



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: James Murdoch

COUNCIL MEMBER: Ramona Ridge

STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

REGULAR CITY COUNCIL MINUTES JANUARY 24, 2017

I. OPENING

A. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR JEFF W. ROBERTS ON JANUARY 24, 2017 AT 7:00 P.M. IN THE FULSHEAR CITY HALL, LOCATED AT 30603 FM 1093, FULSHEAR, TEXAS 77441. EVERYONE WAS THANKED FOR BEING AT THE MEETING.

B. QUORUM & ROLL CALL

MAYOR ROBERTS ANNOUNCED THAT A QUORUM WAS PRESENT.

MEMBERS PRESENT:

JEFF W. ROBERTS, MAYOR

STEPHEN GILL, COUNCIL MEMBER

RAMONA RIDGE, COUNCIL MEMBER

LAUREN ASHLEY, COUNCIL MEMBER

TRICIA KRENEK, COUNCIL MEMBER

MEMBERS ABSENT:

ERIN TRISTAN, MAYOR PRO TEM

CITY STAFF PRESENT:

KIMBERLY KOPECKY, DEPUTY CITY SECRETARY

C.J. SNIPES, CITY MANAGER

MICHELLE KILLEBREW, BUILDING OFFICIAL

PAULA RYAN, ASSISTANT CITY MANAGER

KENNY SEYMOUR, CHIEF OF POLICE

ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR

J. GRADY RANDLE, CITY ATTORNEY
BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING & DEVELOPMENT
SHARON VALIANTE, PUBLIC WORKS DIRECTOR

CITY STAFF ABSENT:

D (DIANA) GORDON OFFORD, CITY SECRETARY

OTHERS PRESENT:

KIM STACY
KEVIN GILLIGAN
KARENA HAUFER
BILL HEEDE
ALENA HEEDE
DAN WARD
GERALD GRISSOM
TREY DEVILLIER
CARY WILKINS
LAURIE SZANTAY
JULIE WARD
DOUG KONOPKA
DAWN MCREA
TOMMY KUYKENDALL
SONYA SIMMONS
DANNY CURTIS
JULIE DOWDALL
JOHN DOWDALL
JOHN KISER
PAMELA DAVENPORT
MIKE DAVENPORT
RHONDA KUYKENDALL
AND ABOUT 19 OTHERS WHO DID NOT SIGN IN

C. INVOCATION – REVEREND CARY WILKINS, FIRST UNITED METHODIST CHURCH

REV. CARY WILKINS PROVIDED THE PRAYER.

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

MAYOR ROBERTS LED THE AUDIENCE IN BOTH PLEDGES

II. CITIZEN 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.

JULIE WARD- STATES SHE 100% AGREES WITH THE PROPOSED RESOLUTION TO CREATE A TREE PROTECTION POLICY. SHE DOES NOT AGREE WITH THE PROPOSED ORDINANCE. (FOR FULL COMMENTARY, REQUEST AUDIO)

DOUG KONOPKA- ASKS COUNCIL NOT TO VOTE ON TREE RESOLUTION AND ORDINANCE TONIGHT. AT THE END OF A PREVIOUS MEETING, MAYOR AND COUNCIL WAS SUPPOSED TO COME BACK AND ANSWER QUESTIONS PRIOR TO TAKING ACTION ON THESE ITEMS. (FOR FULL COMMENTARY, REQUEST AUDIO)

DAWN McREA- SHE IS ASKING CITY COUNCIL TO PASS AND PUT THE TREE ORDINANCE INTO PLACE SO WE CAN ENJOY OUR TREES NOW INSTEAD OF WAITING DECADES FOR OUR FAMILIES TO LOOK AT THEM LATER. (FOR FULL COMMENTARY, REQUEST AUDIO)

TOMMY KUYKENDALL- SPEAKS REGARDING TREE PRESERVATION. WE WANT TO SAVE OUR TREES. HE WOULD LIKE TO HEAR COUNCIL'S VISION AND HOW THIS WILL BE ENFORCED. (FOR FULL COMMENTARY, REQUEST AUDIO)

SONYA SIMMONS- DITTO TO EVERYTHING DAWN MCREA SAID. A HUGE PRIORITY FOR NEW RESIDENTS IS A TREE POLICY AND SHE IS VERY MUCH IN FAVOR OF PASSING THIS POLICY TONIGHT. (FOR FULL COMMENTARY, REQUEST AUDIO)

