



# CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

## CHARTER COMMISSION MINUTES

July 28, 2015

### I. CALL TO ORDER

A Regular Meeting of the Fulshear Charter Commission was called to order by Chair CJ McDaniel at 6:37 p.m. on Tuesday, July 28, 2015 in Irene Stern Community Center at 6920 Katy-Fulshear Road, Fulshear Texas and all citizens were welcomed.

#### *Members Present:*

*Bill Archer  
Erma Beal  
Larry Beustring  
John Dowdall  
Ken Knapp  
C.J. McDaniel  
D.E. (Gene) Morgan  
Kent Pool  
Carolyn Randle  
Randy Stacy*

#### *Members Absent:*

*Cherryl Finney  
James Molina  
Polly Royer*

#### *City Staff Present:*

*C.J. Snipes, City Administrator  
Lynn Raymer, Executive Assistant*

#### *Others Present:*

*Diana Offord, Fulshear City Secretary  
Bill Heede  
Alena Heede  
Ramona Ridge, Fulshear Council Member  
Tajana Mesic, Fulshear Council Member  
Jeff Roberts, Fulshear Council Member  
Tricia Krenek, Fulshear Council Member  
Shannon Purcell, West Fort Bend Buzz*



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*Viola Randle  
Reverend Jackie Gilmore  
Grady Randle  
Byron Brown  
Others present that did not sign in*

## **II. QUORUM**

*A quorum was present.*

## **III. APPROVE MINUTES**

*Motion by Member Pool to approve the July 14, 2015 minutes.*

*Second by Member Stacy.*

*Motion carried by the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

## **IV. APPROVE DRAFT OF CHARTER SECTIONS**

*Member Beustring requested clarification on United States citizenship requirements for Council members and Mayor. Attorney Brown confirmed that Texas Election Code sets out general requirements, and that citizenship is a requirement set by the Texas Election Code.*

*Request by Attorney Brown to address the Table of Contents first to set forth the general structure and take up issues in a logical order.*

*Presentation by Attorney Brown of proposed Table of Contents, including explanation of the inclusion, exclusion, and order of items.*

*Motion by Member Beustring to approve the Table of Contents.*

*Second by Member Dowdall.*

*Motion carried by the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Presentation by Attorney Brown of Drafts of Charter Sections from previous meeting as a Form of Government.*

*Motion by Member Stacy to approve the Preamble, Article I, Article II, and Article III.*

*Second by Member Pool.*

*Motion carried by the following vote:*

*Ayes: All in favor*

*Nays: None opposed*



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## V. DISCUSSION OF AND POSSIBLE ACTION ON

*Presentation by Attorney Randle regarding Mayor and Council terms, size of council, and selection and qualification, including 3 handouts: (1) a map showing Fulshear city limits and ETJ; (2) a pictorial description of existing council chambers including Mayor and 5 council members; and (3) a spreadsheet identifying the cities within Fort Bend County that are Home Rule and one additional city, Mont Belvieu, for reference purposes.*

### A. **Mayor and Council Terms** –

*Discussion regarding term limits, consecutive or total service years, and election process.*

*Motion by Member Stacy to adopt **3 year term** for Mayor and Council.*

*Second by Member Dowdall.*

*Further discussion regarding Mayoral vote, veto power and election timing.*

*Motion carried with the following vote:*

*Ayes: Members Beal, Beustring, Dowdall, Knapp, McDaniel, Pool, Randle, and Stacy*

*Nays: Members Archer and Morgan*

*Motion by Member Beustring to adopt a 2-term limit for Mayor and Council.*

*Second by Member Pool.*

*Further discussion included a clarification of the term limit as 2 (two) consecutive 3 (three) year terms (6 consecutive years), and Mayor or Council would “sit out” one term before running again.*

*Motion carried with the following vote:*

*Ayes: Members Beal, Beustring, Dowdall, Knapp, McDaniel, Morgan, Pool, Randle, and Stacy*

