



# CITY OF FULSHEAR

*"FIND YOUR FUTURE IN FULSHEAR"*

30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

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[WWW.FULSHEARTEXAS.GOV](http://WWW.FULSHEARTEXAS.GOV)

## CITY COUNCIL:

MAYOR: Jeff Roberts

MAYOR PRO-TEM: Tricia Krenek

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Kaye Kahlich

COUNCIL MEMBER: Lauren Ashley

COUNCIL MEMBER: Jim Fatheree

COUNCIL MEMBER: Dana Hollingsworth

## STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

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## REGULAR CITY COUNCIL MINUTES JUNE 20, 2017

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### **I. OPENING**

#### **A. CALL TO ORDER**

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR JEFF W. ROBERTS, TUESDAY, JUNE 20, 2017 AT 7:01 P.M. IN THE IRENE STERN COMMUNITY CENTER LOCATED AT 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS 77441 AND ALL CITIZENS WERE WELCOMED.

#### **B. QUORUM & ROLL CALL**

A QUORUM WAS PRESENT. MAYOR ROBERTS STATED THAT COUNCIL MEMBER GILL WAS UNABLE TO BE AT THE MEETING.

#### **COUNCIL MEMBERS PRESENT:**

JEFF W. ROBERTS, MAYOR

TRICIA KRENEK, MAYOR PRO TEM

LAUREN ASHLEY, COUNCIL MEMBER

JIM FATHEREE, COUNCIL MEMBER

DANA HOLLINGSWORTH, COUNCIL MEMBER D-1

KAYE KAHLICH, COUNCIL MEMBER D-5

#### **COUNCIL MEMBER ABSENT:**

STEPHEN GILL, COUNCIL MEMBER

#### **CITY STAFF PRESENT:**

D.(DIANA) GORDON OFFORD, CITY SECRETARY

C.J. SNIPES, CITY MANAGER

PAULA RYAN, ASSISTANT CITY MANAGER

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*CONTINUE- CITY STAFF:*

*BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING DEVELOPMENT*

*SHARON VALIANTE, PUBLIC WORKS DIRECTOR*

*ANGELA HAHN, COMMUNICATION COORDINATOR*

*ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR*

*TONI VELIE, UTILITY BILLING SUPERVISOR*

*J. GRADY RANDLE, CITY ATTORNEY*

*KENNY SEYMOUR, CHIEF OF POLICE*

*WES VELA, CHIEF FINANCE OFFICER*

*MICHELLE KILLEBREW, BUILDING OFFICIAL*

*OTHERS PRESENT:*

*BRYAN THOMAS*

*DEBRA CATES*

*CLAY STEWART*

*DAVE CIARELLA*

*MICHAEL SHEINSMITH*

*BILL HEEDE*

*ALENA HEEDE*

*DON MCCOY*

*MANA JANLH*

*ANNA HILL*

*MARK YENTZEN*

*RHONDA KUYKENDALL*

*WILLIAM CASEY*

*RECIE MEDLOCK*

*AND 37 OTHERS WHO DID NOT SIGN IN*

**C. INVOCATION – PASTOR DALE OLSON – FAMILY HOPE**

*PASTOR OLSON PROVIDED THE PRAYER.*

**D. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG – I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible and with Liberty and Justice for all**

*MAYOR ROBERTS LED THE AUDIENCE IN THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.*

**E. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG - Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible**

**F. MAYOR ROBERTS LED THE AUDIENCE IN THE PLEDGE TO THE TEXAS FLAG.**

**II. CITIZENS COMMENTS**

CLAY STEWART —HE STATED THAT HE LIVES IN WESTON LAKES. HE STATED THAT HE IS WITH THE POLICE FOUNDATION AND HE IS OFFERING A COMPLIMENTARY MEMBERSHIP TO THIS ORGANIZATION FOR ALL OF CITY COUNCIL, C.J. SNIPES, AND THE CITY ATTORNEY. FOR ALL THE COMMENTS, REQUEST A COPY OF TAPE RECORDING.

DAVE CIARELLA- HE STATED HE LIVES IN RICHMOND. HE WAS PROVIDING INFORMATION ABOUT ELECTRICITY AND PROMOTING HIS COMPANY BUSINESS. FOR ALL THE COMMENTS, REQUEST A COPY OF TAPE RECORDING.

