



# *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**

**JANUARY 15, 2013**

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

*A Regular City Council Meeting was called to order by Mayor Thomas C. Kuykendall, Jr. at 7:05 p.m. at the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 and all citizens were welcomed.*

#### **MEMBERS PRESENT:**

*Thomas C. Kuykendall, Jr., Mayor  
Larry Beustring  
J. B. Collins, Jr.  
Stephen Gill, Mayor Pro Tem  
Laverne Patterson  
Jeff Roberts*

#### **MEMBERS ABSENT:**

*None*

#### **CITY STAFF:**

*D. (Diana) Gordon Offord, City Secretary  
C. J. Snipes, City Administrator  
Kristina Brashear, Finance Director  
Michelle Kirchner, Building Inspector  
Tim Kirwin, Assistant City Attorney*

#### **OTHERS:**

*Russ Cosby  
Gwen Fox  
Viola Randle  
Jenni McJunkin  
Mary K. Meir  
And five others who did not sign in*

### **II. QUORUM**

*A quorum was present. ( Mayor Kuykendall stated for the record all members are present.)*

### **III. INVOCATION – Rev. Jackie Gilmore, Pastor of Greater Zachery Baptist Church, Fulshear, Texas**

*Reverend Jackie Gilmore provided the prayer.*

### **IV. PLEDGE OF ALLEGIANCE**

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*Mayor Kuykendall led the audience in the Pledge of Allegiance.*

V. **CITIZEN COMMENTS – NO ACTION CAN BE TAKEN**

*There were no Citizens' 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 DECEMBER 3 AND DECEMBER 18 , 2012 MEETINGS**
- B. **CONSENT AND APPROVAL TO CALL AN ELECTION DATE FOR MAY 11, 2013**
- C. **CONSENT AND APPROVAL OF ENTERING AN AGREEMENT WITH FORT BEND COUNTY TO ADMINISTER THE FULSHEAR GENERAL ELECTION**
- D. **CONSENT AND APPROVAL OF ADOPTING APRIL 29, 2013 THROUGH MAY 7, 2013 AS EARLY VOTING DAYS**
- E. **CONSENT AND APPROVAL OF THE STREET ACCEPTANCE FOR CROSS CREEK RANCH FLEWELLEN WAY**
- F. **CONSENT AND APPROVAL OF STREET ACCEPTANCE FOR CREEKSIDE AT CROSS CREEK RANCH, SECTION 11**
- G. **CONSENT AND APPROVAL OF THE STREET ACCEPTANCE FOR CROSS CREEK RANCH STREET DEDICATION**
- H. **CONSENT AND APPROVAL OF FIRETHORNE SECTION 27/PRELIMINARY PLAT**
- I. **CONSENT AND APPROVAL OF CREEK COVE AT CROSS CREEK RANCH/SECTION 2/FINAL PLAT**
- J. **CONSENT AND APPROVAL OF CREEK BEND AT CROSS CREEK RANCH/SECTION 9/FINAL PLAT**

*A motion was made by Alderman Beustring to approve the Consent Agenda as presented. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson  
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.**

*Severn Trent Services*

- A. **REPORT from /SOUTHWEST WATER COMPANY (Repairs, New installations, and reports to TCEQ.)**  
*A typing error occurred which listed South West Water as the vendor instead of Severn Trent. A report from Severn Trent Company was provided by Mark Yentzen. No action was taken.*
- B. **REPORT from the POLICE DEPARTMENT (Traffic Citations, arrests, incidents, calls for service)**  
*A report from the Police Department was provided by Chief Kenny Seymour. No action was taken.*
- C. **REPORT from the MUNICIPAL COURT CLERK (Fees and Fines)**  
*A report from the Municipal Court was provided by Elaine Brown. No action was taken.*
- D. **REPORT from the BUILDING PERMIT OFFICE (permits, fees, etc.)**

*A report from the Building Permit Office was presented by Michelle Kirchner. No action was taken.*

**VIII. BUSINESS**

**A. CONSIDERATION and POSSIBLE ACTION to APPROVE LIST of PAYABLES and CHECKS PAID FROM DECEMBER 14, 2012 through JANUARY 11, 2013**

*Alderman Beustring suggested having a meeting to resolve all issues regarding Southwest Water Company final billing in order that Southwest Water can be removed from the list of payables. A motion was made by Alderman Beustring to approve list of payables from December 14, 2012 through January 11, 2013 with the exception of Southwest Water Company. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

*Ayes: Alderman Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

*NOTE: ALL RESOLUTIONS AND ORDINANCE NUMBERS SHOWN AS 2012 SHOULD BE LISTED AS "2013".*

**B. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. ~~2012-212~~ a RESOLUTION of the CITY of FULSHEAR APPROVING the REVISED HAZARD MITIGATION PLAN as ADOPTED by FORT BEND COUNTY**

