



CITY OF FULSHEAR

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

Fulshear City Council Minutes August 19, 2014

I. CALL TO ORDER

A Regular City Council Meeting was called to order by Thomas C. Kuykendall, Jr., Mayor, City of Fulshear at 7:10 p.m. in the Fulshear City Hall located at 30603 FM 1093 Road, Fulshear, Texas 77441.

II. QUORUM

Mayor Kuykendall announced that all City Council Members were present and welcomed the audience.

Council Members Present

Thomas C. Kuykendall, Jr., Mayor
Stephen Gill, Mayor Pro Tem
J. B. Collins, Jr.
Tricia Krenek
Tajana Mesic
Jeff Roberts

City Staff Present

D. (Diana) Gordon Offord, City Secretary
C. J. Snipes, City Administrator
Michelle Killebrew, Building Official
Lynn Raymer, Administrative Secretary
J. Grady Randle, City Attorney
Valerie Bryant, Court Clerk
Elaine Brown, Court Administrator
Kenny Seymour, Chief of Police

Others Present:

Russ Cosby
Viola Randle
Shannon Purcell
James Eiteman
J.D. McCann
John LeBourhis
Jim Fathoree
And 11 others who did not sign in

- III. INVOCATION- Pastor Nolan Donald, WordServe Methodist Church, Fulshear, Texas
Pastor Dale Olsen standing in for Pastor Donald. Pastor Olsen provided 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

Those wishing to speak must sign in before the meeting begins. Citizens may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decision at this time. Each speaker is limited to three minutes.

James Eiteman spoke as a representative for residents of James Lane. He provided Council with a handout describing the concerns such as drainage, water and sewer, natural habitats, etc. He requested Council review the information as it was serious to residents of James Lane. Mayor Kuykendall asked if this was in reference to the annexation and Mr. Eiteman responded "yes."

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 MEETINGS of JULY 1, JULY 15TH, and JULY 29TH
- B. CONSENT and APPROVAL of 3^d QUARTER CASH INVESTMENT REPORT
- C. CONSENT and APPROVAL on FULSHEAR BEND DRIVE (FROM 1463 to CROSS CREEK BEND LANE) FINAL PLAT
- D. CONSENT and APPROVAL on CREEK FALLS at CROSS CREEK RANCH SECTION 6/FINAL PLAT
- E. CONSENT and APPROVAL on WEST FIRETHORNE ROAD SECTION 2/STREET DEDICATION/FINAL PLAT
- F. CONSENT and APPROVAL on FIRETHORNE WEST SECTION 12/FINAL PLAT
- G. CONSENT and APPROVAL on FIRETHORNE WEST SECTION 14/FINAL PLAT
- H. CONSENT and APPROVAL on TAMARRON SECTION 7/ REVISED FINAL PLAT
- I. CONSENT and APPROVAL on TAMARRON SECTION 8/REVISED FINAL PLAT
- J. CONSENT and APPROVAL on TAMARRON SECTION 9/REVISED PRELIMINARY PLAT
- K. CONSENT and APPROVAL of H and V PROPERTIES/CROSS CREEK RANCH COMMERCIAL/FINAL PLAT
- L. CONSENT and APPROVAL of the STREET ACCEPTANCE for CREEK BEND at CROSS CREEK RANCH, SECTION ELEVEN
- M. CONSENT and APPROVAL of STREET ACCEPTANCE for CREEK BEND at CROSS CREEK RANCH, SECTION TWELVE

