



CITY OF FULSHEAR

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

May 17, 2011

I. CALL TO ORDER

A regular meeting of the Fulshear City Council was called to order by Mayor, Thomas C. Kuykendall, Jr., at 7:07 p.m., Tuesday, May 17, 2011 in the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas and all citizens were welcomed.

II. QUORUM

A quorum was present.

MEMBERS PRESENT:

*Thomas C. Kuykendall, Jr., Mayor
J. B. Collins, Mayor Pro-Tem
Larry Beustring
Stephen Gill
Laverne Patterson
Jeff Roberts*

STAFF PRESENT:

*C. J. Snipes, City Administrator
Kristina Brasher, Finance Director
D. (Diana) Gordon Offord
J. Grady Randle, City Attorney
Michelle Kirchner, Building Inspector*

GUESTS

*Kevin Yeaglin
Stephanie Harris
Randy Emery
Gwen Fox
Russ Cosby
Viola Randle
And 10 others who did not sign in*

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

A prayer was given by Reverend John Crowe, Pastor of the River Bend Baptist Church, Fulshear, Texas.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Mayor Thomas C. Kuykendall, Jr.

V. CITIZEN COMMENTS – NO ACTION CAN BE TAKEN

There were no citizens' comments.

VI. CONSENT AGENDA

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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 APRIL 19, 2011 REGULAR MEETING**
- B. CONSENT and APPROVAL on CHECKS PAID and PAYABLES from APRIL 20, 2011 thru MAY 17, 2011**
- C. CONSENT and APPROVAL on SIGN PERMIT: SHELL-TIMEWISE/30430 FM 1093 (previous sign name: COUNTRY FULSHEAR STORE)**
- D. CONSENT and APPROVAL on TRENDMAKER/CROSS CREEK RANCH STREET DEDICATION/ FLEWELLEN OAKS LANE from LODGE BLUFF LANE to SOUTH FRY ROAD / FINAL PLAT**
- E. CONSENT and APPROVAL on TRENDMAKER/CROSS CREEK RANCH STREET DEDICATION FLEWELLEN OAKS LANE from SOUTH FRY ROAD to FM 1463/ FINAL PLAT**
- F. CONSENT and APPROVAL TRENDMAKER/ CROSS CREEK RANCH F.M. 1093 at F.M. 1463 RESERVE (COMMERCIAL PROJECT) / FINAL PLAT**
- G. CONSENT and APPROVAL on TRENDMAKER/CROSS CREEK RANCH CREEK BEND at CROSS CREEK RANCH SECTION TWO /FINAL PLAT**
- H. CONSENT and APPROVAL on TRENDMAKER/CROSS CREEK RANCH STREET DEDICATION/ CROSS CREEK BEND LANE and SOUTH FRY ROAD- FINAL PLAT.**
- I. CONSENT and APPROVAL on SIGN PERMIT: THE BUNKER/8040 FM 359 SOUTH**

A motion was made by Alderman Beustring to approve the consent agenda with the exception of charges for the Bono Brothers for sludge hauling. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

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

VII. 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, 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 , etc.)**

- A. Report from Southwest Water Company was presented by Jason Demel. No action necessary*
- B. Report from Police Department presented by Lt. Kenny Seymour, Acting Police Chief. No action necessary.*
- C. Report from the Municipal Court was presented by Elaine Brown, Municipal Court Clerk. No action necessary.*

VIII. BUSINESS

- A. CONSIDERATION and POSSIBLE ACTION on RESOLUTION NO. 2011-175 a RESOLUTION CREATING a CHECKING ACCOUNT to REPLACE the CASH in the PETTY FUNDS ACCOUNT and NAMING AUTHORIZED SIGNERS for SUCH ACCOUNT**

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A motion was made by Alderman Gill to approve Resolution No. 2011-175 a Resolution creating a checking account to replace the cash in the Petty Funds Account and naming authorized signers for such account. 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*

B. CONSIDER PRESENTATION from BELT HARRIS PECHACEK, LLP, CERTIFIED PUBLIC ACCOUNTANTS on the CITY'S FISCAL YEAR 2009-2010 AUDIT and FINANCIAL STATEMENT

Stephanie Harris of Belt Harris Pechacek, LLP presented to the Fulshear City Council a synopsis of the 2009-2010 audit and Financial Statement completed on the City of Fulshear Revenue and Expenses. See 2009-2010 audit for specific details. No discrepancies were found.

