



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

MAYOR PRO-TEM: Erin Tristan

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Tricia Krenek

COUNCIL MEMBER: Lauren Ashley

COUNCIL MEMBER: Ramona Ridge

STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

SPECIAL CITY COUNCIL MINUTES JANUARY 10 , 2017

I. OPENING

A. CALL TO ORDER

A SPECIAL CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR JEFF W. ROBERTS TUESDAY, JANUARY 10, 2017 AT 6:11 P.M. IN THE FULSHEAR CITY HALL LOCATED AT 30603 FM 1093 ROAD, FULSHEAR TEXAS 77441 AND ALL CITIZENS WERE WELCOMED. MAYOR ROBERTS WISHED EVERYONE A HAPPY NEW YEAR AND WELCOMED ALL THE AUDIENCE.

B. QUORUM & ROLL CALL

MAYOR ROBERTS ANNOUNCED THAT ALL CITY COUNCIL MEMBERS WERE PRESENT.

MEMBERS PRESENT:

JEFF W. ROBERTS, MAYOR

ERIN TRISTAN, MAYOR PRO TEM

LAUREN ASHLEY, COUNCIL MEMBER

STEPHEN GILL, COUNCIL MEMBER

TRICIA KRENEK, COUNCIL MEMBER

RAMONA RIDGE, COUNCIL MEMBER

CITY STAFF PRESENT:

D. (DIANA) GORDON OFFORD, CITY SECRETARY

C. J. SNIPES, CITY MANAGER

J. GRADY RANDLE, CITY ATTORNEY

KIMBERLY KOPECKY, DEPUTY CITY SECRETARY

**SPECIAL CITY COUNCIL MINUTES
JANUARY 10, 2017
PAGE 2**

*CONTINUE OF CITY STAFF:
ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR
WES VELA, FINANCE OFFICER*

*OTHERS PRESENT:
EIGHT WHO DID NOT SIGN IN*

II. BUSINESS ITEMS

A. CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION No. 2017- 377 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING CHANGE IN DATE FOR THE JANUARY REGULAR MEETING FROM JANUARY 17, 2017 TO JANUARY 24, 2017

A MOTION WAS MADE BY MAYOR PRO TEM TRISTAN TO APPROVE RESOLUTION NO. 2017-377 A RESOLUTION OF THE CITY OF FULSHEAR APPROVING CHANGE IN DATE FOR THE JANUARY REGULAR MEETING FROM JANUARY 17, 2017 TO JANUARY 24, 2017. IT WAS SECONDED BY COUNCIL MEMBER RIDGE.

COUNCIL MEMBER KRENEK ASKED FOR CLARIFICATION REGARDING THE TIME OF THE HEARING. CITY ATTORNEY, J. GRADY RANDLE, STATED 2PM. MAYOR ROBERTS REITERATED THAT A COUPLE OF COUNCIL MEMBERS WILL BE OUT OF TOWN AT THE HEARING AND THIS IS THE REASON FOR THE CHANGE IN COUNCIL MEETING DATES.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, GILL, KRENEK, RIDGE, AND TRISTAN

NAYS: NONE

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017- 1235 AN ORDINANCE OF THE CITY OF FULSHEAR DESIGNATING COUNCIL MEMBER DISTRICTS OPEN FOR CONSIDERATION AT THE MAY , 2017 GENERAL ELECTION

MAYOR ROBERTS STATED THAT NOW WE HAVE A HOME RULE CHARTER THAT HAS RESULTED IN HAVING DISTRICTS FOR THE CITY. WE NOW HAVE TO DETERMINE WHICH DISTRICTS GO UP FOR THE MAY 2017 ELECTION. THE POSITIONS AVAILABLE WILL BE TWO DISTRICTS AND ONE AT LARGE POSITION. MAYOR ROBERTS STATED CURRENTLY THERE WILL BE TWO POSITIONS UP FOR RE-ELECTION. MAYOR ROBERTS TURNED IT OVER TO COUNCIL FOR DISCUSSION.

THERE WAS A SHORT DISCUSSION BETWEEN THE COUNCIL AND CITY ATTORNEY. FOR ALL THE SPECIFICS, REQUEST A COPY OF THE TAPE RECORDING. AT THE END OF THE DISCUSSION, IT WAS STATED THAT AFTER THE ELECTION IN MAY, 2017, THERE WILL BE A SIX COUNCIL MEMBER COUNCIL AND ONE MAYOR.

**SPECIAL CITY COUNCIL MINUTES
JANUARY 10, 2017
PAGE 3**

A MOTION WAS MADE BY COUNCIL MEMBER KRENEK TO APPROVE THE AT LARGE POSITION ALONG WITH DISTRICTS THREE (3) AND FIVE (5) WHICH WILL BE COVERED BY ORDINANCE NO. 2017-1235. IT WAS SECONDED BY COUNCIL MEMBER GILL.

AN AMENDMENT MOTION BY MAYOR PRO TEM TRISTAN TO APPROVE DISTRICTS 1 (ONE) AND 5 (FIVE) AND ONE AT LARGE POSITION. IT WAS SECONDED BY COUNCIL MEMBER RIDGE.

CITY ATTORNEY RANDLE STATED THAT UNDER ROBERTS RULE, THERE WILL BE A VOTE ON FIRST MOTION AND THEN THE AMENDED MOTION BUT FIRST A DISCUSSION.

COUNCIL MEMBER GILL STATED HE WOULD LIKE TO KNOW THE LOGIC ON EACH OF THESE PROPOSALS.