DANNY CURTIS- ASKING THAT WE CREATE SOMETHING TO PROTECT THE TREES THAT WE HAVE. WE DO NOT NEED AN ORDINANCE THAT IS GOING TO BURDEN INDIVIDUAL LAND OWNERS. WE DO NOT NEED TO CREATE A FOREST. LET'S STOP THE BLANKET DESTRUCTION OF TREES IN THIS AREA AND WORK WITH DEVELOPERS TO FIND SOMETHING THAT MAKES SENSE FOR EVERYONE. (FOR FULL COMMENTARY, REQUEST AUDIO)

JULIE DOWDALL- SPEAKS REGARDING TREES. I WOULD LIKE TO SEE THIS PASSED AS SOON AS POSSIBLE. WAY TOO MANY TREES HAVE BEEN CUT DOWN AND WE NEED TO STOP. (FOR FULL COMMENTARY, REQUEST AUDIO)

JOHN DOWDALL- THERE SHOULD BE SOME TYPE OF TREE ORDINANCE. (FOR FULL COMMENTARY, REQUEST AUDIO)

JOHN KAISER- SPEAKS ABOUT THE TREE RESOLUTION AND CLEARING OF TREES WITH NO RETENTION (FOR FULL COMMENTARY, REQUEST AUDIO)

MIKE DAVENPORT- FIXING UP HOUSE ON 2ND STREET. HE FULLY SUPPORTS THE TREE ORDINANCE. (FOR FULL COMMENTARY, REQUEST AUDIO)

RHONDA KUYKENDALL- SHE SPOKE REGARDING ETHICS. SHE PLAYED AUDIO FROM EDC MEETING. (FOR FULL COMMENTARY, REQUEST AUDIO)

ROB BAMFORD- CROSS CREEK RANCH HAS PLANTED OVER 50,000 TREES. HIS CONCERN IS THE TREE ORDINANCE. (FOR FULL COMMENTARY, REQUEST AUDIO)

III. PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING SHALL BE HELD BY THE CITY COUNCIL OF THE CITY OF FULSHEAR AT ITS JANUARY 24, 2017 MEETING AT 7:00 P.M. IN THE FULSHEAR CITY HALL, COUNCIL CHAMBERS LOCATED AT 30603 FM 1093, FULSHEAR, TEXAS 77441

THE PURPOSE OF THE HEARING IS TO RECEIVE COMMENTS FROM INTERESTED INDIVIDUALS REGARDING REQUEST FOR SPECIAL USE PERMIT. THE LOCATION OF THE PREMISES IN QUESTION IS LOCATED IN THE DOWNTOWN DISTRICT, LOT 1 BLOCK 1, PLATINUM ESTATES, SPECIFICALLY THE ADDRESS IS 30406 SECOND STREET, FULSHEAR, TEXAS 77441.

THE APPLICANT IS SEEKING A VARIANCE TO THE ZONING ORDINANCE SO AS TO PERMIT THE CONSTRUCTION OF AN ACCESSORY STRUCTURE 5 FOOT OFF OF THE FRONT PROPERTY LINE ON SECOND STREET. SPECIFIC RELIEF IS REQUESTED FROM SECTION 1-163 (B) (5) WHICH STATES THAT THE MINIMUM FRONT BUILDING LINE SETBACK SHALL BE 25 FEET FROM SINGLE FAMILY PROPERTIES. THE APPLICANT RESERVES THE RIGHT TO SUPPLEMENT THIS APPLICATION AND/OR SEEK AT THE TIME OF THE HEARING, SUCH OTHER APPROVALS, INTERPRETATIONS, AND/OR WAIVERS AS MAY BE REQUESTED OR REQUIRED BY THE APPLICANT OR THE BOARD.

PROJECT SITE LOCATION: 30406 SECOND STREET, FULSHEAR, TEXAS 77441

PROPERTY OWNER: MIKE DAVENPORT

A COPY OF SAID APPLICATION AND DOCUMENTS IS ON FILE AT THE CITY OF FULSHEAR CITY HALL LOCATED AT 30603 FM 1093, FULSHEAR, TEXAS 77441. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST, PLEASE CALL THE CITY SECRETARY'S OFFICE AT 281-346-1796 x204.

THE PUBLIC HEARING WAS OPENED AT 7:27 P.M.