C. CONSIDERATION and POSSIBLE ACTION on ACCEPTANCE of REPORT and FINANCIAL STATEMENT for FISCAL YEAR 2009-2010

A motion was made by Alderman Gill to accept the Report and Financial Statement for Fiscal Year 2009-2010. 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*

D. CONSIDERATION and POSSIBLE ACTION to ACCEPT the QUARTERLY INVESTMENT REPORT PRESENTED by the FINANCE OFFICER

A motion was made by Alderwoman Patterson to accept the Quarterly Investment Report presented by the Finance Officer, Kristina Brashear. 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*

E. CONSIDERATION and POSSIBLE ACTION to APPROVE SELLER'S AGREEMENT for ONLINE AUCTION SERVICES with GOVDEALS.COM

Mayor Kuykendall stated we have wanted to auction off some of the old equipment and clean up the back yard. This agreement will allow us to do that. C.J. Snipes, City Administrator, stated there would be no charge or fees for the seller. There was approximately a 10-minute discussion among the Council Members.

A motion was made by Alderman Collins to approve Seller's Agreement for online auction services with GOVDEALS.COM. 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*

F. CONSIDERATION and POSSIBLE ACTION to APPROVE LISTING of SURPLUS/ SALVAGE VEHICLES and EQUIPMENT for SALE via ONLINE AUCTION

A motion was made by Alderman Gill to approve listing of surplus/salvage vehicles and equipment for sale via online auction. 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*

G. CONSIDERATION and POSSIBLE ACTION to APPROVE PAYMENT of STIPENDS for JURY SERVICE in the FULSHEAR MUNICIPAL COURT

A motion was made by Alderman Gill to approve payment of stipends for Jury Service in the Fulshear Municipal Court and selected juror members will be compensated at the rate of \$6.00 per appearance and offered a choice to donate stipend to a non-profit group if one desires. It was seconded by Alderman Beustring. The motion was carried by the following vote:

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

Nays: Alderman Roberts

H. CONSIDERATION and POSSIBLE ACTION to AWARD BID for the INSTALLATION of EMERGENCY GENERATOR at CITY HALL

A motion was made by Alderman Gill to award the bid to Neil Technical Services for the installation of Emergency Generator at City Hall for the amount of \$34,598.00. It was seconded by Alderman Collins.

Alderman Roberts stated he would like a breakdown and Alderman Beustring wanted to know the type of generator. CJ Snipes, City Administrator, stated that the City received a \$21,000 grant but upon investigation for the installation, there were numerous wiring issues in order to connect. The bidding process had to start over and Neil was the lowest bid of \$34, 598.00. Mr. Snipes stated he would find out the type and submit the information to him later.

Mayor Kuykendall stated we have a motion and second and called for a vote. The motion was carried by the following vote:

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

Nays: None

I. CONSIDERATION and POSSIBLE ACTION on RESOLUTION NO. 2011-176 a RESOLUTION APPROVING the CITY of FULSHEAR 4A DEVELOPMENT CORPORATION'S PARTICIPATION in the TEXAS LEVERAGE FUND LOAN PROGRAM to ASSIST in the FINANCING of the WATER and SEWER LINE EXTENSION EAST ALONG FM 1093

A motion was made by Alderman Gill to approve Resolution No. 2011-176 a resolution approving the City of Fulshear 4A Development Corporations' participation in the Texas Leverage Fund Loan Program to assist in the Financing of the water and sewer line extension east along FM 1093. 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

J. CONSIDERATION and POSSIBLE ACTION to APPROVE INTER-LOCAL AGREEMENT with FULSHEAR 4A DEVELOPMENT CORPORATION for the FINANCING of WATER and SEWER LINE EXTENSION EAST ALONG FM 1093

A motion was made by Alderman Gill to approve Inter-Local Agreement with Fulshear 4A Development Corporation for Financing of water and sewer line extension east along FM 1093. 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

K. CONSIDERATION and POSSIBLE ACTION to APPROVE AMENDMENT to the BEAZER DEVELOPMENT AGREEMENT

A motion was made by Alderman Gill to approve amendment to the Beazer Development Agreement. 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

L. CONSIDERATION and POSSIBLE ACTION to APPROVE APPOINTMENT of MEMBERS to the INITIATING BOARD of the FULSHEAR TOWN CENTER MUNICIPAL MANAGEMENT DISTRICT

Mayor Kuykendall distributed a list containing the recommended board members that had been submitted to Senator Glenn Hegar's office. They are: David Delk, Randy Emery, Doug Konopka, Brooke Lewis, and Colice Watts.

Alderman Roberts stated that this was the first time he had seen the list and he is disappointed at the process of choosing the board members. He stated that with the formulation of the district everything has been happening too fast and Council Members have not been giving a chance to thoroughly investigate the whole process. Council Members discussed this issue for approximately 20 minutes.

A motion was made by Alderman Gill to approve appointment of members to the initiating board of the Fulshear Town Center Municipal Management District. It was seconded by Alderman Beustring. The motion was carried by the following vote:

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

IX. ADJOURNMENT

A motion was made by Alderman Collins to adjourn at 8:46 p.m.. 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

Mayor - Thomas C. Kuykendall, Jr.

Attest:

City Secretary – D. (Diana) Gordon Offord