RHONDA KUYKENDALL- SHE READ COMMENTS FROM A PAPER COMPLETED BY HER HUSBAND, TOMMY KUYKENDALL. IT STATED THAT HE DISAGREES WITH THE BY-LAWS BEING CHANGED FOR THE EDC BOARDS. FOR ALL THE COMMENTS, REQUEST A COPY OF TAPE RECORDING.

III. **CONSENT ITEMS**

ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE AND ARE GENERALLY ENACTED IN ONE MOTION. THE EXCEPTION TO THIS IS RULE IS THAT A COUNCIL MEMBERS MAY REQUEST ONE OR MORE ITEMS TO BE REMOVED FROM THE CONSENT AGENDA FOR A SEPARATE DISCUSSION AND ACTION.

- A. **CONSENT AND APPROVAL OF BONTERRA AT CROSS CREEK RANCH – SECTION 2/ FINAL PLAT**
- B. **CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH- SECTION 5/PRELIMINARY PLAT**
- C. **CONSENT AND APPROVAL OF ADVANCE AUTO FM 1463/PRELIMINARY PLAT**
- D. **CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK- SECTION 12- PARTIAL REPLAT NO. 1/PRELIMINARY PLAT**
- E. **CONSENT AND APPROVAL OF THE COMMONS AT FULSHEAR- REPLAT/PRELIMINARY PLAT**
- F. **CONSENT AND APPROVAL OF JORDAN RANCH COMMERCIAL/PRELIMINARY PLAT**
- G. **CONSENT AND APPROVAL OF JORDAN RANCH BOULEVARD AND KINGSLAND BOULEVARD- STREET DEDICATION NO. 5/PRELIMINARY PLAT**
- H. **CONSENT AND APPROVAL OF STREET AND UTILITY CONVEYANCES AND SECURITY AGREEMENTS FOR FORT BEND COUNTY MUD 169**
- I. **CONSENT AND APPROVAL OF STREET AND UTILITY CONVEYANCES AND SECURITY AGREEMENTS FOR FORT BEND COUNTY MUD 173**
- J. **CONSENT AND APPROVAL OF MONTHLY FINANCIAL REPORT FOR MAY 2017**
- K. **CONSENT AND APPROVAL OF MINUTES FROM THE MAY 16<sup>TH</sup> 2017 CITY COUNCIL MEETING**
- L. **CONSENT AND APPROVAL OF PLAT APPROVAL EXTENSION FOR THE PRELIMINARY PLAT FOR FULBROOK ON FULSHEAR CREEK SECTION TEN FOR AN ADDITIONAL 12 MONTHS**

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO CONSIDER ITEM F ( CONSENT AND APPROVAL OF

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*JORDAN RANCH COMMERCIAL/PRELIMINARY PLAT) SEPARATELY. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK*

*NAYS: NONE*

*ABSENT: COUNCIL MEMBER GILL*

*MAYOR ROBERTS ASKED FOR A MOTION TO APPROVE CONSENT ITEMS A-E AND G-L. A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE CONSENT ITEMS A-E AND G-L. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK*

*NAYS: NONE*

*ABSENT: COUNCIL MEMBER GILL*

*MAYOR ANNOUNCED THAT COUNCIL WOULD GO BACK TO ITEM F. MAYOR PRO TEM KRENEK STATED THAT AT THE PLANNING AND ZONING COMMISSION MEETING IT WAS ANNOUNCED THAT JORDAN RANCH IS A TRADEMARK NAME AND THAT THIS PARTICULAR PLAT (PROPERTY IS NOT IN JORDAN RANCH DEVELOPMENT). THE COMMISSION DID APPROVE WITH THE STIPULATION THAT THE NAME BE CHANGED. MAYOR PRO TEM KRENEK STATED THAT MAKE THIS KNOWN TO THE DEVELOPER THAT NAME CHANGE IS REQUIRED BEFORE FINAL PLAT COMES BEFORE THE COUNCIL AGAIN.*

*A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE ITEM F (A PRELIMINARY PLAT) WITH THE CONDITION THAT THE NAME "JORDAN RANCH" BE CHANGED (AS THAT NAME IS TRADEMARK BY THE DEVELOPER OF THE JORDAN RANCH SUBDIVISION). IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK*