MICHELLE KILLEBREW EXPLAINS THAT THE PROPERTY ALREADY HAS AN ACCESSORY BUILDING ON OR OVER THE PROPERTY LINE A LITTLE. THE OWNER IS WANTING TO REMOVE THAT AND REPLACE IT 5 FOOT OFF OF THE PROPERTY LINE WITH A NEW STRUCTURE FOR A POOL CABANA. THEY DO NOT WANT TO GET RID OF THE TREES. CJ/MICHELLE SAYS STAFF RECOMMENDS APPROVAL.

MR. BEMENT SPEAKS ABOUT MAKING MR. DAVENPORT GO THROUGH ALL THE STEPS OF AN SUP. (FOR FULL COMMENTARY, REQUEST AUDIO)

THE PUBLIC HEARING WAS CLOSED AT 7:29 P.M. THE MAYOR THANKS EVERYONE FOR SPEAKING.

IV. CONSENT ITEMS

ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE AND ARE GENERALLY ENACTED IN ONE MOTION. THE EXCEPTION TO THIS RULE IS THAT A COUNCIL MEMBER MAY REQUEST ONE OR MORE ITEMS TO BE REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION AND ACTION.

- A. CONSENT AND APPROVAL OF CROSS CREEK COMMONS (RETAIL SITE) REPLAT NO. 1/PRELIMINARY PLAT
- B. CONSENT AND APPROVAL OF PARK LANE FULSHEAR/FINAL PLAT
- C. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK- SECTION 8/FINAL PLAT
- D. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK- SECTION 12/FINAL PLAT
- E. CONSENT AND APPROVAL OF TAMARRON TRACE SECTION 2- STREET DEDICATION/PRELIMINARY PLAT
- F. CONSENT AND APPROVAL OF TAMARRON TRACE SECTION 3- STREET DEDICATION/PRELIMINARY PLAT
- G. CONSENT AND APPROVAL OF TAMARRON COLES CANYON AND RILEYS RIDGE- STREET DEDICATION/PRELIMINARY PLAT
- H. CONSENT AND APPROVAL OF TAMARRON SECTION 16/PRELIMINARY PLAT
- I. CONSENT AND APPROVAL OF TIME EXTENSION FOR PLAT APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 9
- J. CONSENT AND APPROVAL OF MINUTES FROM NOVEMBER 3, 2016 SPECIAL CITY COUNCIL MEETING AND WORKSHOP
- K. CONSENT AND APPROVAL OF MINUTES FROM NOVEMBER 28, 2016 SPECIAL CITY COUNCIL MEETING AND WORKSHOP
- L. CONSENT AND APPROVAL OF MINUTES FROM NOVEMBER 28, 2016 WORKSHOP AND TOWN HALL MEETING
- M. CONSENT AND APPROVAL OF MINUTES FROM DECEMBER 13, 2016 CITY COUNCIL MEETING

COUNCIL MEMBER KRENEK STATED SHE WOULD LIKE TO TAKE ITEM I. SEPARATELY.

MR. GILL REQUESTS TO BE MORE TIMELY WITH MINUTES.

A MOTION WAS MADE BY COUNCIL MEMBER KRENEK TO APPROVE ITEMS A-H AND J-M. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

A SHORT DISCUSSION FOLLOWED REGARDING ITEM I. (CONSENT AND APPROVAL OF TIME EXTENSION FOR PLAT APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 9)

COUNCIL MEMBER KRENEK ASKS FOR CLARIFICATION ON TIME EXTENSION. CJ AND DAVID LEYENDECKER EXPLAIN.

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

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

ALL ITEMS ON CONSENT AGENDA PASS

MAYOR ROBERTS ASKS COUNCIL TO MOVE ITEM M TO THE BEGINNING OF THE BUSINESS ITEMS. THE PRINCIPAL OF FULSHEAR HIGH SCHOOL MR. WARD IS PRESENT. NO OBJECTIONS. PLEASE MOVE TO ITEM "M" IN BUSINESS ITEMS.

