



# 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: 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 JULY 19, 2016

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NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **MONDAY, JULY 19, 2016 AT 7:00 P.M.** AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, 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 – PASTOR STEVE LITTLEFIELD, SIMONTON COMMUNITY CHURCH ~ SIMONTON, TEXAS**

**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. 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. 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 THE COMMONS AT FULSHEAR/FINAL PLAT**
- B. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 10/FINAL PLAT**
- C. CONSENT AND APPROVAL OF CROSS CREEK BEND LANE EXTENSION NO. 10/FINAL PLAT**
- D. CONSENT AND APPROVAL OF CREEK FALLS DRIVE EXTENSION NO. 1/FINAL PLAT**
- E. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 9/FINAL PLAT**
- F. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 8/FINAL PLAT**
- G. CONSENT AND APPROVAL OF BOX'S PLAYGROUND/PRELIMINARY PLAT**
- H. CONSENT AND APPROVAL OF TAMARRON SECTION 11 PARTIAL REPLAT NO. 1/FINAL PLAT**
- I. CONSENT AND APPROVAL OF TAMARRON SECTION 26/PRELIMINARY PLAT**
- J. CONSENT AND APPROVAL OF TAMARRON SECTION 38/PRELIMINARY PLAT**
- K. CONSENT AND APPROVAL OF TAMARRON CROSSOVER ROAD STREET DEDICATION/PRELIMINARY PLAT**
- L. CONSENT AND APPROVAL OF FULSHEAR RUN-PHASE 2 SIGN MASTER PLAN**
- M. CONSENT AND APPROVAL OF MINUTES FROM THE JUNE 21, 2016 REGULAR CITY COUNCIL MEETING**
- N. CONSENT AND APPROVAL OF CONVEYANCE AND ACCEPTANCE FOR THE FOLLOWING LOCATED IN FULSHEAR MUD 1:**
  - 1) UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR LAKE HILL FARM WAY**
  - 2) STREET ACCEPTANCE FOR FULBROOK ON FULSHEAR CREEK SECTION FOUR**
  - 3) UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULBROOK ON FULSHEAR CREEK SECTION FOUR**
  - 4) ACCEPT SPECIAL WARRANTY DEED FOR LIFT STATION SITES IN SECTIONS 3 AND 4 IN FULBROOK ON FULSHEAR CREEK**
- O. CONSENT AND APPROVAL OF THE CONVEYANCE AND ACCEPTANCE FOR THE FOLLOWING LOCATED IN CROSS CREEK RANCH:**
  - 1) UTILITY EXTENSIONS TO SERVE COMMERCIAL TRACT AT FM 1093 AND FM 1463**
  - 2) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE CREEK FALLS AT CROSS CREEK RANCH SECTION 1**
  - 3) CREEK FALLS AT CROSS CREEK RANCH SECTION 1 REINFORCED CONCRETE PAVING**
  - 4) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE CREEK COVE AT CROSS CREEK RANCH SECTION 7**
  - 5) CREEK COVE AT CROSS CREEK RANCH SECTION 7 REINFORCED CONCRETE PAVING**

- 6) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE WEST CROSS CREEK BEND LANE EXTENSION NO. 2
- 7) WEST CROSS CREEK BEND LANE EXTENSION NO. 2 REINFORCED CONCRETE PAVING
- 8) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE CREEK FALLS AT CROSS CREEK RANCH SECTION 6
- 9) CREEK FALLS AT CROSS CREEK RANCH SECTION 6 REINFORCED CONCRETE PAVING
- 10) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE FULSHEAR BEND DRIVE (FROM CROSS CREEK BEND LANE TO FM 1463) FULSHEAR BEND DRIVE (FROM CROSS CREEK BEND LANE TO FM 1463) REINFORCED CONCRETE PAVING
- 11) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE BONTERRA AT CROSS CREEK RANCH SECTION 3
- 12) SOUTH FRY ROAD AT FM 1463 FLEXIBLE PAVING PHASE II AND DRIVEWAY IMPROVEMENTS AND SOUTH FRY ROAD TRAFFIC SIGNAL INSTALLATION
- 13) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE BONTERRA AT CROSS CREEK RANCH SECTION 4
- 14) CROSS CREEK BEND LANE EXTENSION NOS. 1 THROUGH 4 PHASE 2 REINFORCED CONCRETE PAVING AND STAGE II UTILITIES
- 15) WATER DISTRIBUTION, SANITARY SEWER AND STORM SEWER UTILITIES TO SERVE THE BROOKS AT CROSS CREEK RANCH SECTION 1
- 16) THE BROOKS AT CROSS CREEK RANCH SECTION 1 REINFORCED CONCRETE PAVING FOR CREEK FALLS AT CROSS CREEK RANCH, SECTION FOUR CREEK FALLS AT CROSS CREEK RANCH, SECTION FOUR
- 17) BONTERRA AT CROSS CREEK RANCH, SECTION ONE
- 18) BONTERRA AT CROSS CREEK RANCH, SECTION ONE REINFORCED CONCRETE PAVING

