



# CITY OF FULSHEAR

*"FIND YOUR FUTURE IN FULSHEAR"*

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

PHONE: 281-346-1796 ~ FAX: 281-346-2556

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

## CITY COUNCIL:

MAYOR: Jeff Roberts

MAYOR PRO-TEM: Erin Tristan

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Tricia Krenek

COUNCIL MEMBER: James Murdoch

COUNCIL MEMBER: Ramona Ridge

## STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

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## REGULAR CITY COUNCIL MEETING JANUARY 24, 2017

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NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, JANUARY 24, 2017 AT 7:00 P.M.** AT CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS 77441 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, INCLUDING, BUT NOT LIMITED TO, SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), 551.087 (ECONOMIC DEVELOPMENT), 418.175.183 (DELIBERATIONS ABOUT HOMELAND SECURITY ISSUES) AND AS AUTHORIZED BY THE TEXAS TAX CODE, INCLUDING, BUT NOT LIMITED TO, SECTION 321.3022 (SALES TAX INFORMATION).

### **I. OPENING**

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

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

#### **C. INVOCATION – REV. CARY WILKINS, FIRST UNITED METHODIST CHURCH, FULSHEAR, TEXAS 77441**

#### **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***

#### **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***

### **II. CITIZENS COMMENTS**

This is an opportunity for citizens to speak to Council relating to agenda and non-agenda items. If the topic the speaker wishes to address is on the agenda. Speakers are advised that comments cannot be received on matters which are the subject of a public hearing

once the hearing has been closed. Speakers are required to register in advance and must limit their presentations to three minutes each.

**III. PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING SHALL BE HELD BY THE CITY COUNCIL OF THE CITY OF FULSHEAR AT ITS JANUARY 24, 2017 MEETING AT 7:00 P.M. IN THE FULSHEAR CITY HALL, COUNCIL CHAMBERS LOCATED AT 30603 FM 1093, FULSHEAR, TEXAS 77441.**

**THE PURPOSE OF THE HEARING IS TO RECEIVE COMMENTS FROM INTERESTED INDIVIDUALS REGARDING REQUEST FOR SPECIAL USE PERMIT. THE LOCATION OF THE PREMISES IN QUESTION IS LOCATED IN THE DOWNTOWN DISTRICT, LOT 1 BLOCK 1, PLATINUM ESTATES, SPECIFICALLY THE ADDRESS IS 30406 SECOND STREET, FULSHEAR, TEXAS 77441.**

**THE APPLICANT IS SEEKING A VARIANCE TO THE ZONING ORDINANCE SO AS TO PERMIT THE CONSTRUCTION OF AN ACCESSORY STRUCTURE 5 FOOT OFF OF THE FRONT PROPERTY LINE ON SECOND STREET. SPECIFIC RELIEF IS REQUESTED FROM SECTION 1-163 (B) (5) WHICH STATES THAT THE MINIMUM FRONT BUILDING LINE SETBACK SHALL BE 25 FEET FROM SINGLE FAMILY PROPERTIES. THE APPLICANT RESERVES THE RIGHT TO SUPPLEMENT THIS APPLICATION AND/OR SEEK AT THE TIME OF THE HEARING, SUCH OTHER APPROVALS, INTERPRETATIONS, AND/OR WAIVERS AS MAY BE REQUESTED OR REQUIRED BY THE APPLICANT OR THE BOARD.**

**PROJECT SITE LOCATION: 30406 SECOND STREET, FULSHEAR, TEXAS 77441**

**PROPERTY OWNER: MIKE DAVENPORT**

**A COPY OF SAID APPLICATION AND DOCUMENTS IS ON FILE AT THE CITY OF FULSHEAR CITY HALL LOCATED AT 30603 FM 1093, FULSHEAR, TEXAS 77441. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST, PLEASE CALL THE CITY SECRETARY'S OFFICE AT 281-346-1796 x204.**

**IV. 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 CROSS CREEK COMMONS (RETAIL SITE) REPLAT NO. 1/PRELIMINARY PLAT**
- B. CONSENT AND APPROVAL OF PARK LANE FULSHEAR/FINAL PLAT**
- C. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK - SECTION 8/FINAL PLAT**
- D. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK - SECTION 12/FINAL PLAT**
- E. CONSENT AND APPROVAL OF TAMARRON TRACE SECTION 2 - STREET DEDICATION/PRELIMINARY PLAT**
- F. CONSENT AND APPROVAL OF TAMARRON TRACE SECTION 3 - STREET DEDICATION/PRELIMINARY PLAT**
- G. CONSENT AND APPROVAL OF TAMARRON COLES CANYON AND RILEY'S RIDGE - STREET DEDICATION/PRELIMINARY PLAT**
- H. CONSENT AND APPROVAL OF TAMARRON SECTION 16/PRELIMINARY PLAT**
- I. CONSENT AND APPROVAL OF TIME EXTENSION FOR PLAT APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 9**

