



CITY OF FULSHEAR

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

NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, SEPTEMBER 21, 2010 AT 7:00 P.M.** IN THE CITY HALL OF THE CITY, 30603 FM 1093, FULSHEAR, TEXAS 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.

I. CALL TO ORDER

II. QUORUM

III. INVOCATION - Reverend John Crowe, Pastor of River Bend Baptist Church, Fulshear, Texas

IV. PLEDGE OF ALLEGIANCE

V. CITIZEN COMMENTS – NO ACTION CAN BE TAKEN

VI. PUBLIC HEARING

A. PUBLIC HEARING on the CITY of FULSHEAR FISCAL YEAR 2010-2011 BUDGET

Notice: The City Council of the City of Fulshear will hold a public hearing on a proposed city budget for Fiscal Year 2011 in a meeting beginning at 7:00 p.m. on September 21, 2010 at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441. Any person may attend and may participate in the hearing. A copy of the proposed budget is on file with the City Secretary at the address shown and on the Fulshear website (www.fulsheartx.com).

B. PUBLIC HEARING on the CITY of FULSHEAR FISCAL YEAR 2010-2011 AD VALOREM TAX RATE

Notice: The City Council of the City of Fulshear will hold a public hearing on a proposed city Ad Valorem Tax Rate for Fiscal Year 2011 in a meeting beginning at 7:00 p.m. on September 21, 2010 at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441.

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 the JULY 20th, JULY 29th, AUGUST 10th and AUGUST 18th, 2010 MEETINGS

B. CONSENT and APPROVAL on CHECKS PAID and PAYABLES from AUGUST 18, 2010 thru SEPTEMBER 21, 2010

VIII. CITIZEN REQUESTS

A. PRESENTATION: LAMAR CONSOLIDATED I.S.D. regarding PROJECT on FM 1093 by MR. REY DELA-REZA and Mr. KEVIN MCKEEVER

IX. 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 SOUTHWEST WATER COMPANY (Repairs, New installations, etc.)**
- B. REPORT from the POLICE DEPARTMENT (Traffic Citations, arrests, incidents, calls for service)**
- C. REPORT from the MUNICIPAL COURT CLERK (Fees and Fines)**

X. BUSINESS

- A. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1006 an ORDINANCE of the CITY of FULSHEAR **AMENDING the FISCAL YEAR 2009-2010** WITHOUT INCREASING the OVERALL BUDGET EXPENDITURES; PROVIDING for SEVERABILITY and an EFFECTIVE DATE**
- B. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE No. 2010-1007 an ORDINANCE APPROVING and ADOPTING the CITY of FULSHEAR, TEXAS BUDGET for the FISCAL YEAR 2010/2011; MAKING APPROPRIATIONS for the CITY for SUCH YEAR as REFLECTED in SAID BUDGET; and CONTAINING OTHER PROVISIONS RELATING to the SUBJECT**
- C. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1008 an ORDINANCE of the CITY of FULSHEAR, TEXAS ADOPTING the FISCAL YEAR 2010-2011 BUDGET for the FULSHEAR ECONOMIC DEVELOPMENT 4B CORPORATION**
- D. CONSIDER and TAKE ACTION to APPROVE CREEKSIDE @CROSS CREEK RANCH, SECTION 11/FINAL PLAT**
- E. CONSIDER and TAKE ACTION on CREEK BEND @ CROSS CREEK RANCH, SECTION 1/ PRELIMINARY PLAT**
- F. CONSIDER and TAKE ACTION on CROSS CREEK RANCH BEND LANE EXTENSION NO. 3/ PRELIMINARY PLAT**
- G. CONSIDER and TAKE ACTION on FIRETHORNE COMPETITIVE SWIM CENTER- PRELIMINARY PLAT**
- H. CONSIDER and TAKE ACTION on FIRETHORNE SEC.19 and FIRETHORNE SECTION 20 PARTIAL REPLAT NO. 1/(REPLAT)**
- I. CONSIDER and TAKE ACTION on FIRETHORNE WEST RESERVE A/PRELIMINARY PLAT**
- J. CONSIDER and TAKE ACTION on WEST FIRETHORNE ROAD/SECTION 3 STREET DEDICATION/ PRELIMINARY PLAT**
- K. CONSIDER and TAKE ACTION on RESOLUTION 10-159 a RESOLUTION including CJ SNIPES, CITY ADMINISTRATOR as an AUTHORIZED AGENT EXERCISING COMPLETE AUTHORITY of ALL FINANCIAL APPLICATIONS ASSOCIATED with the CITY OF FULSHEAR'S BANK DEPOSITORIES including but not limited to: COMMERCIAL STATE BANK, WALLIS STATE BANK, TRADITIONS BANK, ICON BANK, MBIA TEXAS CLASS, and TEXSTAR**
- L. CONSIDER and TAKE ACTION on RESOLUTION 10-160 a RESOLUTION DESIGNATING the FT. BEND HERALD as the OFFICIAL NEWSPAPER of the CITY of FULSHEAR**
- M. CONSIDER and TAKE ACTION on RESOLUTION 10-161 a RESOLUTION APPOINTING and /or RE-APPOINTING a MEMBER and ALTERNATE to H-GAC's (HOUSTON- GALVESTON AREA COUNCIL) 2011 GENERAL ASSEMBLY**

