



CITY OF FULSHEAR

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

CITY COUNCIL MINUTES

May 20, 2014

I. CALL TO ORDER

A Regular City Council Meeting was called to order by Mayor Thomas C. Kuykendall, Jr. in the City Hall located at 30603 FM 1093 Road, Fulshear, Texas 77441 on Tuesday, May 20, 2014 at 7:07 p.m. Mayor Kuykendall welcomed everyone in attendance.

II. QUORUM

Mayor Kuykendall announced that a quorum was present and that Laverne Patterson was unable to make the meeting tonight.

Council Present:

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

Council Absent:

Laverne Patterson

City Staff Present:

D. (Diana) Gordon Offord, City Secretary
C. J. Snipes, City Administrator
Kristina Brashear, Finance Director
Cheryl Stalinsky, Economic Development Director
J. Grady Randle, City Attorney
Bobbi Martin, Utility Clerk
Valerie Bryant, Municipal Court Clerk
Missy Ortiz, Permit Clerk
April Jensen, Permit Clerk

Others Present:

Jerry Scott
Ramona Ridge
Jenni McJunkin
Jamie & Martha Roberts
Steve Littlefield
Viola Randle

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CONTINUE- OTHERS PRESENT:

Amy Pearce
Laurie Szantay
Paul Haines
And 45 others who did not sign in

III. INVOCATION –Pastor Steve Littlefield, Simonton Community Church, Simonton, Texas

Reverend Littlefield of the Simonton Community Church 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

Amy Pearce stated she would like to request transparency on items like number nine (9) regarding TCEQ and those who are granted a hearing by TCEQ (Texas Commission on Environmental Quality) and outcome of that.

Laura Szantay wanted information regarding the “management district” and answers at the next City Council Meeting regarding the following questions:

1. What is the cities relationship with Hawes, Hill and Cauldron Firm?
2. Is David Hawes’ firm on the City’s payroll?
3. What is the intent of the 2011 management district?
4. I request full transparency from Council on their closed session for the TCEQ mediation.
5. Any conflict of interest between the City and Hawes firm? Special deals being made?

Paul Haines stated he is also interested in knowing about TCEQ mediation just like the two ladies who spoke before him.

Mayor Kuykendall stated that he participated in the TCEQ mediation and spent all day in that process. We agreed it was a very confidential process and it is an ongoing process. I did not even get permission to come back and share with Council and that’s why it is in Executive Session and the information cannot be made public until that process is done.

VI. ORGANIZATIONAL MATTERS

A. CONDUCT OFFICIAL CANVASS of MAY 10, 2014 CITY of FULSHEAR GENERAL ELECTION and CONSIDER ACCEPTANCE of ELECTION RESULTS

Mayor Kuykendall announced that the Council should have the canvassing report in their packets, a total of 384 votes were cast, and contains the following information: one candidate for Mayor, Tommy Kuykendall (myself) received 314 votes. Three positions for Aldermen. Larry Beustring112 votes; Laverne Patterson.....101 votes; Jeff Roberts.....226 votes; Steve Pohlman....159 votes; Kent Pool....15 votes; Tricia Thompson Krenek....187 votes; Roberto Noce.....9 votes; Patrick Sexton....19 votes and Tajana Mesic.....186 votes.

B. CONSIDERATION and POSSIBLE ACTION on ORDINANCE 2014-1146 an ORDINANCE CANVASSING the RETURNS and DECLARING the RESULTS of the GENERAL ELECTION HELD on MAY 10, 2014 for the PURPOSE of ELECTING MAYOR and THREE ALDERMEN to the CITY COUNCIL of the CITY of FULSHEAR

Mayor Kuykendall stated that the ordinance stipulates the following: Tommy Kuykendall as Mayor and three Aldermen positions....Jeff Roberts, Tricia Thompson Krenek, and Tajana Mesic

A motion was made by Alderman Beustring to approve Ordinance 2014-1146 an Ordinance canvassing the returns and declaring the results of the General Election held on May 10, 2014 for the purpose of electing Mayor and three Aldermen to the City Council of the City of Fulshear. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, and Roberts

Nays: None

Absent: Alderwoman Patterson

Mayor Kuykendall stated he would like to recognize those who will be leaving the City Council.

Mayor Kuykendall made a presentation to Aldermen Larry Beustring. He also recognized former Mayor Jamie Roberts and Mayor Viola Randle.