*NAYS: NONE*

*ABSENT: COUNCIL MEMBER GILL*

*MOTION PASSES.*

#### **IV. BUSINESS ITEMS**

##### **A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT FOR THE PROVISION OF ENERGY CONSULTING SERVICES BETWEEN THE CITY OF FULSHEAR AND MOTHERSHIP ENERGY GROUP**

*BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING AND DEVELOPMENT, PRESENTED TO COUNCIL. HE STATED THAT THE CITY'S CURRENT RETAIL ELECTRIC CONTRACT IS EXPIRING IN JULY, 2017. HE STATED THE CITY WENT OUT FOR BIDS. FIVE RESPONSES RECEIVED AND AS A RESULT OF THE RFQ (REQUEST FOR QUALIFICATIONS) PROCESS, MOTHERSHIP ENERGY GROUP IS BEING RECOMMENDED FOR SELECTION AS THE CITY'S ENERGY CONSULTANT. FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.*

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LAURA

MR. GARY INTRODUCE THE REPRESENTATIVES FROM THE MOTHERSHIP ENERGY GROUP, SARA DEVON AND YATES. THEY PRESENTED A VIDEO PRESENTATION TO THE COUNCIL FOR APPROXIMATELY 15 MINUTES. AFTERWARD THERE WAS A SHORT 15 MINUTES DISCUSSION AMONG COUNCIL, MR. GARY AND REPRESENTATIVES FROM THE MOTHERSHIP ENERGY. FOR THEIR PRESENTATION, REQUEST A COPY OF THE TAPE.

MAYOR PRO TEM KRENEK REQUESTED THAT C.J. SNIPES, CITY MANAGER, SPEAK ON THE SELECTION PROCESS. MR. SNIPES RESPONDED.

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO APPROVE AGREEMENT FOR THE PROVISION OF ENERGY CONSULTING SERVICES BETWEEN THE CITY OF FULSHEAR AND MOTHERSHIP ENERGY GROUP. IT SECONDED BY COUNCIL MEMBER ASHLEY.

MAYOR ROBERTS ASKED IF THERE WERE ANY QUESTIONS. MAYOR PRO TEM KRENEK STATED SHE WOULD LIKE TO SEE A RATE NEGOTIATIONS BEFORE WE ENTER INTO A CONTRACT.

MR. GARY RESPONDED. MAYOR PRO TEM KRENEK ASKED THE CONSULTANT HOW LONG WOULD IT TAKE FOR THEM TO PROVIDE A RATE ANALYSIS AND PROVIDE SOME FEEDBACK. MS. DEVON, REPRESENTATIVE FROM MOTHERSHIP ENERGY GROUP, STATED BY THE END OF THE WEEK.

MAYOR ROBERTS CALLED FOR A VOTE. HE REITERATED A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO APPROVE AGREEMENT FOR THE PROVISION OF ENERGY CONSULTING SERVICES BETWEEN THE CITY OF FULSHEAR AND MOTHERSHIP ENERGY GROUP SUBJECT TO A RATE COMPARISON BEING PROVIDED. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL

MOTION PASSES.

**B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE COUNCIL MEETING CALENDAR FOR FISCAL YEAR 2017-2018**

WES VELA, CHIEF FINANCIAL OFFICER, PRESENTED TO COUNCIL. MR. VELA READ FROM THE SUBMITTED CALENDAR ENCLOSED IN THE COUNCIL PACKET. MAYOR PRO TEM KRENEK QUESTIONED THE AUGUST 22 DATE AND IT WAS STRUCK FROM THE LIST OF BUDGETED DATES.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE COUNCIL MEETING CALENDAR FOR FISCAL YEAR 2017- 2018 SUBJECT TO STRKING AUGUST 22 DATE AND MOVING THE COUNCIL MEETING DATE BACK TO AUGUST 15<sup>TH</sup>. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
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NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL

MOTION PASSES.