*Nays: Member Archer*

*Motion by Member Stacy to apply term limits only to terms in the same office.*

*Second by Member Pool.*

*Further discussion included a clarification that a person could serve 2 (two) consecutive terms on Council, could then serve 2 (two) consecutive terms as Mayor, and could then serve again on Council.*

*Motion carried with the following vote:*

*Ayes: Members Archer, Beal, Beustring, Dowdall, Knapp, McDaniel, Pool, Randle, and Stacy*

*Nays: Member Morgan*



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*Discussion regarding full and partial terms.*

*Motion by Member Beustring to exclude partial terms from the term limits.*

*Second by Member Archer.*

*Further discussion included a suggestion by Member Knapp that half or more of term of service should count, less than half of term of service should not count; however, there was no motion to amend the motion on the floor.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion regarding staggered terms for council members.*

*Motion by Member Knapp to adopt staggered terms for Council Members.*

*Second by Member Beustring.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion regarding electing Mayor "at large"; "at large" refers to all voters vote for all seats in the election, not by district or ward.*

*Motion by Member Dowdall to elect the Mayor "at large".*

*Second by Member Beustring.*

*Further discussion regarding whether the Mayor would vote in the case of a tie; however, there was no motion to amend the motion on the floor.*

*Motion carried with the following vote:*

*Ayes: Members Beal, Beustring, Dowdall, Knapp, McDaniel, Morgan, Pool, Randle, and Stacy*

*Nays: Member Archer*

*Discussion regarding Mayoral veto.*

*Motion by Member Archer to prohibit a Mayoral veto.*

*Second by Member Dowdall.*

*Further discussion regarding Mayoral vote; however, there was no motion to amend the motion on the floor.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

### **B. Size of Council –**



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*Presentation by Attorney Randle regarding size of council, including the size of council, selection, term, and term limits of other cities in Fort Bend County.*

*Discussion regarding size of council based on current and future population prediction for Fulshear, vote by Mayor, advantages and disadvantages of selection "at large", "by place" and by "districts or wards."*

*Motion by Member Pool to adopt a 7 (seven) councilmember Council.*

*Second by Member Beustring.*

*Further discussion regarding Mayoral vote and selection of Council.*

*Motion to Amend by Member Archer to adopt a 7 (seven) councilmember Council, with 3 (three) members selected at large and 4 (four) selected from single member districts.*

*Second by Member Beustring.*

*Further discussion regarding Council size in relation to population, staggering in relation to districts, and if Council will decide the districts.*

*Motion to Postpone by Member Dowdall to postpone further discussion and possible action on the current motions and remaining agenda items until the next meeting scheduled on August 11, 2015.*

*Second by Member Morgan.*

*Motion carried with the following vote:*

*Ayes: Members Beal, Beustring, Dowdall, Knapp, Morgan, Pool, Randle, Stacy*

*Nays: Member Archer and Chair McDaniel*

- C. **Selection and Qualification** – *Due to time constraints, this topic will be addressed at the August 11, 2015 meeting. Attorney Randle indicated that there is no homework for the next session, but it would be helpful to look over Chapter 10 of Terrell Blodgett's "Texas Home Rule Charter" and that the topics for the next meeting will include size of council, at large, by place, district and whether the Mayor votes.*
- D. **Table of Contents for Charter** – *See IV above for consideration and action taken.*

## VI. **ADJORNMENT**

*Discussion included Chair McDaniel thanking Members for their input and active conversations and communication.*

*Motion to Adjourn by Member Beustring to adjourn at 8:29 p.m.*

*Second by Member Morgan.*

*The motion carried by the following vote:*

*Ayes: All in favor*

*Nays: None opposed*



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*Attorney Grady Randle announced that we are now adjourned.*

C.J. McDaniel – Chairman

Attest:

Lynn Raymer – Executive Assistant