- N. CONSENT and APPROVAL of STREET ACCEPTANCE for CREEK BEND at CROSS CREEK RANCH, SECTION THIRTEEN
- O. CONSENT and APPROVAL of STREET ACCEPTANCE for CROSS CREEK BEND LANE EXTENSION NO. 7
- P. CONSENT and APPROVAL of the UTILITY CONVEYANCE and SECURITY AGREEMENT for CREEK BEND at CROSS CREEK RANCH, SECTION ELEVEN
- Q. CONSENT and APPROVAL of the UTILITY CONVEYANCE and SECURITY AGREEMENT for CREEK BEND at CROSS CREEK RANCH, SECTION TWELVE
- R. CONSENT and APPROVAL of the UTILITY CONVEYANCE and SECURITY AGREEMENT for CREEK BEND at CROSS CREEK RANCH, SECTION THIRTEEN
- S. CONSENT and APPROVAL of the UTILITY CONVEYANCE and SECURITY AGREEMENT for CROSS CREEK RANCH LIFT STATION NO. 1 EXPANSION
- T. CONSENT and APPROVAL of the UTILITY CONVEYANCE and SECURITY AGREEMENT for CREEK BEND EXTENSION NO. 7
- U. CONSENT and APPROVAL of STREET ACCEPTANCE for LEGACY at CROSS CREEK RANCH, SECTION FOUR
- V. CONSENT and APPROVAL of STREET ACCEPTANCE for CROSS CREEK BEND LANE EXTENSION NO.6
- W. CONSENT and APPROVAL of the UTILITY CONVEYANCE and SECURITY AGREEMENT for LEGACY at CROSS CREEK RANCH, SECTION FOUR
- X. CONSENT and APPROVAL the UTILITY CONVEYANCE and SECURITY AGREEMENT for CROSS CREEK BEND LANE EXTENSION NO. 6

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

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

VII. REPORTS

Reports are presented to Council for information 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 report to TCEQ.)

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

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

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

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

Elaine Brown, Court Administrator, presented the Municipal Court Report. No action was taken.

D. REPORT from the BUILDER SERVICES DEPARTMENT (Permits Issued, Inspections)

Michelle Killebrew, Building Official, presented the Building Department Report to Council. No action was taken.

VIII. **BUSINESS**

A. **CONSIDERATION and POSSIBLE ACTION to APPROVE CHECKS PAID and PAYABLES from JULY 12, 2014 to AUGUST 13, 2014**

A motion was made by Council Member Gill to approve checks paid and payables from July 12, 2014 to August 13, 2014. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

B. **CONSIDERATION and POSSIBLE ACTION to APPROVE SUMMARY of the 10/20 YEAR WRITE OFF per TEXAS PROPERTY TAX CODE SECTION 33.05 REPORT SUBMITTED by FORT BEND COUNTY TAX ASSESSOR COLLECTOR**

A motion was made by Council Member Gill to approve Summary of the 10/20 year write off per Texas Property Tax Code Section 33.05 report submitted by Fort Bend County Tax Assessor Collector. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

C. **Consideration and possible action to approve the 2014 Tax Year Appraisal Roll as prepared by the Fort Bend County Tax Assessor/ Collector**

A motion was made by Council Member Krenek to approve the 2014 Tax Year Appraisal Roll as prepared by the Fort Bend County Tax Assessor/Collector. It was seconded by Council Member Roberts. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

D. **Consideration and possible action to approve proposed Fiscal Year 2014-2015 Ad Valorem Tax Rate and set hearings for the discussion thereof on September 2, 2014 and September 9, 2014**

Mayor Kuykendall announced that our current tax rate is 0.197125 per \$100 valuation and that we would like to go back to the rollback rate and propose the tax rate be set at 0.178291 per \$100 valuation. Mayor Kuykendall stated that this would be a 9 ½ cent reduction from last year's rate but we would yet increase in tax revenue due to the increased growth.

A motion was made by Council Member Gill to approve proposed Fiscal Year 2014-2015 Ad Valorem Tax Rate (0.178291 per \$100 valuation) and set hearings for the discussion thereof on September 2, 2014 and September 9, 2014. It was seconded by Council Members Collins. The motion was carried by the following vote:

Mayor Kuykendall announced that this would be a Roll Call Vote.

