



CITY OF FULSHEAR

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

CITY COUNCIL MINUTES

September 24, 2013

I. CALL TO ORDER

A Regular City Council Meeting was called to order by Mayor Thomas C. Kuykendall, Jr. at 7:02 p.m. at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 and all citizens were welcomed.

Members Present:

Thomas C. Kuykendall, Jr., Mayor

Jeff Roberts

J. B. Collins, Jr.

Laverne Patterson

Larry Beustring

Members Absent:

Stephen Gill

City Staff Present:

C. J. Snipes, City Administrator

Kristina Brashear, Finance Director

Kenny Seymour, Chief of Police

J. Grady Randle, City Attorney

Others Present:

J.D. McCann

Steve Tennis

Rene Rodriguez

Steve Littlefield

Kenny Johnson

Gwen Fox

Juan Serna

Carlos Fraga

Becky Daves

Teri League

**FULSHEAR CITY COUNCIL MINUTES
SEPTEMBER 24, 2013
PAGE 2**

*Continue- Others Present
Ryan Beard
Viola Randle*

II. QUORUM

Mayor Kuykendall announced that a quorum was present.

III. INVOCATION-REVEREND STEVE LITTLEFIELD, PASTOR OF SIMONTON COMMUNITY CHURCH, SIMONTON, TEXAS

Pastor Littlefield gave the prayer.

IV. PLEDGE OF ALLEGIANCE

Mayor Kuykendall led the audience in the Pledge Allegiance to the Flag.

V. CITIZEN COMMENTS- NO ACTION CAN BE TAKEN

There were no Public Comments.

VI. PUBLIC HEARING

A. Public Hearing on the FY 2013-2014 City of Fulshear Budget

The City Council of the City of Fulshear will hold a Public Hearing on a proposed General Fund Budget for Fiscal Year 2013/2014 in a meeting beginning at 7:00 p.m. on Tuesday, September 24, 2013 at Fulshear City Hall, 30603 F.M. 1093, Fulshear, Texas 77441. Any person may attend and provide comments. A copy of the proposed budget is on file with the City Secretary at the address shown and on the Fulshear website (www.fulsheartexas.gov).

This budget will raise more revenue from Property Taxes than last year's Budget by an amount of \$153,438 which is an increase of 21.98% from last year's Budget. The property tax revenue to be raised from new property added to the tax roll this year is \$102,454.

Total debt obligation for City of Fulshear secured by property tax is zero.

Mayor Kuykendall opened the Public Hearing at 7:08 p.m. There were no comments. Mayor Kuykendall closed the Public Hearing at 7:09 p.m.

VII. CONSENT AGENDA

Item 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 VALERO STORE NO. 1481 REPLAT/PRELIMINARY PLAT

B. CONSENT and APPROVAL of CHURCHILL FARMS SECTION 9/ FINAL PLAT

- C. CONSENT and APPROVAL of CHURCHILL FARMS SECTION 10/ FINAL PLAT
- D. CONSENT and APPROVAL of TAMARRON EMERGENCY ACCESS/PRELIMINARY PLAT
- E. CONSENT and APPROVAL of TAMARRON SECTION 1/PRELIMINARY PLAT
- F. CONSENT and APPROVAL of TAMARRON SECTION 2/PRELIMINARY PLAT
- G. CONSENT and APPROVAL of TAMARRON SECTION 3/PRELIMINARY PLAT
- H. CONSENT and APPROVAL of TAMARRON SECTION 4/PRELIMINARY PLAT
- I. CONSENT and APPROVAL of MINUTES from AUGUST 20, 2013 and AUGUST 27, 2013

A motion was made by Alderman Beustring to approve the Consent Agenda as presented. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

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 SEVERN TRENT WATER COMPANY (repairs, new installations, and reports to TCEQ)**

Mark Yentzen presented the Severn Trent Water Report.

- B. **REPORT from the POLICE DEPARTMENT (traffic citations, arrests, incidents, calls for service)**

Chief Seymour presented the Police Report.

- C. **REPORT from the MUNICIPAL COURT CLERK (fees and fines)**

Mayor Kuykendall stated that Court is in session tonight at the Community Center and asked if there are any questions regarding this report. Council was silent.