V. BUSINESS ITEMS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 30406 SECOND STREET, FULSHEAR, TEXAS 77441; ALLOWING FOR THE CONSTRUCTION OF AN ACCESSORY STRUCTURE FIVE (5) FEET OFF OF THE PROPERTY LINE. APPLICANT/PROPERTY OWNER: MIKE DAVENPORT

A MOTION WAS MADE BY COUNCIL MEMBER GILL TO APPROVE A SPECIAL USE PERMIT FOR 30406 SECOND STREET, FULSHEAR, TEXAS 77441. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-337 A RESOLUTION OF THE CITY OF FULSHEAR ADDING ASSISTANT CITY MANAGER PAULA RYAN AS SIGNATORY ON THE CITY'S FINANCIAL ACCOUNTS

A MOTION WAS MADE BY COUNCIL MEMBER RIDGE TO APPROVE RESOLUTION 2017-337 A RESOLUTION OF THE CITY OF FULSHEAR ADDING ASSISTANT CITY MANAGER PAULA RYAN AS SIGNATORY ON THE CITY'S FINANCIAL ACCOUNTS. IT WAS SECONDED BY COUNCIL MEMBER KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE STREET DEDICATIONS, UTILITY CONVEYANCES AND SURETY AGREEMENTS FOR FULSHEAR BEND DRIVE EXTENSION NO.1, FLEWELLEN BRIDGE, AND CREEK COVE AT CROSS CREEK RANCH SECTION 8

DAVID LEYENDECKER EXPLAINS THEY HAVE MET ALL CRITERIA AND HE RECOMMENDS THE CITY ACCEPT THESE PROJECTS.

A MOTION WAS MADE BY COUNCIL MEMBER KRENEK TO APPROVE STREET DEDICATIONS, UTILITY CONVEYANCES AND SURETY AGREEMENTS FOR FULSHEAR BEND DRIVE EXTENSION NO. 1, FLEWELLEN BRIDGE, AND CREEK COVE AT CROSS CREEK RANCH SECTION 8. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE STREET DEDICATIONS, UTILITY CONVEYANCES AND SURETY AGREEMENTS FOR FULSHEAR RUN SECTIONS 1 AND 2

DAVID LEYENDECKER EXPLAINS THESE PROJECTS ARE EXACTLY THE SAME AS ITEM C. HE RECOMMENDS THE CITY ACCEPT THE IMPROVEMENTS. COUNCIL MEMBER RIDGE ANNOUNCES SHE WILL ABSTAIN FROM THIS ONE.

A MOTION WAS MADE BY COUNCIL MEMBER GILL TO APPROVE STREET DEDICATIONS, UTILITY CONVEYANCES AND SURETY AGREEMENTS FOR FULSHEAR RUN SECTIONS 1 AND 2. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS ASHLEY, GILL AND KRENEK (COUNCIL MEMBER RIDGE ABSTAINED FROM VOTING)

NAYS: COUNCIL MEMBER RIDGE (ABSTAINED)

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1236 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ADDITION OF RESTRICTED PRIOR SERVICE CREDIT IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR ELIGIBLE EMPLOYEES

PAULA RYAN EXPLAINS THIS ITEM. IT HAS NO MONETARY VALUE AND ONLY AFFECTS EMPLOYEES VESTING. (FOR FULL COMMENTARY, REQUEST RECORDING)

A MOTION WAS MADE BY COUNCIL MEMBER GILL TO APPROVE ORDINANCE 2017-1236 AND ORDINANCE OF THE CITY OF FULSHEAR APPROVING THE ADDITION OF RESTRICTED PRIOR SERVICE CREDIT IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR ELIGIBLE EMPLOYEES. IT WAS SECONDED BY COUNCIL MEMBER KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

F. DISCUSSION AND CONSIDERATION ON UPDATE FOR COMMUNITY EVENTS

CJ SNIPES DISCUSSES THE CITY EVENTS AFTER THE SEPARATION FROM THE CHAMBER OF COMMERCE. CITIZENS DOWNTOWN WANT A ST. PATRICK'S DAY EVENT BECAUSE THIS EVENT IS THE LEADING SALES TAX GENERATOR FOR THEIR BUSINESS. HE IS MEETING WITH VOLUNTEERS TO GET SOMETHING ORGANIZED. THE CITY REQUESTED 4B TO FUND THIS EVENT. THIS IS JUST AN UPDATE TO COUNCIL ON UPCOMING EVENTS.

COUNCIL MEMBER STEPHEN GILL ASKS QUESTIONS REGARDING EVENTS/CHAMBER AND 4A AND 4B. MAYOR ROBERTS ANSWERS/DISCUSSES THE QUESTIONS.

COUNCIL MEMBER TRICIA KRENEK DISCUSSES THE RELATIONSHIP WITH THE CHAMBER.