MAYOR PRO TEM TRISTAN STATED THAT THE PROBLEM WITH DISTRICT 3 WOULD BE FINDING SOMEONE TO RUN SINCE THE MAJORITY OF THE RESIDENTS ARE NEW TO THE CITY.

CITY ATTORNEY EXPLAINED THE RESIDENCY REQUIREMENTS RULES RUNNING FOR COUNCIL.

COUNCIL MEMBER KRENEK EXPLAINED TO THE COUNCIL TO GET A DIVERSITY ON COUNCIL SINCE THE MAJORITY OF THE DISTRICTS ARE IN CROSS CREEK RANCH SUBDIVISION. COUNCIL MEMBER KRENEK OUTLINED THE REPRESENTATION CURRENTLY ON COUNCIL. SHE STATES THREE AREAS STILL NOT REPRESENTED AND THEY SHOULD HAVE AN EQUAL STAKE IN THE GAME. SHE STATED IF 3 AND 5 ARE CHOSEN THIS WILL GIVE EQUAL REPRESENTATION WHICH IS WHAT THE CHARTER WAS DESIGNED TO DO. COUNCIL MEMBER GILL STATES HE AGREES WITH THAT. FOR ALL OF THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

COUNCIL MEMBER ASHLEY ASKED WHAT WILL HAPPEN IF NO ONE RUNS. CITY ATTORNEY RANDLE STATED THAT COUNCIL CAN APPOINT SOMEONE.

COUNCIL MEMBER RIDGE STATED THAT SHE PREFERS TO RUN FOR DISTRICT 1 POSITION AND MR. GILL CAN RUN AT LARGE ON NEXT YEAR.

MAYOR ROBERTS STATED WE WILL NOW TAKE A VOTE ON THE AMENDED MOTION FIRST. A MOTION WAS MADE BY MAYOR PRO TEM TRISTAN FOR DISTRICT 1, DISTRICT 5 AND ONE AT LARGE. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, RIDGE, AND TRISTAN

NAYS: COUNCIL MEMBER GILL AND KRENEK

MOTION PASSES.

**SPECIAL CITY COUNCIL MINUTES
JANUARY 10, 2017
PAGE 4**

MAYOR ROBERTS ASKED IF THERE WAS A NEED TO VOTE ON ORIGINAL MOTION AND CITY ATTORNEY RANDLE STATED YES SINCE THE ORDINANCE NEEDS TO BE PASSED. THERE WAS DISCUSSION AMONG THE COUNCIL REGARDING THE ORIGINAL MOTION. THE AMENDED MOTION BECOMES THE ONE THAT IS VOTED ON IN THE ORDINANCE.

A MOTION WAS MADE BY MAYOR PRO TEM TRISTAN TO APPROVE ORDINANCE NO. 2017-1235 AN ORDINANCE OF THE CITY OF FULSHEAR DESIGNATING COUNCIL MEMBER DISTRICTS ONE (1), FIVE (5), AND ONE AT LARGE POSITION FOR THE MAY 2017 GENERAL ELECTION IN THE CITY OF FULSHEAR. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, RIDGE, AND TRISTAN
NAYS: COUNCIL MEMBER GILL AND KRENEK

MOTION PASSES.

A MOTION WAS MADE BY COUNCIL MEMBER KRENEK TO ENTER INTO EXECUTIVE SESSION AT 6:28 P.M. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, GILL, KRENEK, RIDGE, AND TRISTAN
NAYS: NONE

III. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE 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.**

LITIGATION ISSUES RELATED TO CITY OF FULSHEAR V. KEN PAXTON, ET. AL.

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD ENTER INTO EXECUTIVE SESSION AT 6:28 PM AND ALL COUNCIL MEMBERS WERE PRESENT.

**SPECIAL CITY COUNCIL MINUTES
JANUARY 10, 2017
PAGE 5**

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

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD RECONVENED BACK INTO REGULAR SESSION AT 8:06 PM AND ALL COUNCIL MEMBERS ARE PRESENT.

MAYOR ROBERTS ASKED IF THERE WAS ANY ACTION TO BE TAKEN FROM THE EXECUTIVE SESSION.

A MOTION WAS MADE BY COUNCIL MEMBER RIDGE TO APPROVE AN ADDITIONAL \$40,000 TO WINSTEAD MAKING A TOTAL OF \$65,000 TO REPRESENT THE CITY IN THE LAWSUIT. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, GILL, KRENEK, RIDGE, AND TRISTAN
NAYS: NONE

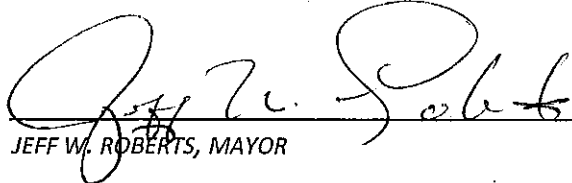
MOTION PASSES.

V. ADJOURNMENT

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

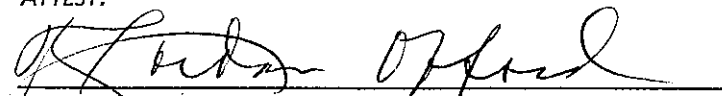
AYES: COUNCIL MEMBER ASHLEY, GILL, KRENEK, RIDGE, AND TRISTAN
NAYS: NONE

MAYOR ROBERTS ANNOUNCED THAT WE ARE ADJOURNED AT 8:07 P.M.



JEFF W. ROBERTS, MAYOR

ATTEST:



D. (DIANA) GORDON OFFORD, CITY SECRETARY