- D. **REPORT from the BUILDING PERMIT DEPARTMENT (Permits issued, inspections performed)**

Mayor Kuykendall stated that Ms. Morris was on vacation and that her report is included in the Council packet for review. Mayor Kuykendall pointed out that the number of inspections continue to increase.

VIII. BUSINESS

- A. **CONSIDERATION and POSSIBLE ACTION to APPROVE CHECKS PAID and LIST of PAYABLE from AUGUST 15, 2013 through SEPTEMBER 11, 2013**

A motion was made by Alderman Roberts to approve checks paid and list of payables from August 15, 2013 through September 11, 2013 as presented. It was seconded by Alderman Beustring. The motion was carried by the following vote:

**FULSHEAR CITY COUNCIL MINUTES
SEPTEMBER 24, 2013
PAGE 4**

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

B. CONSIDERATION and ACTION to APPROVE CONTRACT AGREEMENT with "MUNICODE" to RESEARCH, EDIT, INDEX, and PUBLISH (both in print and electronically) the FINAL ENACTED LEGISLATION for the CITY of FULSHEAR

C.J. Snipes, City Administrator, stated that this will make life easier for the folks who do business with the City and this has been a long term goal since his arrival. He stated that we have looked at several companies and municode appears to be the best on-line process offered.

Mayor Kuykendall stated that most Cities offer their ordinances on line and this company is one of the leaders in providing that service to cities.

A motion was made by Alderman Beustring to approve contract agreement with "Municode" to research, edit, index, and publish (both in print and electronically) the final enacted legislation for the City of Fulshear. It was seconded by Alderman Collins. The motion was carried forward by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

C. CONSIDERATION AND POSSIBLE ACTION to APPROVE and ADOPT ORDINANCE No. 2013-1110 an ORDINANCE APPROVING and ADOPTING the CITY of FULSHEAR, TEXAS BUDGET for the FISCAL YEAR 2013-2014; MAKING APPROPRIATIONS for the CITY for SUCH YEAR as REFLECTED in SAID BUDGET; and CONTAINING OTHER PROVISIONS RELATING to the SUBJECT

Mayor Kuykendall gave highlights of the City's budget. He stated that the City is in great financially position.

A motion was made by Alderman Roberts to approve and adopt Ordinance No. 2013-1110 an Ordinance approving and adopting the City of Fulshear, Texas budget for Fiscal Year 2013-2014; making appropriations for the City for such year as reflected in said budget; and containing other provisions relating to the subject. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

Roll Call

Jeff Roberts-yes

Laverne Patterson- yes

Larry Beustring-yes

FULSHEAR CITY COUNCIL MINUTES
SEPTEMBER 24, 2013
PAGE 5

*J. B. Collins, Jr.- yes
Stephen Gill- Absent*

D. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2013-1111 an ORDINANCE of the CITY of FULSHEAR RE-APPOINTING RANDLE LAW OFFICE, LTD., LLP as CITY ATTORNEY

A motion was made by Alderman Beustring to approve Ordinance No. 2013-1111 an Ordinance of the City of Fulshear Re-appointing Randle Law Office, LTD., LLP as City Attorney. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

E. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2013-1112 an ORDINANCE of the CITY of FULSHEAR APPROVING ANNEXATION of CERTAIN PROPERTY and the EXPANSION of the MUNICIPAL LIMITS BOUNDARY to include a 63.438 ACRE TRACT of LAND on the PETITION of OWNERS KENNETH G. MCCANN, GERALD WAYNE MCCANN and JOHN DOUGLAS MCCANN

A motion was made by Alderman Beustring to approve Ordinance No. 2013-1112 an Ordinance of the City of Fulshear approving annexation of certain property and the expansion of the Municipal limits boundary to include a 63.438 acre tract of land on the petition of owners Kenneth G. McCann, Gerald Wayne McCann and John Douglas McCann. It was seconded by Alderman Collins. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

F. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2013-1113 an ORDINANCE of the CITY of FULSHEAR APPROVING ANNEXATION of CERTAIN PROPERTY and the EXPANSION of the MUNICIPAL LIMITS BOUNDARY to include a 16.005 ACRE TRACT of LAND on the PETITION of OWNERS KENNETH G. MCCANN, GERALD WAYNE MCCANN and JOHN DOUGLAS MCCANN

A motion was made by Alderman Collins to approve Ordinance No. 2013-1113 an Ordinance of the City of Fulshear approving annexation of certain property and the expansion of the Municipal limits boundary to include a 126.005 acre tract of land on the petition of owners Kenneth G. McCann, Gerald Wayne McCann, and John Douglas McCann. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

FULSHEAR CITY COUNCIL MINUTES

SEPTEMBER 24, 2013

PAGE 6

Nays: None

Absent: Alderman Gill

G. CONSIDERATION AND POSSIBLE ACTION on RESOLUTION 2013-231 a RESOLUTION DESIGNATING the FT. BEND HERALD as the OFFICIAL NEWSPAPER of the CITY of FULSHEAR

A motion was made by Alderwoman Patterson to approve Resolution 2013-231 a resolution designating the Ft. Bend Herald as the official newspaper of the City of Fulshear. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

H. CONSIDERATION and POSSIBLE ACTION on RESOLUTION 2013-232 a RESOLUTION DESIGNATING the CITY'S OFFICIAL HOLIDAY SCHEDULE for the FISCAL YEAR 2013-2014

A motion was made by Alderman Collins to approve Resolution 2013-232 a Resolution designating the City's official holiday schedule for Fiscal Year 2013-2014. It was seconded by Alderman Beustring. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

I. CONSIDERATION AND POSSIBLE ACTION on RESOLUTION 2013-233 a RESOLUTION APPOINTING and /or RE-APPOINTING a MEMBER and ALTERNATE to H-GAC's (HOUSTON-GALVESTON AREA COUNCIL) 2013 GENERAL ASSEMBLY

Mayor Kuykendall volunteered to continuing serving as a representative to H-GAC.

A motion was made by Alderwoman Patterson to re-appoint Mayor Kuykendall as H-GAC representative. Mr. Snipes stated that an alternate was needed. Alderwoman Patterson amended her first motion. Alderwoman Patterson made a motion to reappoint Mayor Kuykendall to serve as the representative to H-GAC and Alderman Roberts to serve as the alternate. It was seconded by Alderman Beustring. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

J. CONSIDER and TAKE ACTION to APPROVE and ADOPT ORDINANCE NO. 2013-1114 an ORDINANCE PROVIDING for the ASSESSMENT, LEVY, and COLLECTION of AD VALOREM TAXES of the CITY of FULSHEAR, TEXAS, for the YEAR 2013 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

A motion was made by Alderman Beustring to approve and adopt Ordinance No. 2013-2014 an ordinance providing for the assessment, levy, and collection of ad valorem taxes of the city of Fulshear, Texas, for the year 2013 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. It was seconded by Alderman Collins. The motion was carried by the following vote.

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

ROLL CALL VOTE:

JEFF ROBERTS- YES

LAVERNE PATTERSON- YES

LARRY BEUSTRING- YES

J. B. COLLINS, JR. – YES

STEPHEN GILL- ABSENT

K. CONSIDERATION and POSSIBLE ACTION to APPROVE RESOLUTION NO. 2013-234 a RESOLUTION of the CITY of FULSHEAR OPPOSING the BIGGERS WATERS FLOOD INSURANCE REFORM ACT of 2012

Mayor Kuykendall stated that this act was passed in 2012 and that the Mayor of Simonton, Dan McLunkin has been actively involved with this issue. If you had a house that was in the flood plain and you had insurance, you were grandfathered in and was not access any penalty but this act removed that. Due to this fact, this could significantly cause the cost flood insurance to increase tremendously. One example given by Mr. McLunkin, a family buying a house located in flood plain area and the insurance was going to cost \$20,000.00 per year so individual had to let the house go because of the cost of insurance. Mayor Kuykendall stated that our representatives in the Congress are also fighting against this issue such as Congressman Pete Olson. Mayor Kuykendall stated that cities in the gulf coast area has been asked to pass resolution in support of this effort (opposing the bigger waters flood insurance reform act of 2012).