Roll Call Vote:

Council Member Roberts-aye
Council Member Krenek-aye
Council Member Gill-aye
Council Member Collins-aye
Council Member Mesic-aye

E. Consideration and possible action on Petition for Annexation of an 80 acre tract of land into the Municipal Limits of the City of Fulshear by property owner Joshua Stanka

C. J. Snipes, City Administrator, stated this property is located off James Lane and south of Fulshear Creek and is in the process of being negotiated for purchase by Ewing Homes and the developers would like for it to be located with the city limits. Neighbors from James Lane has several concerns.

Council Member Mesic asked about the circulated letter to Council Members from residents of James Lane. How many residents did this involved? Mr. Eitemann state 15-18 individuals.

Council Roberts states that the concern for him is the drainage. Representative from Ewing Homes stated that a check with Fort Bend County that they do not need any detention ponds.

Council Member Roberts asked where the right of way would be running. The representative stated that it would be running east and west across James Lane.

Mayor Kuykendall stated there are a lot details that has to be worked out. There was approximately another ten minutes of discussion regarding this annexation among the Council.

A motion was made by Council Member Roberts to postpone Petition for Annexation of an 80 acre tract of land into the Municipal Limits of the City of Fulshear by property owner Joshua Stanka. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

F. Consideration and possible action to DIRECT DEVELOPMENT of a SERVICE PLAN for an 80 ACRE TRACT of LAND SUBMITTED by Joshua Stanka in CONJUNCTION with a VOLUNTARY ANNEXATION into the CITY of FULSHEAR, TEXAS

A motion was made by Council Member Roberts to postpone action to direct development of a service plan for an 80 acre tract of land submitted by Joshua Stanka in conjunction with a voluntary annexation into the City of Fulshear, Texas. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None

G. Consideration and possible action to approve potential water and waste water services operator and begin negotiations for contracted services

A motion was made by Council Member Mesic to approve potential water and waste water services operator and begin negotiations for contracted services. It was seconded by Council Member Collins. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

Mayor Kuykendall asked for postponing items "H" and "I". There are still some blanks that need to be reviewed.

- H. Consideration and possible action to approve RFQ publication seeking qualifications for Engineering services related to a Master Drainage Study for the City
- I. Consideration and possible action to approve RFQ publication seeking qualifications for Engineering services related to a Master Water and Waste Water Plan for the City

A motion was made by Council Member Krenek to postpone items H and I. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

- J. Consideration and possible action to approve Ordinance No. 2014-1157 an Ordinance of the City of Fulshear Amending Ordinance No. 2012-1058, section 5.0, sub-paragraph 17 regarding prohibited signage allowing for off-site signage so long as two adjoining properties share access to a public Right of Way and the signage conforms to the design requirements of the City

C.J. Snipes, City Administrator, stated that the purpose of this ordinance is to allow for off-premise signage where two or more commercial properties share a single point of ingress and egress and allows for multiple signs to be displayed. There was about a ten minute discussion among the Council.

A motion was made by Council Member Gill to approve Ordinance No. 2014-1157 and ordinance of the City of Fulshear amending Ordinance No. 2012-1058, Section 5.0, sub-paragraph 17 regarding prohibited signage allowing for off-site signage so long as two adjoining properties share access to a public Right of Way and the signage conforms to the design requirements of the City. It was seconded by Council Member Mesic. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

- K. Consideration and possible action to approve Ordinance No. 2014-1158 an Ordinance of the City of Fulshear approving franchise agreement with Enterprise Pipeline for the "Rancho" project

A motion was made by Council Member Gill to postpone Ordinance No. 2014-1158 an ordinance of the City of Fulshear approving franchise agreement with Enterprise Pipeline for the "Rancho" project.