C. CONDUCT OATH of OFFICE for ELECTED CITY COUNCIL MEMBERS

Municipal Court Judge Kelly Crow was available to administer the oath of office to Mayor Tommy Kuykendall, Alderman Tricia Thompson Krenek, Alderman Tajana Mesic, and Alderman Jeff Roberts.

The New Council Members took a seat on the Council. (A full quorum was present.)

D. CONSIDERATION and POSSIBLE ACTION to ELECT a MAYOR PRO-TEM

Mayor Kuykendall suggested to the Council to re-appoint Stephen Gill as Mayor Pro Tem.

A motion was made by Alderwoman Krenek to re-appoint Stephen Gill as Mayor Pro Tem. It was seconded by Alderwoman Mesic. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic and Roberts

Nays: None

E. RECESS to HONOR ELECTED OFFICIALS

Mayor Kuykendall announced that we would recess at 7:34 p.m. for a short celebration and that refreshments were in the back room.

Mayor Kuykendall reconvened the Council Meeting at 8:10 p.m. and a quorum was present.

VII. 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 APRIL 15, 2014 MEETING

B. CONSENT and APPROVAL of 2nd QUARTER INVESTMENT and BUDGET REPORT

- C. CONSENT and APPROVAL of FULSHEAR TRACE STREET DEDICATION FIRST EXTENSION/FULBROOK on FULSHEAR CREEK/PRELIMINARY PLAT
- D. CONSENT and APPROVAL of CROSS CREEK VENTURE/PRELIMINARY PLAT
- E. CONSENT and APPROVAL of WEST CROSS CREEK BEND LANE EXTENSION NO. 2/CROSS CREEK RANCH FINAL PLAT
- F. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 11/FIRETHORNE/ REVISED FINAL PLAT
- G. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 12/FIRETHORNE/FINAL PLAT
- H. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 14/FIRETHORNE/FINAL PLAT
- I. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 15/FIRETHORNE/FINAL PLAT
- J. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 17/FIRETHORNE/FINAL PLAT
- K. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 18/FIRETHORNE/FINAL PLAT
- L. CONSENT and APPROVAL of FIRETHORNE WEST SECTION 19/FIRETHORNE/FINAL PLAT
- M. CONSENT and APPROVAL of TAMARRON SECTION 3/REVISED FINAL PLAT
- N. CONSENT and APPROVAL of TAMARRON SECTION 6/PRELIMINARY PLAT
- O. CONSENT and APPROVAL of TAMARRON SECTION 9/PRELIMINARY PLAT
- P. CONSENT and APPROVAL of FRY ROAD CENTER/FINAL PLAT

A motion was made by Alderman Gill to approve the Consent Agenda as presented. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

VIII. 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 (Repairs, New installations, and reports to TCEQ.)

Jason Demel presented the Severn Trent Report to the Council. No action required.

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

Mike McCoy presented the Police Department report to the Council. No action required.

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

Valerie Bryant presented the Municipal Court Clerk report to the Council. No action required.

D. REPORT from the BUILDING OFFICIAL (Permits, Appointments)

April Jensen presented the Building Official report to the Council. No action required.

IX. BUSINESS

A. PRESENTATION of PROCLAMATION in RECOGNITION of BUILDING SAFETY MONTH

Mayor Kuykendall presented a Proclamation to the Building Permit Office for recognition of May'2014 as Building Safety Month. April Jensen was present to accept the Proclamation on behalf of her department.

B. CONSIDERATION and POSSIBLE ACTION to APPROVE CHECKS PAID and PAYABLES from APRIL 11, 2014 to MAY 15, 2014

A motion was made by Alderman Gill to approve checks paid and payables from April 11, 2014 to May 15, 2014 as presented. It was seconded by Alderwoman Krenek. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

C. CONSIDERATION and POSSIBLE ACTION to APPROVE the CITY'S CALENDAR for the ADOPTION of the GENERAL FUND BUDGET and AD VALOREM TAXES for FISCAL YEAR 2014-2015

A motion was made by Alderman Roberts to approve the City's Calendar for the adoption of the General Fund Budget and Ad Valorem Taxes for Fiscal Year 2014-2015. It was seconded by Alderwoman Mesic. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

D. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1147 an ORDINANCE of the CITY of FULSHEAR AMENDING ORDINANCE NO. 2012-1061 CLARIFYING EXEMPT and NON-EXEMPT POSITIONS within the POLICE DEPARTMENT