*A motion was made by Alderman Gill to approve Resolution No. 2013-212 a Resolution of the City of Fulshear approving the revised Hazard Mitigation Plan as adopted by Fort Bend County. It was seconded by Alderman Collins. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**C. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. ~~2012-213~~ a RESOLUTION of the CITY of FULSHEAR APPROVING REVISED LEAVE POLICY for EMPLOYEES**

*There was approximately a five minutes discussion among the Council Members regarding City's potential leave policy. Mayor Kuykendall stated that the Sick Leave Pool is only for catastrophic illnesses.*

*A motion was made by Alderman Gill to approve Resolution No. 2013-213 a Resolution of the City of Fulshear approving revised Leave Policy for Employees. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**D. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. ~~2012-214~~ a RESOLUTION of the CITY of FULSHEAR APPROVING REVISED TRAVEL POLICY for EMPLOYEES**

*A motion was made by Alderman Beustring to approve Resolution No. 2013-214 a Resolution of the City of Fulshear approving revised travel policy for employees. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**E. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. ~~2012-215~~ a RESOLUTION of the CITY of FULSHEAR APPROVING VEHICLE USE POLICY**

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*A motion was made by Alderman Gill to approve Resolution No. 2013-215 a Resolution of the City of Fulshear Approving Vehicle Use Policy. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Alderman Beustring, Collins, Gill, and Alderwoman Patterson*

*Nays: Alderman Roberts*

**F. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. ~~2012-216~~ a RESOLUTION of the CITY of FULSHEAR APPROVING an INTER-LOCAL AGREEMENT with the HOUSTON GALVESTON AREA COUNCIL for a SOLID WASTE GRANT and APPROVING the EXECUTION THEREOF**

*A motion was made by Alderman Roberts to approve Resolution No. 2013-216 a Resolution of the City of Fulshear approving an Inter-Local Agreement with the Houston Galveston Area Council for a solid waste grant and approving the execution thereof. It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**G. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. ~~2012-217~~ a RESOLUTION of the CITY of FULSHEAR APPROVING REVISED USE POLICY and RATES for RENTAL of the IRENE STERN COMMUNITY CENTER**

*C. J. Snipes, City Administrator, stated that this revised policy reduces the rate for non-profit groups. Alderman Gill made a motion to approve Resolution No. 2013-217 a Resolution of the City of Fulshear approving revised use policy and rates for rental of the Irene Stern Community Center. It was seconded by Alderman Roberts. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

**H. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. ~~2012-1090~~ an ORDINANCE of the CITY of FULSHEAR AMENDING ORDINANCE NO. 2012-1082 an ORDINANCE AMENDING; BEING an ORDINANCE APPROVING and ADOPTING the CITY'S GENERAL BUDGET for FISCAL YEAR 2012-2013, by APPROVING "BUDGET AMENDMENT I"**

*C. J. Snipes, City Administrator, stated that the budget is being re-classified to include a new fulltime position. We had discussed on last year hiring an intern to do additional duties here at City Hall. Kristina Brashear, Finance Director, stated that the City collected an additional \$22,000 in taxes in December. Mr. Snipes stated that we also had to make adjustments for the Capital Equipment. Mayor Kuykendall stated that the total budget adjustments on revenue is \$30,000.00 and total adjustment on expenses is \$24, 379.00. This is shown on the bottom of your sheet. There was approximately another five minute of discussion regarding the budget adjustments among the Council Members.*

*A motion was made by Alderman Gill to approve Ordinance No. 2013-1090 an Ordinance of the City of Fulshear amending Ordinance No. 2012-1082 and Ordinance amending; being an Ordinance approving and adopting the City's General Budget for Fiscal Year 2012-2013, by approving "Budget Amendment 1". It was seconded by Alderman Beustring. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, and Alderwoman Patterson*

*Nays: Alderman Roberts*

- IX. **EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH GOVERNMENT CODE SECTION 551.072. DELIBERATION REGARDING REAL PROPERTY. 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.**

**DISCUSSION of RIGHT of WAY IMPACT/ ACQUISITION RELATED to FM 1093 and FULSHEAR PARKWAY ALIGNMENT MODELS**

**DISCUSSION of LAND within CITY of FULSHEAR'S ETJ**

*Mayor Kuykendall announced that Council entered into Executive Session at 8:01 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 Council would reconvene back into Regular Session at 9:05 p.m. and a quorum was present.*

*Mayor Kuykendall asked if there was any business that needed to be handled from the Executive Session. Council was silent. Mayor Kuykendall asked for a motion to adjourn.*

- IX. **ADJOURNMENT**

*A motion was made by Alderman Collins to adjourn at 9:07 p.m. It was seconded by Alderman Gill. The motion was carried by the following vote:*

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson*

*Nays: None*

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Thomas C. Kuykendall, Jr. - Mayor

Attest:

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D. (Diana) Gordon Offord - City Secretary