



CITY OF FULSHEAR

30603 FM 1093, P. O. BOX 279, FULSHEAR, TEXAS 77441
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FULSHEAR CITY COUNCIL MINUTES July 20, 2010

1. CALL TO ORDER

A regular meeting of the Fulshear City Council was called to order by Mayor, Thomas C. Kuykendall, Jr. 7:04 p.m. Tuesday, July 20, 2010 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas and all citizens were welcomed. A quorum was present.

MEMBERS PRESENT

Thomas C. Kuykendall, Mayor
Stephen Gill
Larry Beustring
J. B. Collins
Laverne Patterson
Jeff Roberts

STAFF PRESENT

J. Grady Randle, City Attorney
Kristina Brashear, City Treasurer
D. Gordon Offord, City Secretary

MEMBERS ABSENT

None

OTHERS PRESENT

Shannon Purcell
Gwen Fox
Ramona Rojl
Mark Hippler
Viola Randle
Approx. 15 others who did not sign in

2. INVOCATION

A prayer was given by Pastor Donald Rogers of the St. Matthews Missionary Baptist Church, Simonton, Texas.

3. PUBLIC COMMENT(s)

Shannon Purcell stated that she lives in Fullbrook Subdivision which is outside the City limits of Fulshear and desires to participate in the City of Fulshear Recycling Collection and is willing to pay a reasonable service fee to the City for use of the recycling bend. Mayor Kuykendall thanked her for her comment.



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4. APPROVAL OF MINUTES

Regular Meeting – June 15, 2010

Alderman Beustring stated that the minutes of June 15, 2010 has an error on item 12 where the motion and second has the same individual's name. Alderman Beustring made a motion that the minutes of June 15, 2010 be approved subject to a correction on the motion or second on item number 12 as presented. It was seconded by Alderman Collins. The minutes were adopted by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

5. CONSIDER AND TAKE ACTION ON LIST OF PAYABLES AND CHECKS PAID

A motion was made by Alderman Gill to approve the list of payables and checks paid with the exception of charges from Bono Brothers for sludge hauling. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

6. QUARTERLY INVESTMENT REPORT FROM THE FINANCE DIRECTOR

Kristina Brashear, Finance Director, presented to the Council the Quarterly Investment Report for the third quarter 2009/2010. There were no comments from the Council.

7. REPORT FROM THE COURT CLERK (FEES AND FINES)

Elaine Brown, Court Clerk, presented her report to the Council. There were no comments from the Council.

8. CONSIDER AND TAKE ACTION ON FIRST AMENDMENT TO BEAUTIFICATION LICENSE

AGREEMENT/LICENSE NO. 2009-1-B. Caption: Property. The License is amended as to the Property which will hence forth be shown shaded yellow on the aerial map dated May 10, 2010 attached hereto and made a part hereof as Exhibit "A". The amended Property covers an area from approximately Mile Post 30.26 to Mile Post 33.9175.

A motion was made by Alderman Collins to approve the First Amendment to the Beautification License Agreement/License No. 2009-1-B. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

9. CONSIDER AND TAKE ACTION ON POSSIBLE ADOPTION OF ONE OR MORE RESOLUTIONS AND/OR ORDINANCES PERTAINING TO THE FOLLOWING:



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- a. Resolution of the City of Fulshear authorizing membership and participation in the Gulf Coast Coalition of Cities (GCCC) or Houston Coalition of Cities and cooperation with the members of the Coalition on electric and gas utility matters;**
- b. Resolution of the City of Fulshear authorizing participation with Gulf Coast Coalition of Cities on CenterPoint Electric's proposed rate increase; and**
- c. An ordinance of the City Council of the City of Fulshear ("City" declining to approve the change in rates requested in the Statement of Intent filed with the City by CenterPoint Energy Houston Electric, LLC ("CenterPoint Houston") on June 30, 2010; and finding and determining that the meeting at which this ordinance was considered was open to the Public and in accordance with Texas Law.**

A motion was made by Alderman Beustring to approve Item A only which states "a. Resolution of the City of Fulshear authorizing membership and participation in the Gulf Coast Coalition of Cities (GCCC) or Houston Coalition of Cities and cooperation with the members of the Coalition on electric and gas utility matters". It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None*

10. CONSIDER AND TAKE ACTION ON PRELIMINARY PLAT/CREEKSIDE @CROSS CREEK RANCH SECTION 11

A motion was made by Alderman Gill to approve the Preliminary Plat/Creekside @ Cross Creek Ranch Section 11. It was seconded by Alderman Roberts. The motion was carried by the following vote:

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None*

11. CONSIDER AND TAKE ACTION ON FINAL PLAT/CROSS CREEK RANCH SPORTS PARK

A motion was made by Alderman Roberts to approve the Final Plat/ Cross Creek Ranch Sports Park subject to City Engineer, David Leyendecker recommendations. It was seconded by Alderman Collins. The motion was carried by the following vote:

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None*

Alderman Beustring asked that items 12 through 15 be consolidated and voted at one time if there are no objections. Council agreed.