**C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-346 A RESOLUTION OF THE CITY OF FULSHEAR DESIGNATING PREFERRED LAST LINE FOR FULSHEAR AREA ADDRESSES**

ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR, PRESENTED TO THE COUNCIL. MS. FRITZ STATES THAT THE CITY RECEIVED A DENIAL TO CHANGE THE ZIP CODES DUE TO THE EXPENSE INVOLVED TO MAKE THE CHANGE. MS. FRITZ'S SHARED THE CODES WITH THE COUNCIL. THE POSTAL SERVICE DID AGREE TO DELIVER THE MAIL EVEN IF THE FULSHEAR ADDRESS IS USED. FOR EXAMPLE, A RESIDENT WHO RECEIVES MAIL AT AN ADDRESS LABELED 2222 BOIS D'ARC, RICHMOND, TEXAS 77406 CAN NOW BE LISTED AS 2222 BOIS D'ARC, FULSHEAR, TEXAS 77441. FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

MAYOR ROBERTS STATES AT LEAST THIS WILL HELP TO GIVE RESIDENTS THEIR PROPER IDENTIFY.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE RESOLUTION NO. 2017-346 A RESOLUTION OF THE CITY OF FULSHEAR DESIGNATING PREFERRED LAST LANE FOR FULSHEAR AREA ADDRESSES. IT WAS SECONDED BY COUNCIL MEMBER FATHEREE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTES:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL

MOTION PASSES.

**D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-347 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AMENDMENTS TO THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) BY-LAWS**

MS. FRITZ PRESENTED TO COUNCIL. SHE STATED THE FULSHEAR DEVELOPMENT CORPORATION (4B) RECOMMENDS AND AMENDMENT TO THE CORPORATION BYLAWS ALLOWING FOR BOARD TERMS TO BEGIN NOVEMBER 1 INSTEAD OF THE CURRENT TERM DATE OF JUNE 1. THE MAIN PURPOSE FOR THE AMENDMENT IS THE CURRENT TIMING OF BOARD APPOINTMENTS DURING THE BUDGET PROCESS. FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE RESOLUTION NO. 2017-347 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AMENDMENTS TO THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) BY-LAWS. COUNCIL MEMBERS WERE SILENT.

MAYOR ROBERTS ANNOUNCED THAT THIS MOTION DIES FOR LACK OF A SECOND.

MOTION DIES.

**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-348 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING/ RE-APPOINTING MEMBERS TO THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A) BOARD**

*C. J. SNIPES ANNOUNCED THAT THE SELECTION FOR THESE BOARDS WERE PLACED IN COUNCIL DROPBOX OVER THE WEEKEND.*

*MAYOR ROBERTS STATED TO THE COUNCIL THAT ONLY APPOINTMENTS WERE SUGGESTED FOR THOSE POSITIONS THAT WERE VACANT SPOTS. HE STATED ALL OTHER POSITIONS ASKING THAT THEIR TERMS BE RENEWED.*

*MAYOR PRO TEM KRENEK MADE A MOTION TO RETAINED RANDY HUTCHINSON, APPOINT KEN POOLE FOR MEMBERS WHO TERM WILL END 2018 AND APPOINT KEN KNAPP, REV. JACKIE GILMORE, AND ANDREW VAN CHAW. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH.*

*MAYOR ROBERTS ASKED IF THERE ARE ANY QUESTIONS OR COMMENTS.*

*COUNCIL MEMBER ASHLEY STATED THAT SHE WOULD LIKE TO SUPPORT THE MAYOR'S RECOMMENDATIONS. FOR ALL OF THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.*

*A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPOINT DANNY CURTIS AND RANDY HUTCHINSON WITH TERMS ENDING 2018 AND FAYE BURKE, REV. JACKIE GILMORE, AND RANDY KATZ WITH TERMS ENDING 2019. COUNCIL MEMBERS WERE SILENT. MAYOR ROBERTS ANNOUNCES THAT THE MOTION DIES FOR A LACK OF SECOND.*

*MOTION DIES.*

*COUNCIL MEMBER KRENEK STATED THAT SHE APPRECIATES ALL OF THE VOLUNTEERS AND THAT A LOT OF PEOPLE APPLIED FOR POSITIONS. TWO CARRYOVER WERE RECOMMENDED. SHE STATED THE CITY IS BLESSED WITH VOLUNTEERS. FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.*

*MAYOR ROBERTS STATED HE WOULD LIKE TO EXPRESS HIS DISPLEASURE WITH COUNCIL NOT APPROVING MEMBERS WHO ARE ALREADY SERVING. HE STATED THAT THE HOME RULE CHARTER ONLY ALLOWS FOR THE MAYOR TO APPOINT MEMBERS TO CERTAIN BOARDS AND OTHERS ARE GOVERNED BY STATE LAW. HE STATED THAT BOTH CORPORATION A AND B ARE BOTH STATE REGULATED. MAYOR ROBERTS REQUESTED COUNCIL TO MAKE KNOW TO THE MEMBERS WHO WERE BEING DISPLACED BE PROVIDED WITH AN EXPLANATION. COUNCIL WAS SILENT. FOR ALL OF HIS COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.*