- N. CONSIDER and TAKE ACTION to ACCEPT the SUMMARY of the 10/20 WRITE OFF per TEXAS PROPERTY TAX CODE SECTION 33.05 "LIMITATION ON COLLECTION OF TAXES" as SPECIFIED in LETTER from PATSY SCHULTZ, COUNTY TAX ASSESSOR COLLECTOR and AUTHORIZE MAYOR to SIGN LETTER**
- O. CONSIDER and TAKE ACTION on ORDINANCE 2010-1009 an ORDINANCE APPROVING REQUEST from NEWLAND COMMUNITIES represented by KERRY R. GILBERT & ASSOCIATES, INC. to RELEASE APPROXIMATELY 80 ACRES in the SOUTHWEST CORNER of the SUBJECT PROPERTY LOCATED within the CITY of FULSHEAR'S ETJ. NEWLAND intends to DEVELOP the PROPERTY as an EXTENSION of CINCO RANCH with SINGLE –FAMILY RESIDENTIAL as the PREDOMINANT LAND USE. CAPTION: IN ORDER to SIMPLIFY the DEVELOPMENT of the PROPERTY, and ELIMINATE the MULTI-JURISDICTIONAL ISSUES, WE REQUEST that the CITY of FULSHEAR RELEASE its PORTION of EXTRATERRITORIAL JURISDICTION AFFECTING the SUBJECT PROPERTY to the CITY of HOUSTON. THE BALANCE of the PROPERTY within CINCO RANCH (+7500 ACRES) is already within the CITY of HOUSTON'S ETJ**
- P. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1010 an ORDINANCE PROVIDING for the ADOPTION of the AD VALOREM TAX RATE (PROPERTY TAX RATE .205921); ASSESSMENT, LEVY, and COLLECTION of AD VALOREM TAXES of the CITY of FULSHEAR, TEXAS, for the YEAR 2011 and for EACH YEAR THEREAFTER until OTHERWISE PROVIDED; PROVIDING the DATE on which SUCH TAXES SHALL BE DUE and PAYABLE; PROVIDING for PENALTY and INTEREST on ALL TAXES NOT TIMELY PAID, PROVIDING for SEVERABILITY; and REPEALING ALL ORDINANCES in CONFLICT HERewith**
- Q. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1011 an ORDINANCE of the CITY of FULSHEAR, TEXAS, REPEALING the LOCAL SALES and USE of TAX EXEMPTION on TELECOMMUNICATIONS SERVICES within the MUNICIPAL LIMITS of the CITY of FULSHEAR, TEXAS; PROVIDING for NOTICE to the COMPTROLLER of PUBLIC ACCOUNTS for the STATE of TEXAS; and PROVIDING for an EFFECTIVE DATE**
- R. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1012 an ORDINANCE of the CITY of FULSHEAR, TEXAS RESTRUCTURING the RATES CHARGED for WATER and WASTE WATER SERVICES to ENCOURAGE CONSERVATION EFFORTS and ENSURE FISCAL RESPONSIBILITY for the ENTERPRISE FUND; REVISING the TIER STRUCTURE for CHARGES and CREATING RESIDENTIAL and COMMERCIAL RATES POSSIBLY INCREASING RATES; and SETTING an EFFECTIVE DATE**
- S. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1013 an ORDINANCE of the CITY of FULSHEAR, TEXAS RESTRUCTURING the FEE SCHEDULE for TAPPING into the WATER and SEWER SYSTEM; INCREASING FEES for TAPS and SETTING an EFFECTIVE DATE**
- T. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1014 an ORDINANCE of the CITY of FULSHEAR, TEXAS AFFIRMING and ADOPTING the FEE SCHEDULE DELINEATED by the CITY in RESOLUTION 02-104 REGARDING PLAN REVIEW and BUILDING PERMIT FEES; and SETTING an EFFECTIVE DATE**
- U. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2010-1015 an ORDINANCE of the CITY of FULSHEAR, TEXAS REVISING FEES CHARGED for INSPECTION SERVICES; INCREASING FEES for INSPECTIONS; SETTING a UNIFORM FEE for RE-INSPECTIONS and SETTING an EFFECTIVE DATE**
- V. CONSIDER AND TAKE ACTION TO APPROVE INTERLOCAL AGREEMENT REGARDING AGREEMENT FOR THE INSPECTION OF NEWLY CONSTRUCTED ON-SITE SEWAGE DISPOSAL SYSTEMS AND OSSF NUISANCE COMPLIANCE BETWEEN FORT BEND COUNTY AND CITY OF FULSHEAR**

W. CONSIDER AND TAKE ACTION TO APPROVE INTERLOCAL AGREEMENT REGARDING AGREEMENT BETWEEN FORT BEND COUNTY AND THE CITY OF FULSHEAR, TEXAS FOR THE INSPECTION OF FOOD SERVICE ESTABLISHMENTS

XI. EXECUTIVE SESSION-CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE

SECTION 551.072 FOR the PURPOSE of DISCUSSING the PURCHASE, EXCHANGE, LEASE, or VALUE of REAL PROPERTY

SECTION 551.074, PERSONNEL MATTERS, to DELIBERATE on the APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, or DISMISSAL of a PUBLIC OFFICER.

CONSIDER HIRING and/ or ACCEPTING RESIGNATIONS of PROFESSIONAL and NON-PROFESSIONAL PERSONNEL

XII. RECONVENE AND TAKE ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF DEEMED APPROPRIATE

XIII. 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 September 17, 2010 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