



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: Tricia Krenek

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Kaye Kahlich

COUNCIL MEMBER: Lauren Ashley

COUNCIL MEMBER: Jim Fatheree

COUNCIL MEMBER: Dana Hollingsworth

STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

REGULAR CITY COUNCIL MEETING OCTOBER 17, 2017

NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, OCTOBER 17, 2017 AT 7:00 P.M.** IN THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR RD, FULSHEAR, TEXAS FOR CONSIDERING THE FOLLOWING ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY 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. **CALL TO ORDER**
- II. **QUORUM & ROLL CALL**
- III. **INVOCATION – PASTOR DALE OLSON,**
- IV. **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 with Liberty and Justice for all.*
- V. **PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG-** *Honor the Texas flag; I pledge allegiance to thee, Texas one state under God, one and indivisible.*

VI. PUBLIC HEARING – SPECIAL USE PERMIT

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1069, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on October 6, 2017 at 8:30 a.m. in City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on October 17, 2017 at 7:00 p.m. The hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons to be given an opportunity to be heard.

The location of the premises in question is in the Downtown District, Lot 12 Block 7 of the Town of Fulshear, specifically the address is 8402 Wilson Street, Fulshear, Texas 77441. The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Mixed Use, specifically for the use of Residential and Flower Shop.

Specific relief is requested from Section 1-193 (c) (2) (f) which states that the use of Retail; 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 said application and documents is on file with the City Secretary located at the City of Fulshear- City Hall at 30603 FM 1093, Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 3 p.m. for your convenience.

Published: 9/25/2017

VII. CITIZEN COMMENTS- NO ACTION CAN BE TAKEN

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 (3) MINUTES EACH.

VIII. 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 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 KIDDOS RANCH/FINAL PLAT
- B. CONSENT AND APPROVAL OF TAMARRON SECTION 36/FINAL PLAT
- C. CONSENT AND APPROVAL OF TAMARRON SECTION 43/FINAL PLAT
- D. CONSENT AND APPROVAL OF CROSS CREEK BEND LANE EXTENSION NO. 11-STREET DEDICATION/PRELIMINARY PLAT
- E. CONSENT AND APPROVAL OF THE BROOKS AT CROSS CREEK RANCH SECTION 3/FINAL PLAT
- F. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 10/FINAL PLAT

- G. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 11/FINAL PLAT
- H. CONSIDERATION OF ACCEPTANCE OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR THE SOUTHEAST CORNER OF THE MARKET AT CROSS CREEK RANCH
- I. CONSENT AND APPROVAL TO APPROVE REQUEST FROM DR HORTON/ LJA ENGINEERING FOR A TWELVE (12) MONTH EXTENSION OF APPROVAL FOR TAMARRON SECTION 57/ FINAL PLAT
- J. CONSENT AND APPROVAL OF MONTHLY FINANCIAL REPORT FOR SEPTEMBER 2017
- K. CONSENT AND APPROVAL OF MINUTES FROM CITY COUNCIL MEETINGS ON SEPT 5, SEPT. 12, SEPT. 16, SEPT. 19, SEPT. 24, SEPT. 26, AND SEPT. 29, 2017

IX. BUSINESS

- A. PRESENTATION OF PROCLAMATIONS AND PLACARD RECOGNIZING THE COMMUNITY SPIRIT OF CERTAIN RESIDENTS IN RESPONSE TO HURRICANE HARVEY
- B. PRESENTATION OF PROCLAMATION RECOGNIZING GREATER ZACHERY BAPTIST CHURCH'S 125TH ANNIVERSARY
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR 8402 WILSON STREET, FULSHEAR, TEXAS 77441
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1260 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ANNEXATION AND SERVICE PLAN FOR A CERTAIN 89.25 ACRE TRACT ON PETITION OF LANDOWNER, LAMAR C.I.S.D. HIGH SCHOOL No. 5 COMPLEX
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017-1264 CALLING PUBLIC HEARINGS AND DIRECT STAFF TO CREATE A SERVICE PLAN IN RELATION TO THE ANNEXATION OF A CERTAIN TRACT OF LAND DESCRIBED AS A 582.7 APPORTIONED FROM THE R.H. KUYKENDALL SURVEY, ABSTRACT 274, J.C. McDONALD SURVEY, ABSTRACT 290, THE MORRIS & CUMMINGS SURVEY, ABSTRACT 294, & THE E. JR. LATHAM SURVEY, ABSTRACT 50, FORT BEND COUNTY, TEXAS
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION No. 2017-366 A RESOLUTION OF THE CITY OF FULSHEAR ADOPTING UPDATED EMPLOYEE CLASSIFICATION AND COMPENSATION PLAN FOR FISCAL YEAR 2017-2018
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION No. 2017-367 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING APPLICATION FOR SOLID WASTE GRANT PROGRAM THROUGH HGAC
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHAPTER 380 AGREEMENT BETWEEN THE CITY OF FULSHEAR AND PERRY HOMES FOR THE DEDICATION AND ALLOCATION OF SALES AND USE TAX
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017-1262 AN ORDINANCE OF THE CITY OF FULSHEAR REPEALING AND REPLACING ORDINANCE No. 2013-1105, REGARDING THE SCHEDULE OF FEES FOR BUILDING PERMITS
- J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017-1263 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE No. 2014-1131 REGARDING REVISED SOLID WASTE AND RECYCLING FEES FOR SERVICE
- K. DISCUSSION OF POTENTIAL CHANGE IN DATE FOR REGULAR NOVEMBER COUNCIL MEETING

X. **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 THREATENED 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

XI. **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 OCTOBER 13, 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. (DIANA) GORDON OFFORD, CITY SECRETARY -TRMC