*FOR ALL OF HIS COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.*

*THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBERS FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK*

*NAYS: COUNCIL MEMBER ASHLEY*

*ABSENT: COUNCIL MEMBER GILL*

**F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-349 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING/ RE-APPOINTING MEMBERS TO THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) BOARD**

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A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE RESOLUTION NO. 2017-349 OF THE CITY OF FULSHEAR APPOINTING/RE-APPOINTING MEMBERS TO THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) BOARD AS IDENTIFIED IN THE PACKET. (CAROL RIGGS, WES WAUSON, AND JOHN DOWDALL WITH TERM ENDING 2019 AND AARON GROFF, STACY MAGNUM, RECIE MEDLOCK, AND JONATHAN TRISTAN ENDING 2018.) COUNCIL WAS SILENT.

MAYOR ROBERTS ANNOUNCED THAT THE MOTION DIES FOR A LACK OF A SECOND.

MOTION DIES.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE RESOLUTION NO. 2017-349 OF THE CITY OF FULSHEAR APPOINTING/RE-APPOINTING MEMBERS TO THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) BOARD WITH MEMBERS EXPIRING IN 2018 STACY MANGUM, AARON GROFF, JONATHAN TRISTAN, AND RECIE MEDLOCK; MEMBERS TERM EXPIRING IN 2019 WES WAUSON, CAROL RIGGS, TOMMY KUYKENDALL AND EX-OFFICIO MEMBER, DON MCCOY. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH.

MAYOR ROBERTS QUESTIONED WHETHER AN EX-OFFICIO CAN BE ADDED. MAYOR PRO TEM KRENEK STATED THAT AN EX-OFFICIO DOES NOT GET A VOTING PRIVILEGE AND CAN RESIDE WITHIN THE CITY LIMITS OR ETJ AND CAN BE APPOINTED ACCORDING TO THE BYLAWS OF CORP B. FINALLY, THE CITY ATTORNEY STATED THAT SINCE CITY IS HOME RULE, THIS CAN BE ALLOWED.

COUNCIL MEMBER ASHLEY STATED SHE WOULD BE VOTING AGAINST THIS MOTION OUT OF THE RESPECT FOR THE MAYOR. SHE STATED ACCORDING TO THE HOME CHARTER APPOINTING MEMBERS WAS GIVEN TO THE MAYOR WHICH ALL CITIZENS VOTED FOR. SHE STATED SHE HAS A LOT OF RESPECT FOR THE VOLUNTEERS BUT WANTED HER REASONS KNOW TO THE PUBLIC. FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

AGAIN, MAYOR ROBERTS REQUESTED COUNCIL TO MAKE KNOW TO THE MEMBERS WHO WERE BEING DISPLACED BE PROVIDED WITH AN EXPLANATION. COUNCIL WAS SILENT.

MAYOR CALLED FOR A VOTE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: COUNCIL MEMBER ASHLEY

ABSENT: COUNCIL MEMBER GILL

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-350 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING AN EX-OFFICIO COMMISSION MEMBER TO THE CITY'S PLANNING AND ZONING COMMISSION**



A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE RESOLUTION NO. 2017-350 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING AN EX-OFFICIO COMMISSION MEMBER TO THE CITY'S PLANNING AND ZONING COMMISSION AND NAMING ANNA HILL WITH A TERM EXPIRING 2018 TO BE APPOINTED TO THIS POSITION. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH.

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A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO AMEND THE MOTION TO APPROVE RESOLUTION NO. 2017-350 OF THE CITY OF FULSHEAR APPOINTING AN EX-OFFICIO COMMISSION MEMBER TO THE CITY'S PLANNING AND ZONING COMMISSION NAMING BRENT ANDERSON TO BE THE APPOINTEE. IT WAS SECONDED BY COUNCIL MEMBER FATHEREE.