A motion was made by Alderman Beustring to approve Resolution No. 2013-234 a Resolution of the City of Fulshear opposing the Biggers Waters Flood Insurance Reform Act of 2012. It was seconded by Alderman Roberts. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

L. CONSIDERATION and POSSIBLE ACTION to APPROVE CONTRACT with BLACKBOARD CONNECT for COMMUNICATION and NOTIFICATION SERVICES for FISCAL YEAR 2013-2014

A motion was made by Alderman Roberts to approve contract with Blackboard connect for communication and notification services for fiscal year 2013-2014. It was seconded by Alderwoman Patterson. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

M. CONSIDERATION and POSSIBLE ACTION to APPROVE ORDINANCE NO. 2013-1115 a RESOLUTION of the CITY of FULSHEAR APPROVING the CITY'S REVISED MAJOR THOROUGHFARE MAP

C. J. Snipes, City Administrator, stated this is the revised plan to our map and the one everyone kind of agree on. He then introduced Gary Mitchell with Kendig Keast to provide more details regarding the City's Thoroughfare Plan. Mr. Mitchell stated the only difference was the separation of the West park toll way and the Fulshear Parkway one being more landscape than freeway. Mr. Mitchell shared the map with Council and the audience.

A motion was made by Alderman Roberts to accept and approve Ordinance No. 2013-1115 a Resolution of the City of Fulshear approving the City's Revised Major Thoroughfare Map with the exception of the roundabouts. It was seconded by Alderman Collins.

There was approximately a twenty minute discussion among the Council Members. Alderman Collins stated he has questions about the roundabouts. Alderman Collins stated he is concerned about the large vehicles on the roundabouts as we have a lot of traffic coming through here. Alderman Roberts was not in favor of the traffic signal being designated as a roundabout. Alderman Beustring stated he has traveled a lot of the world and he stated that they work very well (in Europe observed the larger truck had no problems travelling the roundabout). Mayor Kuykendall stated that if we eliminated the roundabout and an overpass was installed, it could cause a lot of downtown to be by-passed. Mayor Kuykendall asked if we could approve the ordinance without designating what would be at the intersection.

Alderman Roberts amend his motion and made a motion to approve Ordinance No. 2013-1115 without designating whether a roundabout or traffic signal at the intersection. It was seconded by Alderwoman Patterson. The motions was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

N. CONSIDERATION and POSSIBLE ACTION to APPROVE a CONTRACT for SOLID WASTE SERVICES

Kristina Brashear, Finance Director, stated that four bids has been received. Ms. Brashear provided the Council with a summary regarding the bids received. C.J. Snipes, City Administrator, explained how the City's procedure in reviewing the bids received. Ms. Brashear stated that Republic would be charging for the dumpster container and this had not been done in the past. She also stated that our current commercial services is through Nexus and the residential service is through Royal Disposal. Ms. Brasher stated she has outlined the information received from all the bidders and would be up to Council to make a choice.

Mayor Kuykendall stated he was sure all the bidders would do a great job but unfortunately they (the Council) can only select one.

A motion was made by Alderman Roberts to authorize the City to start negotiations with Royal Disposal the lower bidder for both residential and commercial solid waste service for the City of Fulshear. It was seconded by Alderman Beustring. The motion was carried forward by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

Nays: None

Absent: Alderman Gill

IX. ADJOURNMENT

A motion was made by Alderman Collins to adjourn at 8:19 p.m. It was seconded by Alderman Beustring. The motion was carried by the following vote:

Ayes: Alderman Beustring, Collins, Roberts, and Alderwoman Patterson

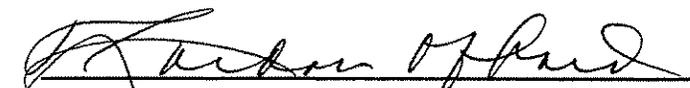
Nays: None

Absent: Alderman Gill



Thomas C. Kuykendall, Jr. – Mayor

Attest:



D. (Diana) Gordon Offord – City Secretary