



# 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

August 11, 2015

### I. CALL TO ORDER

A Regular Meeting of the Fulshear Charter Commission was called to order by Chair CJ McDaniel at 6:48 p.m. on Tuesday, August 11, 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*

*Cherryl Finney*

*Ken Knapp*

*C.J. McDaniel*

*James Molina*

*D.E. (Gene) Morgan*

*Kent Pool*

*Polly Royer*

*Randy Stacy*

#### *Members Absent:*

*Carolyn Randle*

#### *City Staff Present:*

*C.J. Snipes, City Administrator*

*Lynn Raymer, Executive Assistant*

*Tommy Kuykendall, Mayor*

#### *Others Present:*

*Tajana Mesic, Fulshear Council Member*

*Jeff Roberts, Fulshear Council Member*

*Tricia Krenek, Fulshear Council Member*

*Shannon Purcell, West Fort Bend Buzz*

*Viola Randle*

*Ella Banks*



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Rorie McLenke

Grady Randle

Byron Brown

Others present that did not sign in

## **II. QUORUM**

A quorum was present. Meeting began at 6:48pm.

## **III. APPROVE MINUTES**

Member Stacy motioned to approve the July 28, 2015 minutes as written with a request to correct the date indicated on the Minutes handout. Secretary Raymer will make the correction.

Second by Member Dowdall

Motion was carried by the following vote:

Ayes: All in favor

Nays: None opposed

## **IV. COMMENTS FROM THE PUBLIC (for matters not on the agenda)**

Ella Banks has attended previous meetings and lived here her whole life. With regard to voting for Council and Mayor, it has always been term limits of 2 years. If they do not do a good job, we vote them out. Two years has always worked for us, why change it now?

## **V. APPROVE DRAFT OF CHARTER SECTION**

Attorney Brown indicated that decisions have not been made which affect the decisions made at the last meeting and the corresponding Charter Sections. Due to those pending decisions, Attorney Brown has not been able to draft the Charter Sections corresponding with the decisions made. This topic will be tabled for now and readdressed as the appropriate decisions are made.

## **VI. DISCUSSION OF AND POSSIBLE ACTION ON**

Attorney Randle indicated that at the previous meeting both the size and composition of the council were tabled and we will need to bring them back to the table.

Member Finney had not attended previous meetings and Chairman McDaniels asked her to introduce herself.

Attorney Randle also address a recent relevant Houston Chronicle article that was provided to Members via DropBox. Attorney Randle also indicated that it is possible to bring in a Professor to address the Commission regarding Department of Justice and the mechanics of the decisions



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*the Commission will be making. Commission Members agree that is beneficial to hear the Professor's perspective.*

*Discussion continued regarding the article and voting districts and voting at large.*

### **A. Size of Council**

*Discussion regarding size of Council was back up for discussion. Specifically, should Council consisting of 6 members where the Mayor would have a vote, or Council consisting of 7 members where the Mayor does not have a vote. In both situations, a quorum would consist of 4 members.*

*Motion by Member Beustring to adopt a Council of 7 members where the Mayor votes in the event of a tie.*

*Second by Member Archer.*

*Further discussion regarding size of Council.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

### **B. Council Districts, at large, in place**

*Discussion regarding the how Council members would be elected – via Districts, at large or in place. Definitions of each were provided by Attorney Randle. Members felt that it is prudent to make a decision and have a plan which the guest professor can help us understand the advantages and disadvantages of the decision made.*

*Motion by Member Archer for Council to consist of 2 at large Members and 5 single districts with this topic subject to revisiting after listening to the experts.*

*Second by Member Beal.*

*Further discussion regarding Districts, at large and in place.*

*Motion carried with the following vote:*

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

*Nays: Member Morgan*

### **C. Selection and Qualification**

*Discussion regarding whether a person must reside in the district they represent and how to address a situation where no one runs for a particular district.*

*Motion by Member Dowdall requiring a person must live in the district they are running.*

*Second by Member Molina.*



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*Further discussion regarding the advantages and disadvantages of a residency requirement for running for a specific district.*

*Motion carried with the following vote:*

*Ayes: Members Archer, Beal, Beustring, Dowdall, Finney, McDaniel, Morgan, Pool, Randle, Royer*

*Nays: Members Stacy and Knapp*

*Discussion regarding requirements for those running for office must not be tax delinquent or owe a debt to the City.*

*Motion by Member Pool that you must not be tax delinquent or owe a debt to the City to hold office – Council or Mayor.*

*Second by Member Stacy*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion readdressing term limits for Council and Mayor and concern regarding the expense and availability of elections.*

*Motion by Member Morgan that Council and Mayor terms be limited to 2 years.*

*Second by Member Archer*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion regarding maximum term limits for Council and Mayor*

*Motion by Member Dowdall for separate Council and Mayor term limits of 3 consecutive 2-year terms for a 6 year maximum per office.*

*Second by Member Beustring.*

*Further discussion regarding maximum term limits with clarification regarding sitting out one 2-year term before running again for the same office.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion regarding citizenship requirement for public office, including that state law provides for a citizenship requirement.*

*Motion by Member Beustring that a United States citizenship requirement to be expressly stated in the Charter.*



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*Second by Member Dowdall.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion regarding types of voting and how elected officials are voted in.*

*Motion by Member Molina for voting to be on a majority vote for both Council and Mayor.*

*Second by Member Dowdall.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion regarding Table of Contents for proposed Charter Sections below:*

*Section 1.02 Boundaries*

*Section 7.01 Construction*

*Section 2.02 Intergovernmental Relations*

*Section 3.06 General Powers and Duties*

*Section 3.02 Judge of Qualifications*

*Motion by Member Pool to accept all proposed charter sections as written.*

*Second by Member Beustring.*

*Motion carried with the following vote:*

*Ayes: All in favor*

*Nays: None opposed*

*Discussion regarding Compensation and Expenses for Council and Mayor*

*Motion by Member Beustring that Council receives no compensation for their duties, but will be reimbursed for travel and out-of-pocket expenses incurred in performance of official duty.*

*Second by Member Dowdall.*

*Further discussion regarding compensation and expenses for Council and Mayor, including the opportunity for future amendment, and including a clarification that the motion on the floor applies only to Council, not the Mayor.*

*Motion carried with the following vote:*

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

*Nays: Members Finney, McDaniel, Molina*



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*Attorney Randle informed the Commission that, due to City budget meetings, the City would like to change the September meeting schedule. The next meeting will be August 25 and then meet again on September 15.*

### **VII. ADJORNMENT**

*Member Stacy motioned to adjourn at 8:32pm.*

*Second by Member Archer.*

*The motion was carried by the following vote:*

*Ayes: All members*

*Nays: None*

*Chairman McDaniel announced that we are now adjourned.*

C.J. McDaniel – Chairman

Attest:

Lynn Raymer – Executive Assistant