MAYOR ROBERTS CALLED FOR A VOTE AND MAYOR PRO TEM KRENEK INTERRUPTED TO SAY THAT MR. ANDERSON'S APPLICATION HAS NOT BEEN FORWARDED TO ALL THE MEMBERS OF COUNCIL. SHE STATED DOES NOT KNOW WHAT HIS QUALIFICATIONS ARE BUT DOES KNOW HE HAS A STRONG INTEREST IN OUR PARKS AND RECS. FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

MAYOR PRO TEM KRENEK AND MAYOR ROBERTS CONTINUED TO DEBATE THE QUALIFICATIONS REGARDING APPOINTEE, MR. BRENT ANDERSON. COUNCIL MEMBER ASHLEY PROVIDED HER OPINION ON CONFLICT OF INTEREST.

MAYOR ROBERTS CALLED FOR A VOTE ON THE MOTION MADE BY COUNCIL MEMBER ASHLEY AND SECONDED BY COUNCIL MEMBER FATHEREE.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY AND FATHEREE

NAYS: COUNCIL MEMBER HOLLINGSWORTH, KAHLICH, AND KRENEK

ABSENT: COUNCIL MEMBER GILL

MOTION FAILS.

MAYOR ROBERTS ANNOUNCED WE WILL NOW VOTE ON THE MOTION BY MAYOR PRO TEM KRENEK TO ANNA HILL AND SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: COUNCIL MEMBER ASHLEY AND FATHEREE

ABSENT: COUNCIL MEMBER GILL

MAYOR ROBERTS ANNOUNCED THAT MS. HILL HAS BEEN APPROVED. CITY ATTORNEY, J. GRADY RANDLE, REMINDED MAYOR THAT THIS MOTION REQUIRES FOUR (4) VOTES.

MAYOR ROBERTS ANNOUNCED THAT MOTION DIES BECAUSE NO MAJORITY VOTE WAS PRESENT AND DOES NOT PASS.

**H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION No. 2017-351 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING/ RE-APPOINTING MEMBERS TO THE CITY'S PARKS AND RECREATION COMMISSION**

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*MAYOR ROBERTS STATED HE REQUESTED EVERYONE ON THIS BOARD BE RE-APPOINTED WITH EXCEPTION OF TWO MOVING MEMBERS, DAVE BUNDRICK AND JENNIFER GROS. HE REQUESTED THE REPLACEMENTS BE TRAY KENNEDY AND ROBERT RICE.*

*C.J. SNIPES STATED THAT STAFF WISHES TO INCLUDE TWO (2) DEVELOPERS ON THE BOARD. MAYOR ROBERTS STATED THAT HE DOES NOT THINK COUNCIL WAS AWARE OF THIS ACTION NOR HAD AN OPPORTUNITY TO TALK TO ANY DEVELOPERS. THERE WAS SOME DISCUSSION AMONG THE COUNCIL. IT WAS THAT THIS COULD BE BROUGHT BACK AT A LATER TIME.*

*A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO RE-APPOINT ALL CURRENT MEMBERS AND ADD TRAY KENNEDY AND ROBERT RICE FOR THE VACANIES. COUNCIL WAS SILENT. MAYOR ROBERTS STATED THIS MOTION DIES FOR A LACK OF A SECOND.*

*MAYOR ROBERTS ANNOUNCED THEY WOULD MOVE TO ITEM "I".*

**I. DISCUSSION ON ZONING BOARD OF ADJUSTMENT ROLES AND RESPONSIBILITIES**

*MAYOR ROBERTS STATED THAT HE REQUESTED THAT MR. SNIPES REMOVE RESOLUTION REGARDING APPOINTMENTS. MAYOR PRO TEM KRENEK MADE A MOTION TO POSTPONE. MAYOR ROBERTS INTERRUPTED TO STATE IT HAS BEEN LEFT ON AS A DISCUSSION ITEM. MAYOR PRO TEM KRENEK WITHDREW HERE MOTION.*

*C. J. SNIPES PRESENTED TO THE COUNCIL ON THIS ITEM. HE EXPLAINED TO THE COUNCIL THE ROLE OF THE ZONING BOARD OF ADJUSTMENT ROLE AND RESPONSIBILITIES. CITY ATTORNEY, J. GRADY RANDLE, PROVIDED SOME EXAMPLES TO THE COUNCIL REGARDING THIS BOARD AND THEY DO NOT GET REPLACED WITH TWO YEARS. THERE WAS SOME DISCUSSION BETWEEN MAYOR PRO TEM KRENEK AND THE CITY ATTORNEY. OTHER COUNCIL MEMBERS WERE SILENT.*