A motion was made by Alderman Gill to approve Ordinance No. 2014-1147 an Ordinance of the City of Fulshear amending Ordinance No. 2012-1061 clarifying exempt and non-exempt positions within the Police Department. It was seconded by Alderwoman Krenek. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

E. CONSIDERATION and POSSIBLE ACTION to APPROVE INTERLOCAL AGREEMENT between the CITY and FOREVER FULSHEAR for the PROVISION of SERVICES RELATED to KEEP FULSHEAR BEAUTIFUL EVENTS

A motion was made by Alderman Collins to approve Interlocal Agreement between the City and Forever Fulshear for the provision of Services related to keep Fulshear Beautiful Events. It was seconded by Alderwoman Mesic. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

F. CONSIDERATION and POSSIBLE ACTION to APPROVE the 2014 TAX COLLECTION AGREEMENT between the CITY and FORT BEND COUNTY TAX ASSESSOR COLLECTORS OFFICE

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A motion was made by Alderman Gill to approve the 2014 Tax Collection Agreement between the City and Fort Bend County Tax Assessor Collectors office. It was seconded by Alderwoman Krenek. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

G. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1148 an ORDINANCE of the CITY of FULSHEAR RENEWING APPROVAL of PREVIOUSLY ADOPTED LOCAL OPTION EXEMPTIONS of AD VALOREM TAXES

A motion was made by Alderman Gill to approve Ordinance No. 2014-1148 and Ordinance of the City of Fulshear renewing approval of previously adopted local option exemptions of Ad Valorem taxes. It was seconded Alderwoman Mesic. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

H. CONSIDERATION and POSSIBLE ACTION to APPROVE ISSUANCE of a REQUEST for QUALIFICATIONS for PROFESSIONAL WATER and WASTE WATER OPERATIONS SERVICES

A motion was made by Alderman Gill to approve issuance of a request for qualifications for professional water and waste water operations services. It was seconded by Alderwoman Krenek. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

I. CONSIDERATION and POSSIBLE ACTION to ACCEPT DEDICATION DEED from Lamar CONSOLIDATED INDEPENDENT SCHOOL DISTRICT (for a 0.943 ACRE TRACT of LAND in the ENOCH LATHAM SURVEY ABSTRACT 50, FORT BEND COUNTY, TEXAS being out of and part of that CERTAIN RESTRICTED RESERVE "A" of LAMAR C.I.S.D. HIGH SCHOOL NO.5 COMPLEX)

A motion was made by Alderman Roberts to accept Dedication Deed from Lamar Consolidated Independent School District (for a 0.943 acre tract of land in the Enoch Latham Survey Abstract 50, Fort Bend County, Texas being out of and part of that certain restricted Reserve "A" of Lamar C.I.S. D. High School No. 5 Complex). It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

J. CONSIDERATION and POSSIBLE ACTION to ACCEPT DEDICATION DEED from KATY INDEPENDENT SCHOOL DISTRICT (for a 0.1650 ACRE TRACT of LAND LOCATED in the J.W. SCOTT SURVEY, ABSTRACT NO. 321 being out of and a part of RESTRICTED RESERVE "A" KATY INDEPENDENT SCHOOL DISTRICT ELEMENTARY SCHOOL NO. 37)

A motion was made by Alderwoman Krenek to accept Dedication Deed from Katy Independent School

District (for a 0.1650 acre tract of land located in the J. W. Scott Survey, Abstract No. 321 being out of and a part of Restricted Reserve "A" Katy Independent School District Elementary School No. 37). It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

- K. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2014-1145 an ORDINANCE of the CITY of FULSHEAR APPROVING STRATEGIC PARTNERSHIP AGREEMENT between the CITY of FULSHEAR and WALLER COUNTY ROAD IMPROVEMENT DISTRICT #1**
NO ACTION REQUIRED

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

Mayor Kuykendall announced that the Council would enter into Executive Session at 8:48 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 would reconvened back into Regular Session at 9:23 p.m. and a quorum was present.

Mayor Kuykendall asked if there was any action that needs to be taken on items discussed during the Executive Session. Council was silent.

XI. ADJOURNMENT

A motion was made by Alderman Collins that we adjourn at 9:25 p.m. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Aldermen Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

Mayor Kuykendall announced that we are adjourned.

Thomas C. Kuykendall, Jr. – Mayor

Attest:

D. (Diana) Gordon Offord - City Secretary