MAYOR ROBERTS ALLOWS MR. CROCKETT FROM THE CHAMBER TO SPEAK. HE EXPLAINS ABOUT SPONSORSHIP AND ISSUES WITH EDC MEMBERS. CITIZENS CLAPPED.

COUNCIL MEMBER ASHLEY ASKS "DOES THE CITY GIVE THE CHAMBER MONEY OR NOT?" CJ EXPLAINS THE CITY BUYS A SPONSORSHIP. FOR THE PAST YEAR, THE CITY PAID \$5,000 FOR MEMBERSHIP TO THE CHAMBER . THE CITY PAYS BILLS DIRECTLY FOR OTHER EXPENSES. (FOR FULL COMMENTARY, REQUEST AUDIO)

G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION No. 2017-338 A RESOLUTION OF THE CITY OF FULSHEAR CREATING A TREE PRESERVATION POLICY

CJ STATES HE BELIEVES THIS IS THE HAPPY MEDIUM. WE WANT TO SEE TREES PROTECTED IN SOME MANNER. THE POLICY WAS BORROWED FROM JOHNSON DEVELOPMENT.

COUNCIL MEMBER KRENEK ASKS HOW HE CAN ENFORCE THIS SINCE IT IS A RESOLUTION. CJ STATES THIS IS A POLICY, NOT A REGULATION. COUNCIL MEMBER KRENEK STATES THIS DOES NOT PROTECT DOWNTOWN AT ALL. (FOR FULL COMMENTARY, REQUEST AUDIO)

COUNCIL MEMBER RIDGE HAS ASKED FOR THIS FOR 6 YEARS TRYING TO SAVE THE OLD TREES. WE ARE GETTING CLEAR CUTTING BECAUSE WE ARE DOING NOTHING.

COUNCIL MEMBER ASHLEY LIKES THE RESOLUTION MORE THAN THE ORDINANCE CALLING FOR A 30% CANOPY.

COUNCIL MEMBER GILL AGREES WITH MS. KRENEK. THERE IS NOTHING TANGIBLE THAT WE CAN ENACT FROM THE TREE COMMITTEE. YOU CANNOT REQUIRE A COMMERCIAL DEVELOPMENT TO PUT 35% CANOPY WHEN THEY HAVE TO PUT PARKING AND ALL OTHER REQUIREMENTS. WHY DON'T WE SIT DOWN WITH DEVELOPERS AND COME UP WITH SOMETHING FOR FUTURE DEVELOPMENT AGREEMENTS? HE SUGGEST THEY ENTER INTO A DISCUSSION WITH DEVELOPERS.

(FOR FULL COMMENTARY, REQUEST AUDIO)

MAYOR ROBERTS ASKS COUNCIL TO POSTPONE BOTH ITEMS REGARDING TREE PRESERVATION UNTIL A WORKSHOP WITH DEVELOPERS CAN BE HELD.

A MOTION WAS MADE TO TABLE AND HOLD A WORKSHOP AND INVOLVE DEVELOPERS BY COUNCIL MEMBER GILL REGARDING RESOLUTION NO 2017-338 A RESOLUTION OF THE CITY OF FULSHEAR CREATING A TREE PRESERVATION POLICY. COUNCIL MEMBER GILL ASKED FOR A WORKSHOP BEFORE THE NEXT CITY COUNCIL MEETING. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES TO POSTPONE AND HOLD A WORKSHOP

H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017-1237 AN ORDINANCE OF THE CITY OF FULSHEAR REGARDING TREE PRESERVATION

A MOTION TO POSTPONE ORDINANCE NO 2017-1237 AN ORDINANCE OF THE CITY OF FULSHEAR REGARDING TREE PRESERVATION WAS MADE BY COUNCIL MEMBER RIDGE (AND MOVE FOR A WORKSHOP). IT WAS SECONDED BY COUNCIL MEMBER ASHLEY.

COUNCIL MEMBER KRENEK WANTS AN ACCOUNTING OF WHAT WE HAVE SPENT TO DATE TO DRAFT THAT ORDINANCE AND WHY THE CHANGES FROM THE TOWN HALL MEETING HAVE NOT BEEN MADE IN THE ORDINANCE. CJ WILL FIND OUT THE CURRENT EXPENDITURE ON THIS ITEM.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, GILL, AND RIDGE

NAYS: COUNCIL MEMBER KRENEK

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES TO POSTPONE AND HOLD A WORKSHOP

I. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017-1238 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE No. 2011-1041 REGARDING NOISE BARRING COMMERCIAL DELIVERIES AFTER CERTAIN HOURS IN CERTAIN ZONES OF THE CITY**

MAYOR ROBERTS ANNOUNCED THAT STAFF ASKED FOR THIS ITEM TO BE POSTPONED.