*NO ACTION WAS TAKEN ON THIS ITEM.*

**J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION No. 2017-352 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S HISTORICAL PRESERVATION AND MUSEUM COMMITTEE**

*A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE RESOLUTION NO. 2017-352 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTMENT MEMBERS TO THE CITY'S HISTORICAL PRESERVATION AND MUSEUM COMMITTEE NAMING JIM DRY TO SERVE TERM ENDING JUNE 1, 2018. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL

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**K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-353 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FULSHEAR AND THE FULSHEAR AREA CHAMBER OF COMMERCE REGARDING EVENTS PARTICIPATION**

*C.J. SNIPES, CITY MANAGER, PROVIDED AN EXPLANATION TO THE COUNCIL. HE STATED THAT THE PROPOSED MOU (MEMORANDUM OF UNDERSTANDING) OUTLINES THE PARTNERSHIP BETWEEN THE CITY AND THE FULSHEAR AREA CHAMBER. FOR ALL OF THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.*

*A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE RESOLUTION NO. 2017-353 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FULSHEAR AND THE FULSHEAR AREA CHAMBER OF COMMERCE REGARDING EVENTS PARTICIPATION. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL*

*MOTION PASSES.*

**L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1248 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO. 2016-1222 ADOPTING AND APPROVING THE CITY'S OPERATING BUDGET FOR FISCAL YEAR 2016-2017, BY APPROVING "BUDGET AMENDMENT I" TO THE "ORIGINAL GENERAL BUDGET OF THE CITY OF FULSHEAR FOR THE FISCAL YEAR**

*WES VELA, CHIEF FINANCIAL OFFICER, PRESENTED TO THE COUNCIL. MAYOR PRO TEM KRENEK STATED ON THE BUDGET AMENDMENT THE DATES WERE INDICATED AS 2017-2018 ON THE EXECUTIVE SUMMARY AND IT SHOULD BE 2016-2017.*

*A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE ORDINANCE NO. 2017-1248 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO. 2016-1222 ADOPTING AND APPROVING THE CITY'S OPERATING BUDGET FOR FISCAL YEAR 2016-2017, APPROVING BUDGET AMENDMENT I TO THE ORIGINAL GENERAL BUDGET OF THE CITY OF FULSHEAR FOR THE FISCAL YEAR SUBJECT TO CORRECTING THE EXECUTIVE SUMMARY TO REFLECT DATES OF 2016-2017. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL*

MOTION PASSES.

**M. PRESENTATION OF DRAINAGE STUDY FOR LOWER BOIS D'ARC AREA (REDBIRD, LEA, PENN, TERRY AND OAK LANES)**

BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING AND DEVELOPMENT, PRESENTED TO THE COUNCIL. MR. GARY PROVIDED SOME BACKGROUND REGARDING THIS STUDY. HE STATED IT STARTED BACK IN YEAR 2014.

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HE INTRODUCED STEVEN WILCOX AND SAM CRUZ WITH COSTELLO . THEY PRESENTED TO COUNCIL AND THE AUDIENCE A STUDY OF THE DRAINAGE PLAN THAT WAS COMPLETED REGARDING LOWER BOIS D' AREA. THEIR PRESENTATION INCLUDED A VIDEO WHICH WAS APPROXIMATELY 30 MINUTES. MR. WILCOX STATED THERE HAVE BEEN THREE PUBLIC MEETINGS INVOLVED IN THIS REPORT. HE ADDRESSED LEA AND PENN DRAINAGE ANALYSIS.

- EXISTING ROADSIDE DITCH SYSTEM LACKS SUFFICIENT CAPACITY
- FLEWELLEN TRIBUTARY LACKS SUFFICIENT CAPACITY
- EXTENSIVE PONDING ON LOTS
- LONG DRAIN TIMES
- CULVERTS ARE UNDERSIZED , REVERSE GRADE, OR CRUSHED.

MAYOR ROBERTS STATED THE THE DITCH HAVE BEEN EXPANDED SINCE THIS ANALYSIS. C.J. SNIPES, CITY MANAGER, PROVIDED AN EXPLANATION TO COUNCIL AND STATED THIS ACTION HAS BEEN A POSITIVE FOR THE AREA.