- J. CONSENT AND APPROVAL OF MINUTES FROM NOVEMBER 3, 2016 SPECIAL CITY COUNCIL MEETING AND WORKSHOP
- K. CONSENT AND APPROVAL OF MINUTES FROM NOVEMBER 28, 2016 SPECIAL CITY COUNCIL MEETING AND WORKSHOP
- L. CONSENT AND APPROVAL OF MINUTES FROM NOVEMBER 28, 2016 WORKSHOP AND TOWN HALL MEETING
- M. CONSENT AND APPROVAL OF MINUTES FROM DECEMBER 13, 2016 CITY COUNCIL MEETING

V. BUSINESS ITEMS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 30406 SECOND STREET, FULSHEAR, TEXAS 77441; ALLOWING FOR THE CONSTRUCTION OF AN ACCESSORY STRUCTURE FIVE (5) FEET OFF OF THE PROPERTY LINE. APPLICANT/ PROPERTY OWNER: MIKE DAVENPORT
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-337 A RESOLUTION OF THE CITY OF FULSHEAR ADDING ASSISTANT CITY MANAGER PAULA RYAN AS A SIGNATORY ON THE CITY'S FINANCIAL ACCOUNTS
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE STREET DEDICATIONS, UTILITY CONVEYANCES AND SURETY AGREEMENTS FOR FULSHEAR BEND DRIVE EXTENSION NO. 1, FLEWELLEN BRIDGE, AND CREEK COVE AT CROSS CREEK RANCH SECTION 8
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE STREET DEDICATIONS, UTILITY CONVEYANCES AND SURETY AGREEMENTS FOR FULSHEAR RUN SECTIONS 1 AND 2
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1236 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ADDITION OF RESTRICTED PRIOR SERVICE CREDIT IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR ELIGIBLE EMPLOYEES
- F. DISCUSSION AND CONSIDERATION ON UPDATE FOR COMMUNITY EVENTS
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-338 A RESOLUTION OF THE CITY OF FULSHEAR CREATING A TREE PRESERVATION POLICY
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1237 AN ORDINANCE OF THE CITY OF FULSHEAR REGARDING TREE PRESERVATION
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1238 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO. 2011-1041 REGARDING NOISE BARRING COMMERCIALS DELIVERIES AFTER CERTAIN HOURS IN CERTAIN ZONES OF THE CITY
- J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1239 AN ORDINANCE OF THE CITY OF FULSHEAR ADOPTING RULES AND PROCEDURES FOR COUNCIL INVESTIGATIONS
- K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1240 AN ORDINANCE OF THE CITY OF FULSHEAR CREATING AN OFFENSE FOR DISOBEDIENCE OF A SUBPOENA
- L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1241 AN ORDINANCE OF THE CITY OF FULSHEAR ADOPTING RULES OF PROCEDURE FOR COUNCIL MEETINGS
- M. CONSOLIDATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1242 AN ORDINANCE OF THE CITY OF FULSHEAR RENAMING BOIS D'ARC LANE NORTH OF FM 1093 TO CHARGER WAY

**N. CONSIDERATION AND POSSIBLE ACTION TO APPROVE INTERLOCAL AGREEMENT BETWEEN THE CITY AND FORT BEND COUNTY REGARDING THE CREATION OF ONE OR MORE COUNTY ASSISTANCE DISTRICTS IN VARIOUS PORTIONS OF THE CITY'S EXTRATERRITORIAL JURISDICTION**

**VI. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE  
Sec. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.**

**A GOVERNMENTAL BODY MAY NOT CONDUCT A PRIVATE CONSULTATION WITH ITS ATTORNEY EXCEPT:**

**1) WHEN THE GOVERNMENTAL BODY SEEKS THE ADVICE OF ITS ATTORNEY ABOUT:**

**(A) PENDING OR CONTEMPLATED LITIGATION; OR**

**(B) A SETTLEMENT OFFER; OR**

**2) ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER.**

**UPDATE ON LITIGATION**

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

**VI. ADJOURNMENT**

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 JANUARY 20, 2017 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. GORDON OFFORD- CITY SECRETARY