RETAIL SITE - REPLAT NO. 1/PRELIMINARY PLAT**
- L. CONSENT AND APPROVAL OF THE CITY'S QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING DECEMBER 31, 2016**
- M. CONSENT AND APPROVAL OF THE MONTHLY FINANCIAL REPORT**
- N. CONSENT AND APPROVAL OF MINUTES FROM JANUARY 10, 2017 AND JANUARY 24, 2017 CITY COUNCIL MEETINGS**

V. BUSINESS ITEMS

- A. PRESENTATION OF A PROCLAMATION FOR BLIND VETERANS**
- B. PRESENTATION OF A PROCLAMATION RECOGNITION OF THE LION'S CLUB**
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ABSENCE OF COUNCIL MEMBER PER SECTION 3.10 OF THE CITY OF FULSHEAR CHARTER**
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CONTRACT FOR DELINQUENT AD VALOREM TAX COLLECTION SERVICES BETWEEN THE CITY OF FULSHEAR AND LINEBARGER, GOGGIN, BLAIR AND SAMPSON, LLP**
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CONTRACT FOR DELINQUENT FEES AND FINES COLLECTION SERVICES BETWEEN THE CITY OF FULSHEAR AND LINEBARGER, GOGGIN, BLAIR AND SAMPSON, LLP**
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REQUEST FOR A SPECIAL USE PERMIT FOR A COMMERCIAL OFFICE/ BUSINESS LOCATED AT 30136 FM 1093, FULSHEAR, TEXAS 77441 SUBMITTED BY: THRIVE CHURCH**

- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE REQUEST FOR A SPECIAL USE PERMIT FOR COMMERCIAL USE LOCATED AT 30415 5TH STREET, FULSHEAR, TEXAS 77441 SUBMITTED BY: GOKI DEVELOPMENT CORP.
- H. CONSIDERATION AND DISCUSSION OF PRESENTATION OF ANNUAL RACIAL PROFILING REPORT AND CRIME REPORT
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE POLICE TRAINING PROGRAM WITH DEL CARMEN, LLC FOR RACIAL PROFILING TRAINING
- J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE CITY'S PARTICIPATION AND ENROLLMENT IN THE "LARRY'S TOOLBOX" IRRIGATION SYSTEM COST-SHARING AGREEMENT WITH THE NORTH FORT BEND WATER AUTHORITY
- K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT FOR SERVICES THROUGH HGAC BUY PROGRAM FOR COMPREHENSIVE STREET ASSESSMENT AND DATA COLLECTION SERVICES PROVIDED BY H2O AND DATA TRANSFER SERVICES
- L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-339 A RESOLUTION OF THE CITY OF FULSHEAR REQUESTING THE CLOSURE OF MAIN STREET/ FM 359 BY TxDOT FOR CERTAIN COMMUNITY EVENTS THROUGHOUT THE YEAR
- M. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-340 RESOLUTION OF THE CITY OF FULSHEAR APPROVING PETITION TO CONSENT FOR THE EXPANSION OF COUNTY ASSISTANCE DISTRICT NO. 1 ALONG THE RIGHT OF WAY ASSOCIATED WITH THE EXPANSION OF FM 1093 FOR THE PURPOSE OF APPLYING PROCEEDS FROM THE COUNTY ASSISTANCE DISTRICT TOWARDS CONSTRUCTION COSTS ASSOCIATED WITH THAT PROJECT
- N. CONSIDERATION AND POSSIBLE ACTION TO APPROVE INTERLOCAL AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FORT BEND COUNTY FOR THE ADMINISTRATION OF THE MAY 2017 GENERAL ELECTION

VI. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE
SEC. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

A GOVERNMENTAL BODY MAY NOT CONDUCT A PRIVATE CONSULTATION WITH ITS ATTORNEY EXCEPT:

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.

UPDATE ON LITIGATION

SEC. 551.074. PERSONNEL MATTERS; CLOSED MEETING

1) TO DELIBERATE THE EMPLOYMENT, EVALUATION, OR DUTIES, OF A PUBLIC OFFICER OR EMPLOYEE; OR

2) TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE.

REVIEW OF CONTRACT FOR CITY MANAGER

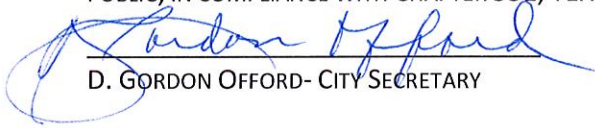
SEC. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING

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.

VII. ADJOURNMENT

NOTE: IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICE MUST BE MADE AT LEAST 48 BUSINESS HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT 281-346-1796 FOR FURTHER INFORMATION.

I, D. GORDON OFFORD, CITY SECRETARY OF THE CITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING AND AGENDA FOR THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS WAS POSTED ON FEBRUARY 17, 2017 BY 5:00 P.M. IN PLACE CONVENIENT AND READILY ACCESSIBLE AT ALL TIMES TO THE GENERAL PUBLIC, IN COMPLIANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.


D. GORDON OFFORD- CITY SECRETARY