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- 12. CONSIDER AND TAKE ACTION ON FINAL PLAT-FIRETHORNE WEST- SECTION 4**
13. CONSIDER AND TAKE ACTION ON FINAL PLAT/FIRETHORNE WEST SECTION 5
14. CONSIDER AND TAKE ACTION ON FINAL PLAT/FIRETHORNE WEST SECTION 6
15. CONSIDER AND TAKE ACTION ON FINAL PLAT/FIRETHORNE SECTION 21

A motion was made by Alderman Beustring to approve items 12 through 15. It was seconded by Alderman Collins. The motion was carried by the following vote:

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None*

It was requested that items 16 and 17 be handled in that same manner. Council agreed.

- 16. CONSIDER AND TAKE ACTION ON PRELIMINARY PLAT/FIRETHORNE: WEST FIRETHORNE ROAD SECTION 1 –STREET DEDICATION**
17. CONSIDER AND TAKE ACTION ON PRELIMINARY PLAT/FIRETHORNE: WEST FIRETHORNE ROAD SECTION 2 –STREET DEDICATION

A motion was made by Alderman Collins to approve items 16 and 17. It was seconded by Alderman Roberts. The motion was carried by the following vote:

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None*

- 18. CONSIDER AND TAKE ACTION TO AUTHORIZE MAYOR KUYKENDALL TO DO STREET REHABILITATION AND OR /REPAIRS WITH THE COUNTY ROAD AND BRIDGE DEPARTMENT**

Mayor Kuykendall gave an update on the status of Katy-Fulshear Road. He stated that project could not be completed due to a change with obtaining the materials. The supplier was unable to furnish the materials at the rate quoted so now it would be more expensive to continue.

Mayor Kuykendall stated he would be meeting with the County representative to re-negotiate the terms of the Inter Local agreement. The County has requested that the City put together a five-year plan and identify its street repairs on a map. Mayor Kuykendall will be working on this project and update Council at a later date.

No action was taken.

- 19. CONSIDER AND TAKE ACTION TO ADD THE IRENE STERN COMMUNITY CENTER BUILDING LOCATED AT 6920 KATY FULSHEAR ROAD AS A DESIGNATED RED CROSS SHELTER**

A motion was made by Alderman Collins to approve the Irene Stern Community Center Building located at 6920 Katy Fulshear Road as a designated Red Cross Shelter. It was seconded by Alderman Beustring.



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The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

20. CONSIDER AND TAKE ACTION ON ADOPTING 2010 INVESTMENT POLICY, DEPOSITORY-COLLATERAL AGREEMENT, AND PUBLIC FUNDS-PLEDGE AGREEMENT

Mayor Kuykendall requested that the finance director give an overview to the Council and state how this item came to appear on the Council agenda.

Kristina Brashear gave an overview to Council regarding the 2010 investment policy and the public fund pledge agreement. Ms. Brashear states that the depository collateral agreement has some issues that arose and she is working closely with the City Attorney to get these resolved but stated this part should not be considered at this time.

A motion was made by Alderman Gill to adopt 2010 Investment Policy. Mayor Kuykendall asked if this motion included the public-fund pledge agreement. Alderman Gill amended his motion.

A motion was made by Alderman Gill to adopt 2010 Investment Policy and the public-funds-pledge agreement. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

21. "Consider and take action to execute bank depository agreement between the City of Fulshear and Commercial State Bank whereas the City shall designate Commercial State Bank as its depository for banking services."

Mayor Kuykendall stated there are some issues with this item and he recommends tabling the item.

A motion was made by Alderman Collins to table item 21. It was seconded by Alderman Beustring. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

22. Consider and take action to approve an application for Participation in the Texas Short Term Asset Reserve Program (TexSTAR).