It was seconded by Council Member Krenek. The motion was carried by the following vote:
Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

L. Consideration and possible action to approve Ordinance No. 2014-1159 an Ordinance of the City of Fulshear approving the expansion of a reduced Speed School Zone near the intersection of South Fry Road and Flewellen Oaks Lane

A motion was made by Council Member Krenek to approve Ordinance No. 2014-1159 subject to listing out the portion of South Fry Road and Flewellen road an Ordinance of the City of Fulshear approving the expansion of a reduced Speed School Zone near the intersection of South Fry Road and Flewellen Oaks Lane. It was seconded by Council Member Gill. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

M. Consideration and possible action to approve Resolution No. 2014-255 a Resolution of the City of Fulshear consenting to Fulshear Municipal Utility District No. 1 participation in Fort Bend County Road Projects

City Attorney, J. Grady Randle, stated this Resolution is to make it crystal clear to anyone reading this Resolution that it does include roads as the original consent did not specifically mention roads.

A motion was made by Council Member Gill to approve Resolution No. 2014-255 a Resolution of the City of Fulshear consenting to Fulshear Municipal Utility District No. 1 participation in Fort Bend County Road Projects. It was seconded by Council Member Roberts. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

N. Consideration and possible action to approve Agreement between the City of Fulshear and the Texas Municipal League – Multi-state Intergovernmental Employee Benefits Pool for the provision of Continuation of Coverage Administration (COBRA) in Fiscal Year 2014-2015

A motion was made by Council Member Gill to approve Agreement between the City of Fulshear and the Texas Municipal League- Multi-state Intergovernmental Employee Benefits Pool for the provision of Continuation of Coverage Administration (COBRA) in Fiscal Year 2014-2015. It was seconded by Council Member Krenek. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

O. Consideration and possible action to approve Agreement between the City of Fulshear and the Texas Municipal League – Multi-state Intergovernmental Employee Benefits Pool for the purpose of providing certain benefits and related services for employees of the City and their dependents.

A motion was made by Council Member Gill to approve Agreement between the City of Fulshear and the Texas Municipal League – Multi-state Intergovernmental Employee Benefits Pool for the purpose of providing certain benefits and related services for employees of the City and their dependents. It was seconded by Council Member Mesic. The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

P. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CONTRACT FOR NOTIFICATION SERVICES BETWEEN THE CITY AND BLACKBOARD INC. FOR FISCAL YEAR 2014-2015

A motion was made by Council Member Mesic to approve contract for Notification Services between the City and Blackboard Inc. for Fiscal Year 2014-2015. It was seconded by Council Member Krenek.

The motion was carried by the following vote:

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts
Nays: None

Mayor Kuykendall called for a recess at 8:18 p.m.

Mayor Kuykendall called the meeting back into session at 8:58 p.m.

IX. Budget Workshop

A. General Fund Budget for Fiscal Year 2014-2015

C.J. Snipes, City Administrator, gave an overview of the proposed budget for 2014-2015 Fiscal Year. He prepared a budget packet which was given to each member of the Council. Mr. Snipes stated that the general revenue increased from \$3.63 million to little over \$6 million. Mr. Snipes identified that we are approximately \$1.5 million short. The key issues for the City is Water and Sewer, Infrastructure, increase staff, and raises for current staff. Mr. Snipes outlined the budget regarding "Emergency Management". Mr. Snipes shared budget figures for each individual item for about 60 minutes.

Chief Seymour spent a short time sharing with the Council regarding his budget needs. He talked about providing more in house training for his staff along with other safety issues.

Chief Kenny Seymour explained that the Tahoe vehicle gives great performance and really meet the needs and prefers this vehicle instead of the charger. He also stated the need for increase in budget as the Community continues to growth and more visibility of officers deters the crime , traffic control, and response time.

X. ADJOURNMENT

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

Ayes: Council Members Collins, Gill, Krenek, Mesic, and Roberts

Nays: None


Thomas C. Kuykendall, Jr. - Mayor

Attest:


D. (Diana) Gordon Offord, City Secretary, TRMC