**IV. BUSINESS ITEMS**

- A. CONSIDERATION OF PRESENTATION OF THE CITY OF FULSHEAR ANNUAL AUDIT AND FINANCIAL REPORT FOR THE FISCAL YEAR 2014-2015 BY WHITLEY PENN**
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MODIFICATIONS TO FRANCES SMART PARK**
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE 3<sup>RD</sup> AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND CCR TEXAS HOLDINGS FOR THE PURPOSE OF INCLUDING ST. FAUSTINA CATHOLIC CHURCH ALLOWING IT TO CONTINUE ITS DEVELOPMENT**
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE 3<sup>RD</sup> AMENDMENTS TO THE UTILITY AGREEMENTS BETWEEN THE CITY OF FULSHEAR AND MUDs 169 AND 171 FOR THE PURPOSE OF INCLUDING ST. FAUSTINA CATHOLIC CHURCH ALLOWING IT TO CONTINUE ITS DEVELOPMENT**
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE 2<sup>ND</sup> AMENDMENTS TO THE UTILITY AGREEMENTS BETWEEN THE CITY OF FULSHEAR AND MUDs 170, 172 AND 173**
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE INTER-LOCAL AGREEMENT WITH RESPECT TO THE FORFEITURE OF CONTRABAND WITH HARRIS COUNTY DISTRICT ATTORNEY**

- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2016-1220 AN ORDINANCE OF THE CITY OF FULSHEAR PROVIDING FOR RESIDENCY RESTRICTIONS FOR SEX OFFENDERS
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2016-1221 AN ORDINANCE OF THE CITY OF FULSHEAR ESTABLISHING A HOTEL OCCUPANCY TAX FOR THE CITY OF FULSHEAR
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE CREATION OF A PROFESSIONAL ENGINEERING SERVICES POOL AND APPROVING LIST OF QUALIFIED FIRMS
- J. CONSIDERATION AND POSSIBLE ACTION TO SELECT PROFESSIONAL SERVICE PROVIDER AND APPROVE NEGOTIATION OF CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE STUDY AND IMPLEMENTATION OF IMPACT FEES FOR THE CITY OF FULSHEAR
- K. CONSIDERATION AND POSSIBLE ACTION TO SELECT PROFESSIONAL SERVICE PROVIDER AND APPROVE NEGOTIATION OF CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE CREATION OF SINGLE MEMBER ELECTORAL DISTRICTS FOR THE CITY OF FULSHEAR
- L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE LIST OF SALVAGE AND SURPLUS ITEMS FOR AUCTION AND POTENTIAL DISPOSAL BY THE CITY OF FULSHEAR
- M. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A BUDGET AMENDMENT FOR THE FULSHEAR 4B DEVELOPMENT CORPORATION OPERATING BUDGET FOR FISCAL YEAR 2015-2016
- N. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2016-313 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S PLANNING AND ZONING COMMISSION
- O. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2016-314 A RESOLUTION OF THE CITY OF FULSHEAR CREATING A HISTORIC PRESERVATION AND MUSEUM COMMITTEE
- P. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2016-315 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S PARKS AND RECREATION COMMISSION
- Q. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2016-316 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S 4A DEVELOPMENT CORPORATION
- R. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2016-317 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S 4B DEVELOPMENT CORPORATION
- S. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2016-318 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING A MEMBER TO THE CITY'S 4B DEVELOPMENT CORPORATION
- T. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF FULSHEAR AND THE TEXAS MUNICIPAL LEAGUE INTER-GOVERNMENTAL EMPLOYEE BENEFITS POOL (TML-IEBP) SETTING RATES FOR EMPLOYEE HEALTH CARE COVERAGE FOR FISCAL YEAR 2016-2017
- U. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN 10/20 YEAR WRITE OFF PER TEXAS PROPERTY TAX CODE SECTION 33.05

V. **EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING**

A GOVERNMENTAL BODY MAY CONDUCT A CLOSED MEETING TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON.

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

VII. 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. 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 JULY 15, 2016 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 OFFORD, CITY SECRETARY