A MOTION TO POSTPONE THE APPROVAL OF ORDINANCE 2017-1238 AN ORDINANCE OF THE CITY OF FULSHEAR AMENDING ORDINANCE NO 2011-1041 REGARDING NOISE BARRING COMMERCIAL DELIVERIES AFTER CERTAIN HOURS IN CERTAIN ZONES OF THE CITY WAS MADE BY COUNCIL MEMBER KRENEK. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES TO POSTPONE

J. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017-1239 AN ORDINANCE OF THE CITY OF FULSHEAR ADOPTING RULES AND PROCEDURES FOR COUNCIL INVESTIGATIONS**

GRADY RANDLE EXPLAINS RULES FOR INVESTIGATIONS. THIS IS PROPOSED RULES FROM A SECOND OPINION ATTORNEY.

COUNCIL MEMBER KRENEK ASKS A QUESTION REGARDING SECTION 2.3 OF THE DOCUMENT. GRADY EXPLAINS IT IS COVERED UNDER SECTION 2.6.

COUNCIL MEMBER GILL ASKS ABOUT SECTION 2.8. GRADY EXPLAINS. (FOR FULL COMMENTARY, REQUEST AUDIO)

A MOTION WAS MADE BY COUNCIL MEMBER GILL TO APPROVE ORDINANCE NO 2017-1239 AN ORDINANCE OF THE CITY OF FULSHEAR ADOPTING RULES AND PROCEDURES FOR COUNCIL INVESTIGATIONS. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1240 AN ORDINANCE OF THE CITY OF FULSHEAR CREATING AN OFFENSE FOR DISOBEDIENCE OF A SUBPOENA

PER GRADY RANDLE -THIS IS A FOLLOW UP ORDINANCE TO THE RULES AND PROCEDURES OF COUNCIL.

COUNCIL MEMBER KRENEK EXPLAINS THE FINE IS \$500 IF ANYONE DISOBEYS A SUBPOENA OR A SUBPOENA DUCES TECUM, BUT IF IT IMPACTS THE FIRE, SAFETY, ZONING OR PUBLIC HEALTH SANITATION THE FINE GOES UP TO \$2000 AND EACH DAY IS A SEPARATE OFFENSE.

A MOTION WAS MADE BY COUNCIL MEMBER GILL TO APPROVE ORDINANCE NO 2017-1240 AN ORDINANCE OF THE CITY OF FULSHEAR CREATING AN OFFENSE FOR DISOBEDIENCE OF A SUBPOENA. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2017-1241 AN ORDINANCE OF THE CITY OF FULSHEAR ADOPTING RULES OF PROCEDURE FOR COUNCIL MEETINGS

GRADY RANDLE EXPLAINS THE 10 SECTIONS OF THIS ORDINANCE.

SECTION 2 ADOPTS ROBERT'S RULES OF ORDER.

COUNCIL MEMBER KRENEK ASKS QUESTIONS ABOUT SECTION 3. GRADY ANSWERS.

COUNCIL MEMBER GILL AND KRENEK WANT TO AMEND SECTION 4.3 TO INCLUDE WORKSHOPS AND SPECIAL MEETINGS (GRADY AGREES)

SECTION 5 STATES PROCEDURE FOR PUTTING ITEMS ON THE AGENDAS.

SECTION 6 ADDRESSING SPEAKING AT MEETINGS. COUNCIL MEMBER KRENEK WANTS TO STRIKE "IF ANY" FROM PUBLIC COMMENT ON THIS SECTION. (GRADY COMPLIES)

SECTION 7 DISCUSSES DELIBERATION BEFORE/AFTER A MOTION.

SECTION 9 MAYOR ROBERTS QUESTIONS HOW VOTING WOULD OCCUR WITH COUNCIL. CJ AND GRADY EXPLAIN.

