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, AUGUST 21, 2012 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 RiverBend Baptist Church, Fulshear, Texas**

IV. **PLEDGE OF ALLEGIANCE**

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

VI. **PUBLIC HEARINGS**

A. The City of Fulshear, Texas, proposes to institute annexation proceedings to enlarge and extend the boundary limits of the City to include the following described territory, to-wit:

> Being a tract of land containing an approximate 33.61 acre tract being out of a part of restricted reserve "A" (100.930 acres) and restricted reserve "E" (7.165 acres) along with all of reserve "C" (9.959 acres) and all of reserve "D" (4.518 acres). As shown on the plat of Lamar C.I.S.D. High School No.5 Complex, said plat is recorded under County Clerk's File Number 20110054, of the plat records of Fort Bend County, Texas and is located in the Enoch Latham Survey, Abstract 50, Fort Bend County, Texas.

Notice is hereby given to all interested persons that the City Council of the City of Fulshear, Texas will conduct a First Public Hearing on Tuesday, August 21, 2012, at 7:00 p.m. in the Fulshear City Council Chambers, Fulshear City Hall, 30603 F.M. 1093, Fulshear, Texas 77441.

Notice is hereby given to all interested persons that the City Council of the City of Fulshear, Texas will conduct a Second Public Hearing on Tuesday, August 21, 2012, at 7:15 p.m. in the Fulshear City Council Chambers, Fulshear City Hall, 30603 F.M. 1093, Fulshear, Texas 77441.

The purpose of the Public Hearings is to receive input from the public on a proposal for the City of Fulshear to annex the above identified tracts of land. At said times and places all persons shall have the right to appear and be heard.

B. Notice is hereby given that a public hearing shall be held by the City Council of the City of Fulshear, Texas, at its Regular Meeting to be held Tuesday, August 21, 2012 at 7:00 PM, in the Fulshear City Hall located at 30603 FM 1093 West, Fulshear, Texas 77441.

The purpose of the hearing is to receive comments from interested individuals regarding the revision of the City's Subdivision Ordinance.

C. Notice is hereby given that a public hearing shall be held by the Fulshear City Council at its meeting Tuesday, August 21, 2012 at 7:00 PM, in the Fulshear City Hall, Council Chambers located at 30603 FM 1093 West, Fulshear, Texas 77441. The purpose of the hearing is to receive comments from interested individuals regarding revisions to the City's Zoning Ordinance and for a Special Use Permit Application. Specifically the addition of provisions including:

1) A prohibition on the location of Retail Liquor Sales Establishments within the C Commercial District.
2) A revision of the Notice requirements for matters affecting zoning.
3) The Establishment of Masonry Construction Requirements for the C Commercial, I Industrial, R-2 Residential Districts in addition to the creation of a Masonry Requirement Overlay District for Commercial Properties fronting on FM 359 (Main Street) and FM 1093 located within the DD-Downtown District; and
4) Special Use Permit Application for a change in use from Residential to Commercial Office for a property located at 8418 Harris Street, Fulshear, Texas 77441.

Copies of the proposed Zoning Ordinance Amendments and Special Use Permit Application are available in the office of the City Secretary, City Hall, 30603 FM 1093 West, 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 July 2, 2012; July 10, 2012; and July 17, 2012 MEETINGS

B. CONSENT and APPROVAL of VARIANCE REQUEST from CROSS CREEK RANCH regarding the FOLLOWING: "CROSS CREEK RANCH WATER PLANT NO. 2 and LIFT STATION NO. 4: FOR a RESERVE to TAKE ACCESS from an ACCESS EASEMENT rather than having FRONTAGE on a PUBLIC STREET (see notice for more specific detail).

C. CONSENT and APPROVAL of CROSS CREEK RANCH: CROSS CREEK RANCH WATER PLANT NO. 2 and LIFT STATION NO. 4/PRELIMINARY PLAT

D. CONSENT and APPROVAL of CROSS CREEK RANCH: CREEK BEND at CROSS CREEK RANCH SECTION 5/PRELIMINARY PLAT

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

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

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

D. REPORT from the BUILDING PERMIT OFFICE (Permits, fees, etc.)

IX. BUSINESS

A. DISCUSSION and PRELIMINARY VOTE to SET the FISCAL YEAR 2012-2013 AD VALOREM TAX RATE and SETTING PUBLIC HEARINGS on SAID TAX RATE for SEPTEMBER 4, 2012 and SEPTEMBER 11, 2012

B. PRESENTATION on TEXAS POLICE CHIEF'S ASSOCIATION BEST PRACTICES RECOGNITION INITIATIVE

C. CONSIDERATION and POSSIBLE ACTION to APPROVE APPOINTMENT of VOLUNTEERS to POLICE BEST PRACTICES ADVISORY COMMITTEE

D. CONSIDERATION and POSSIBLE ACTION to APPROVE SPECIAL USE PERMIT APPLICATION for a CHANGE in USE from RESIDENTIAL to COMMERCIAL OFFICE for a PROPERTY LOCATED at 8418 HARRIS STREET, FULSHEAR, TEXAS 77441

E. CONSIDERATION and POSSIBLE ACTION to APPROVE LIST of PAYABLES from JULY 14, 2012 through AUGUST 17, 2012

F. CONSIDERATION and POSSIBLE ACTION to APPROVE CONTRACT RENEWAL for CITY WIDE NOTIFICATIONS SERVICE with BLACKBOARD CONNECT

G. CONSIDERATION and POSSIBLE ACTION to APPROVE and ACCEPT the FINDINGS REGARDING the 2010/2011 CITY of FULSHEAR AUDIT COMPLETED by BELT HARRIS and ASSOCIATES, LLP

H. CONSIDERATION and POSSIBLE ACTION to APPROVE SELECTION of AUDIT FIRM for FISCAL YEAR 2012

I. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1077 an ORDINANCE of the CITY of FULSHEAR AMENDING and REVISING ORDINANCE NO. 2012-1073 SECTION 3, PARAGRAPH (B) CLARIFYING THE DIFFERENCE BETWEEN THE FEE FOR INITIAL ISSUANCE AND RENEWAL OF PERMITS

J. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1078 an ORDINANCE of the CITY of FULSHEAR REQUIRING the INSTALLATION of a STOP SIGN on NORTH and SOUTH BOIS D'ARC LANE at the INTERSECTION of RED BIRD LANE

K. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1079 an ORDINANCE of the CITY of FULSHEAR AMENDING and REVISING ORDINANCE NO. 2008-982 to INCLUDE the IDENTIFICATION of FM 359 as BEING SYNONYMOUS with FM 1093

L. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2012-1080 an ORDINANCE CREATING TRAFFIC REGULATIONS on CITY STREETS for LARGE TRUCKS

M. CONSIDERATION and POSSIBLE ACTION to APPROVE the STREET ACCEPTANCE for FLEWELLEN OAKS LANE from SOUTH FRY ROAD to FM 1463

N. CONSIDERATION and POSSIBLE ACTION to APPROVE UTILITY CONVEYANCE and SECURITY AGREEMENT for FLEWELLEN OAKS LANE NORTH

X. EXECUTIVE SESSION-CLOSED SESSION IN ACCORDANCE WITH THE 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.

POTENTIAL PURCHASE of REAL PROPERTY

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

ANNUAL REVIEW of CITY ADMINISTRATOR

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

XII. **ADJOURN**

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 August 17, 2012 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