Caption: Included in the agenda exhibit is information pertaining to the application. It is recommended that the Council approve the application was submitted to provide the City with an additional investment option emphasizing safety and liquidity.



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A motion was made by Alderman Gill to approve application for Participation in the Texas Short Term Asset Reserve Program (TexSTAR). It was seconded by Alderman Collins. The motion was carried by the following vote:

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None*

23. Consider and take action to re-instate the requirement for the Planning Commission to approve Signage/ Ordinance Number 10-939C

Caption: Section 4. Form, structure, construction and maintenance of signs.

“B. Design. All signs permitted by this ordinance shall be designed and constructed in one or two formats. All signage shall be approved by the Planning Commission prior to construction.”

A motion was made by Alderman Gill to approve to re-instate the requirement for the Planning Commission to approve Signage/ Ordinance Number 10-939C. It was seconded by Alderman Collins.

The motion was carried by the following vote:

*Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson
Nays: None*

24. REPORT FROM THE POLICE DEPARTMENT (TRAFFIC CITATIONS, ARREST, INCIDENTS, CALLS FOR SERVICE)

Police Chief Scott Head presented to the Council the Fulshear Police Report for month of June, 2010. There were no comments.

25. Consider and take action to authorize Mayor to purchase new air-conditioning units for City Hall

Mayor Kuykendall stated that an application was submitted to SECO Stimulus to improve energy efficiency and requested amount was \$21,000 however, City of Fulshear was eligible for a grant amount of \$23,030.00. Mayor Kuykendall requested that Alderman Beustring give background on his research regarding this project.

Alderman Beustring stated we have been band-aid the unit for some time. Alderman Beustring stated that we have three bids already. The air conditioning units in this building is at least 15 years old.

- Countryside Air.....\$32,405.00*
- Katy West Houston Air.....\$22,720.00(RUUD System)*
- Katy West Houston Air.....\$20,655.00(Goodman System)*



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These bids include a five year warranty on parts and labor. Alderman Beustring suggested that we accept Katy West Houston Air with bid of \$22,720.00

Mayor Kuykendall stated that originally when the grant was submitted only considered purchasing 3 units but since the City is considering hiring a City Administration we need to install 4 units. The upstairs unit is not working and also other units in the building have had numerous repairs.

A motion was made by Alderman Gill to approve authorizing the Mayor to purchase air – conditioning units for the City Hall not to exceed the grant limit of \$23, 030.00 (to acquire four air- conditioning units). It was seconded by Alderman Collins.

The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

26. EXECUTIVE SESSION

551.074 For the purpose of considering the appointment, employment, evaluation, reassignment duties, discipline, or dismissal of a public officer or employee.

1. Consider hiring and accepting resignations of professional and non-professional personnel.

---Discussion: Hire a City Administrator, state salary and benefits

Mayor Kuykendall announced that Council would recess into Executive Session at 8:13 p.m. and a quorum was present.

27. Reconvene into regular session

Mayor Kuykendall announced that Council is entered back into regular session at 9:09 p.m. and quorum was present.

28. Consider and take action to hire a City Administrator, set salary, and benefits

A motion was made by Alderman Gill to authorize the Mayor to make a job offer to C.J. Snipes for the position of City Administrator. It was seconded by Alderman Beustring.

Alderman Roberts stated he cannot support as he thinks a workshop should be held to identify the job descriptions of the current City employees. Roberts stated he understands where we are trying to get too.



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Mayor Kuykendall stated that hiring of the City Administrator will be the first official job descriptions and he will be responsible to assist with developing job descriptions for all city staff. Mayor Kuykendall stated that whether or not the employees have a job description, each is helping out to keep the City running smoothly. Mayor Kuykendall stated that the description is important for the City as well as the employees that they are filling their requirement as an employee. He stated that those who are doing a good job can be given a raise and those who are doing a poor job, then corrective action can be taken.

Mayor Kuykendall called for a vote:

Ayes: Aldermen Beustring, Collins, Gill, and Alderwoman Patterson

Nays: Alderman Roberts

ITEM 29. ADJOURN

A motion was made by Alderman Collins to adjourn at 9:12p.m. It was seconded by Alderman Gill. The motion was carried by the following vote:

Ayes: Aldermen Beustring, Collins, Gill, Roberts, and Alderwoman Patterson

Nays: None

Approved: _____

Mayor, Thomas C. Kuykendall, Jr.

Attest: _____

City Secretary, D. Gordon Offord