A MOTION WAS MADE BY COUNCIL MEMBER KRENEK TO APPROVE ORDINANCE NO 2017-1241 AN ORDINANCE OF THE CITY OF FULSHEAR ADOPTING RULES OF PROCEDURE FOR COUNCIL MEETINGS WITH THE FOLLOWING AMENDMENTS: RENUMBERING THE SUBHEADINGS, AMENDING SECTION 4.3 TO INCLUDE SPECIAL MEETINGS, AND AMENDING SECTION 7.3 STRIKING ON THE HEADING ON ITEMS AND STRIKING "IF ANY". IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

MAYOR ROBERTS ASKS COUNCIL TO TAKE A 5 MINUTE RECESS AT 9:00 P.M.

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

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MAYOR ROBERTS RECONVENED BACK INTO REGULAR SESSION AT 9:21 P.M. (MOVE TO ITEM N.)

M. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE No. 2017-1242 AN ORDINANCE OF THE CITY OF FULSHEAR RENAMING BOIS D' ARC LANE NORTH OF FM 1093 TO CHARGER WAY

A MOTION WAS MADE BY COUNCIL MEMBER GILL TO APPROVE ORDINANCE NO 2017-1242 AN ORDINANCE OF THE CITY OF FULSHEAR RENAMING BOIS D' ARC LANE NORTH OF FM 1093 TO CHARGER WAY. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

N. CONSIDERATION AND POSSIBLE ACTION TO APPROVE INTERLOCAL AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FORT BEND COUNTY REGARDING THE CREATION OF ONE OR MORE COUNTY ASSISTANCE DISTRICTS IN VARIOUS PORTIONS OF THE CITY'S EXTRATERRITORIAL JURISDICTION

CJ SNIPES EXPLAINS THE STAFF RECOMMENDS THAT WE ENTER INTO THIS INTERLOCAL AGREEMENT WITH A COUPLE OF AMENDMENTS. 1) A CLARIFICATION ON THE TIMELINE FOR THE REMITTANCE OF FUNDS. WE SUGGEST 60 DAYS PAST THE COLLECTION OR RECEIPT FROM THE COMPTROLLER'S OFFICE. 2) ALSO TO ADD THE RIGHT TO OBJECT TO ANY FURTHER ANNEXATIONS ON 60 DAYS NOTICE. 3) AND SEE A PROVISION FOR A FUTURE MAP DETAILING WHERE THAT IS.

A MOTION WAS MADE BY COUNCIL MEMBER KRENEK TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FORT BEND COUNTY REGARDING THE CREATION OF ONE OR MORE COUNTY ASSISTANCE DISTRICTS IN VARIOUS PORTIONS OF THE CITY'S EXTRATERRITORIAL JURISDICTION (AMENDING SECTION 3 TO INCLUDE LANGUAGE THAT WITHIN 60 DAYS OF RECEIPT OF PROCEEDS FROM THE COMPTROLLER AND AMENDING SECTION 5 UPON NOTICE OF ANNEXATION THE CITY HAS RIGHT TO OBJECT ON THE SAME TERMS AS UPON CREATION OR CONSENT AND PLUS AN ANNEXATION MAP. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

MOTION PASSES

VI. 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.

UPDATE ON LITIGATION

A MOTION WAS MADE BY COUNCIL MEMBER RIDGE TO CONVENE INTO EXECUTIVE SESSION AT 9:26 P.M. IT WAS SECONDED BY COUNCIL MEMBER KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

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

AT 10:10 P.M. COUNCIL RECONVENED BACK INTO REGULAR SESSION.

NO ACTION WAS TAKEN

VIII. ADJOURNMENT

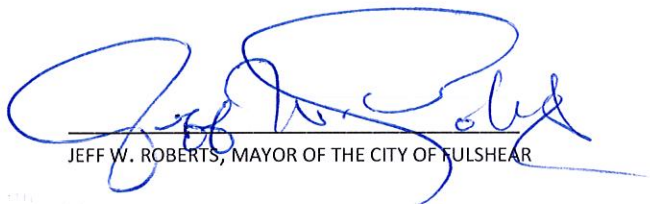
A MOTION WAS MADE BY COUNCIL MEMBER KRENEK TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER RIDGE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: MAYOR PRO TEM TRISTAN

THE MEETING ADJOURNS AT 10:11 P.M.



JEFF W. ROBERTS, MAYOR OF THE CITY OF FULSHEAR

ATTEST:



KIMBERLY KOPECKY, DEPUTY CITY SECRETARY