

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

CITY COUNCIL:

MAYOR: Jeff Roberts

COUNCIL MEMBER: Kaye Kahlich

MAYOR PRO-TEM: Tricia Krenek

COUNCIL MEMBER: Lauren Ashley

COUNCIL MEMBER: Dana Hollingsworth

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Jim Fatheree

STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

SPECIAL CITY COUNCIL MINUTES SEPTEMBER 26, 2017

I. CALL TO ORDER

A SPECIAL CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR JEFF W. ROBERTS TUESDAY, SEPTEMBER 26, 2017 AT 6:44 P.M. IN THE IRENE STERN COMMUNITY CENTER LOCATED AT 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS 77441 AND ALL CITIZENS WERE WELCOMED.

II. QUORUM & ROLL CALL

MAYOR ROBERTS ANNOUNCED THAT A QUORUM WAS PRESENT AND THAT COUNCIL MEMBER GILL WAS NOT ABLE TO BE PRESENT.

COUNCIL PRESENT:

JEFF W. ROBERTS, MAYOR

TRICIA KRENEK, MAYOR PRO TEM

LAUREN ASHLEY, COUNCIL MEMBER

JIM FATHEREE, COUNCIL MEMBER

DANA HOLLINGSWORTH, COUNCIL MEMBER

KAYE KAHLICH, COUNCIL MEMBER

COUNCIL ABSENT:

STEPHEN GILL, COUNCIL MEMBER

CITY STAFF PRESENT:

D. (DIANA) GORDON OFFORD, CITY SECRETARY

C.J. SNIPES, CITY MANAGER

SHARON VALIANTE, PUBLIC WORKS DIRECTOR

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CONT. – CITY STAFF:

ANGELA HAHN, COMMUNICATIONS COORDINATOR
ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR
VALERIE BRYANT, COURT ADMINISTRATOR
BYRON BROWN, ASSISTANT CITY ATTORNEY
WES VELA, CHIEF FINANCE OFFICER

OTHER(S):

SAM JOHNSON

III. PUBLIC HEARINGS – NOTICE OF ANNEXATION

The City of Fulshear, Texas proposes to institute Annexation proceedings to enlarge and extend the Boundary Limits of the City to include the following described territory, to wit:

Being an 89.25 acre tract of land out of the Restricted Reserve “A” of the Lamar C.I.S.D. High School No. 5 Complex being called 124.49 Acres in Clerk’s File No. 2008129534 and being situated in the Enoch Latham Survey, Abstract 50, Fort Bend County, Texas, said 89.25 acres being more particularly described by metes and bounds as attached hereto as Exhibit “A”.

Notice is hereby given to all interested persons that the City Council of the City of Fulshear, Texas, will conduct a First Public Hearing on Tuesday, September 26, 2017, at 6:30 p.m. in the Irene Stern Community Center, 6920 Katy Fulshear Rd., Fulshear, Texas 77441.

Notice is hereby given to all interested persons that the City Council of the City of Fulshear, Texas, will conduct a Second Public Hearing on Tuesday, September 26, 2017, at 6:45 p.m. in the Irene Stern Community Center, 6920 Katy Fulshear Rd., Fulshear, Texas 77441.

The purpose of the Public Hearings is to receive input from the Public on a proposal for the City of Fulshear, Texas to Annex the above identified tract of land.

At the said times and places all persons shall have the right to be heard. The proposed service plan that provides for the extension of full municipal services to the area to be annexed is available at the Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441. All persons desiring to be heard at such Public Hearings are invited to attend the Hearings.

MAYOR ROBERTS OPENED THE FIRST PUBLIC HEARING AT 6:46 P.M. THERE WERE NO CITIZEN’S COMMENTS. MAYOR ROBERTS CLOSED THE FIRST PUBLIC HEARING AT 6:47 P.M.

MAYOR ROBERTS MOVED TO ITEM IV (FOUR). LOOK AT THIS ITEM FOR RESPONSE.

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MAYOR ROBERTS OPENED THE SECOND PUBLIC HEARING AT 6:51 P.M. THERE WERE NO CITIZEN'S COMMENTS. MAYOR ROBERTS CLOSED THE SECOND PUBLIC HEARING AT 6:52 P.M.

IV. PUBLIC HEARING – FY18 BUDGET

This budget will raise more revenue from Property Taxes than last year's budget by an amount of \$345,705 which is an increase of 18.79% from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$201,993. Staff recommends Council adopt the Maintenance and Operation Tax Rate of \$0.158691/\$100

MAYOR ROBERTS OPENED THE PUBLIC HEARING REGARDING FISCAL YEAR 2018 BUDGET AT 6:48 P.M. THERE WERE NO COMMENTS FROM THE AUDIENCE. MAYOR ROBERTS CLOSED THE PUBLIC HEARING AT 6:49 P.M.