COSTELLO REPRESENTATIVES PROVIDED THREE DIFFERENT ALTERNATIVES AND OF THESE THEY RECOMMENDED ALTERNATIVE 3. FOR ALL OF THE DETAILED COMMENTS, REQUEST A COPY OF THE TAPE RECORDING OR A COPY OF THE HANDWRITTEN MATERIALS THAT WAS PRESENTED IN THE COUNCIL MEMBER PACKETS.

**RECOMMENDATIONS:**

**LEA/PENN**

- COORDINATE CONSTRUCTION OF OUTFALL CHANNEL TO FULSHEAR CREEK (ALTERNATIVE 3) WITH FUTURE DEVELOPMENTS
- IN SHORT TERM, REGRADE INTERNAL ROADSIDE DITCHES TO PROVIDE MAXIMIZE POSITIVE DRAINAGE

**RED BIRD**

- CONSTRUCT A LIMITED ACCESS ROAD (ALTERNATIVE 3).
- POSSIBLY MAKE ACCESS ROAD INTO PERMANENT PUBLIC ROAD IN THE FUTURE
- COORDINATE WITH FUTURE DEVELOPMENTS.

ESTIMATED COST WAS ABOUT 7.1 MILLION DOLLARS. THERE WAS A QUESTION AND ANSWER SESSION AMONG THE COSTELLO REPRESENTATIVES AND THE COUNCIL. MR. SNIPES, CITY MANAGER, STATED THAT LANDOWNERS ON BOIS D' ARC ARE UNWILLING OR UNABLE TO DONATE LANDS FOR THIS PROJECT. MR. SNIPES REMINDED RESIDENTS THAT THE CITY CANNOT CROSS PRIVATE PROPERTY AND IF AN EMERGENCIES SITUATION ARISES, RESIDENTS WHO MAY NEED TO RE- LOCATE ELSEWHERE AND/ OR TAKE APPROPRIATE ACTION AS NECESSARY.

NO ACTION WAS TAKEN ON THIS ITEM.

**N. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENT TO DEVELOPMENT AND UTILITY AGREEMENTS BETWEEN THE CITY OF FULSHEAR AND FULSHEAR INVESTMENTS, INC. AND FULSHEAR EQUINE, LLC**

C.J. SNIPES, CITY MANAGER, PROVIDED AN EXPLANATION TO THE COUNCIL. FOR ALL THE SPECIFICS, REQUEST A COPY OF THE TAPE RECORDING. THERE WAS A SHORT DISCUSSION AMONG THE COUNCIL, THE CITY ATTORNEY, AND CITY MANAGER.

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A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE AMENDMENT TO DEVELOPMENT AND UTILITY AGREEMENTS BETWEEN THE CITY OF FULSHEAR AND FULSHEAR INVESTMENTS, INC. AND FULSHEAR EQUINE, LLC. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL

MOTION PASSES.

**O. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT FOR CONFIDENTIAL TAX INFORMATION BETWEEN THE CITY OF FULSHEAR, WALLER COUNTY RID #1 AND RTG FURNITURE TEXAS, LP**

C. J. SNIPES, CITY MANAGER, PROVIDED AN EXPLANATION TO THE COUNCIL. FOR ALL THE SPECIFIC COMMENTS, REQUEST A COPY OF TAPE RECORDING.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE AN AGREEMENT FOR CONFIDENTIAL TAX INFORMATION BETWEEN THE CITY OF FULSHEAR, WALLER COUNTY RID #1 AND RTG FURNITURE TEXAS, LP. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE  
ABSENT: COUNCIL MEMBER GILL

MOTION PASSES.

**VII. ADJOURNMENT**

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, HOLLINGSWORTH, KAHLICH, AND KRENEK  
NAYS: NONE

ABSENT: COUNCIL MEMBER GILL

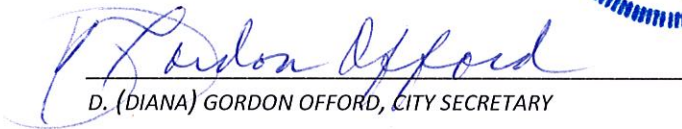
MAYOR ROBERTS ANNOUNCED THAT THE MEETING IS ADJOURNED AT 9:18 P.M.



JEFF W. ROBERTS, MAYOR  
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ATTEST:



D. (DIANA) GORDON OFFORD, CITY SECRETARY