MAYOR ROBERTS MOVED TO THE SECOND PUBLIC HEARING ON ANNEXATION (ITEM III). SEE RESPONSE UNDER ITEM III.

V. BUSINESS ITEMS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1259 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING AND ADOPTING THE CITY OF FULSHEAR, TEXAS BUDGET FOR FISCAL YEAR 2017-2018; MAKING APPROPRIATIONS FOR THE CITY OPERATIONS FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

C.J. SNIPES, CITY MANAGER, STATES THAT THE REVISED PACKET REPRESENTS A BALANCE BUDGET. FOR ALL OF HIS COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

MAYOR ROBERTS STATED HE WISHES TO CONGRATULATE ALL OF THE STAFF FOR THEIR HARD WORK ON GETTING A BALANCED BUDGET TO COUNCIL. FOR ALL OF HIS COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE ORDINANCE NO. 2017-1259 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING AND ADOPTING THE CITY OF FULSHEAR, TEXAS BUDGET FOR FISCAL YEAR 2017-2018; MAKING APPROPRIATIONS FOR THE CITY OPERATIONS FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. MAYOR ROBERTS CALLED FOR A "ROLL CALL VOTE":

FATHEREE- YES

HOLLINGSWORTH- YES

KRENEK- YES

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CONTINUE ROLL CALL VOTE:

ASHLEY- YES
KAHLICH- YES
GILL- ABSENT

MOTION PASSES

**B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1260
AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ANNEXATION AND
SERVICE PLAN A CERTAIN 89.25 ACRE TRACT ON PETITION OF LANDOWNER, LAMAR
C.I.S.D. HIGH SCHOOL NO. 5 COMPLEX**

MAYOR ROBERTS STATED IT HAS BEEN REQUESTED THAT COUNCIL TAKEN NO ACTION ON THIS ITEM UNTIL MORE INFORMATION CAN BE OBTAINED.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO POSTPONE ORDINANCE NO. 2017-1260 AND ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ANNEXATION AND SERVICE PLAN A CERTAIN 89.25 ACRE TRACT ON PETITION OF LANDOWNER, LAMAR C.I.S.D. HIGH SCHOOL NO. 5 COMPLEXES. 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 POSTPONE

**C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE FIRST AMENDMENT TO THE AMENDED
AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND
DR HORTON**

C.J. SNIPES, CITY MANAGER, EXPLAINED TO COUNCIL REGARDING THE CLEAN UP MODIFICATIONS IN THE AGREEMENT REGARDING SECTION 3.01 THROUGH 3.07. THERE WAS A SHORT DISCUSSION AMONG, SAMUEL JOHNSON, ATTORNEY REPRESENTING D.R. HORTON, COUNCIL MEMBERS, AND CITY MANAGER. FOR ALL OF THE SPECIFICS, REQUEST A COPY OF THE TAPE RECORDING.

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A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE FIRST AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND DR HORTON. 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 PRO TEM KRENEK STATED SHE WOULD LIKE AN EXECUTIVE SESSION.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO ENTER INTO EXECUTIVE SESSION. 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 ROBERTS ANNOUNCED THAT COUNCIL WILL ENTER INTO EXECUTIVE SESSION AT 7:07 P.M. AND A QUORUM WAS PRESENT.

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD RECONVENE BACK INTO REGULAR SESSION AT 7:12 P.M. AND A QUORUM WAS PRESENT.

MAYOR ASKED IF THERE WAS ANY ACTION TO BE TAKEN FROM EXECUTIVE SESSION. MAYOR PRO TEM KRENEK STATED "YES". SEE RESPONSE BELOW.

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2017-1261 AN ORDINANCE OF THE LCITY OF FULSHEAR PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF FULSHEAR, TEXAS FOR THE YEAR 2018 AND EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND

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**INTEREST ON ALL TAXES NOT TIMELY PAID, PROVIDING FOR SEVERABILITY; AND
REPEALING ALL ORDINANCES IN CONFLICT**

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO POSTPONE ITEM "D" UNTIL MEETING ON SEPTEMBER 29, 2017. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

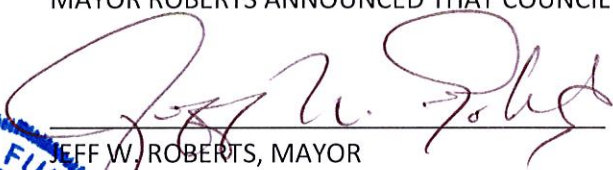
MOTION TO POSTPONE

VI. **ADJOURNMENT**

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

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

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WAS ADJOURNED.



JEFF W. ROBERTS, MAYOR

ATTEST:



D.(DIANA) GORDON OFFORD, CITY SECRETARY

