



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: Tricia Krenek

COUNCIL MEMBER: Stephen Gill

COUNCIL MEMBER: Kaye Kahlich

COUNCIL MEMBER: Lauren Ashley

COUNCIL MEMBER: Jim Fatheree

COUNCIL MEMBER: Dana Hollingsworth

STAFF:

CITY MANAGER: C.J. Snipes

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MEETING MINUTES JULY 18, 2017

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR JEFF W. ROBERTS, TUESDAY, JULY 18, 2017 AT 7:00 P.M. IN THE IRENE STERN COMMUNITY CENTER LOCATED AT 6920 KATY FULSHEAR ROAD, FULSHEAR TEXAS 77447 AND ALL CITIZENS WERE WELCOMED.

II. QUORUM & ROLL CALL

A QUORUM WAS PRESENT. MAYOR ROBERTS STATED THAT ALL OF COUNCIL WAS PRESENT.

COUNCIL MEMBERS PRESENT:

JEFF W. ROBERTS, MAYOR
TRICIA KRENEK, MAYOR PRO TEM
LAUREN ASHLEY, COUNCIL MEMBER
JIM FATHEREE, COUNCIL MEMBER
STEPHEN GILL, COUNCIL MEMBER
DANA HOLLINGSWORTH, COUNCIL MEMBER
KAYE KAHLICH, COUNCIL MEMBER

CITY STAFF:

D. (DIANA) GORDON OFFORD, CITY SECRETARY
C.J. SNIPES, CITY MANAGER
BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING AND DEVELOPMENT
J. GRADY RANDLE, CITY ATTORNEY
ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR

CONT.- CITY STAFF
DAVID LEYENDECKER, CITY ENGINEER
WES VELA, CHIEF FINANCIAL OFFICER
JUDITH ELMASRI, ASST. CITY ATTORNEY
KENNY SEYMOUR, CHIEF OF POLICE

OTHERS:
TREY DEVILLIER
BRYAN THOMAS
MIKE SLAMER
JOHN DOWDALL
JASON CHERUBIN
FRANK & BECKY KNESEK
DEBRA CATES
CAROLYN EDWARDS
ELIZABETH SALLESE
BIJAY ARYAL
JEFF MARTIN
SUZANNE STUBBLEFIELD
DON MCCOY
KAREN MARESH
AND 15 OTHERS WHO DID NOT SIGN IN

III. **INVOCATION – PASTOR DALE OLSON, FAMILY HOPE**

PASTOR OLSON PROVIDED THE PRAYER.

IV. **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 with Liberty and Justice for all.***

MAYOR ROBERTS LED THE AUDIENCE IN THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.

V. **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 THE PLEDGE TO THE TEXAS FLAG.

VI. **PUBLIC HEARINGS – NOTICE OF ANNEXATION**

THE CITY OF FULSHEAR, TEXAS PROPOSES TO INSTITUTE ANNEXATION PROCEEDINGS TO ENLARGE AND EXTEND THE BOUNDARY LIMITS OF THE CITY TO INCLUDE THE FOLLOWING DESCRIBED TERRITORY, TO WIT:

BEING AN 89.25 ACRE TRACT OF LAND OUT OF THE RESTRICTED RESERVE "A" OF THE LAMAR C.I.S.D. HIGH SCHOOL NO. 5 COMPLEX BEING CALLED 124.49 ACRES IN CLERK'S FILE No. 2008129534 AND BEING

SITUATED IN THE ENOCH LATHAM SURVEY, ABSTRACT 50, FORT BEND COUNTY, TEXAS SAID 89.25 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS ATTACHED HERETO AS EXHIBIT "A".

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS WILL CONDUCT A FIRST PUBLIC HEARING ON TUESDAY, JULY 18, 2017 AT 7:00 PM IN THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR RD., FULSHEAR, TEXAS 77441.

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS WILL CONDUCT A SECOND PUBLIC HEARING ON TUESDAY, JULY 18, 2017 AT 7:15 PM IN THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR RD., FULSHEAR, TEXAS 77441.

THE PURPOSE OF THE PUBLIC HEARINGS IS TO RECEIVE INPUT FROM THE PUBLIC ON A PROPOSAL FOR THE CITY OF FULSHEAR, TEXAS TO ANNEX THE ABOVE IDENTIFIED TRACT OF LAND.

AT THE SAID TIMES AND PLACES ALL PERSONS SHALL HAVE THE RIGHT TO BE HEARD. ALL PERSONS DESIRING TO ATTEND THE PUBLIC HEARINGS MAY VIEW THE CITY COUNCIL'S AGENDA TO CONFIRM THE SCHEDULING OF THE HEARINGS. THE AGENDA WILL BE AVAILABLE AT THE FULSHEAR CITY HALL, 30603 FM 1093, FULSHEAR, TEXAS 77441 AT LEAST 72 HOURS PRECEDING EACH HEARING. ALL PERSONS DESIRING TO BE HEARD AT SUCH PUBLIC HEARINGS ARE INVITED TO ATTEND THE HEARINGS.

FIRST PUBLIC HEARING WAS OPENED AT 7:05 P.M. NO COMMENTS WERE RECEIVED FROM THE AUDIENCE. THE FIRST PUBLIC HEARING WAS CLOSED AT 7:06 P.M.

MAYOR ROBERTS CONTINUED THE MEETING AND MOVED FORWARD TO THE CITIZENS' COMMENTS. LOOK THERE FOR THE RESPONSES.

THE SECOND PUBLIC HEARING WAS OPENED AT 7:19 P.M. NO COMMENTS WERE RECEIVED FROM THE AUDIENCE. THE SECOND PUBLIC HEARING WAS CLOSED AT 7:20 P.M.

CITY SECRETARY ANNOUNCED ONE MORE PERSON REQUESTED TO SPEAK UNDER PUBLIC COMMENT, SUZANNE STUBBLEFIELD. SEE RESPONSE UNDER CITIZEN'S COMMENTS.

VII. CITIZEN COMMENTS- NO ACTION CAN BE TAKEN

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 (3) MINUTES EACH.

JOHN DOWDALL- HE STATED HE WAS CONCERNED ABOUT THE VOTES FOR THE EDC CORP A AND B AT THE LAST CITY COUNCIL MEETING. HE STATED THAT THE COUNCIL'S ACTION MAY NOT HAVE BEEN ILLEGAL, THEY WERE, IN HIS OPINION UNETHICAL. HE STATED RESIDENTS WANTED TO BE RULED BY HOME RULE CHARTER AND NOT LOOPHOLES FOUND BY THE ATTORNEYS REGARDING STATE LAW. HE STATED THAT EACH MEMBER OF COUNCIL WHO VOTED TO HAVE STATE LAW SUPERSEDE THE HOME RULE CHARTER SHOULD RESIGN. THE AUDIENCE APPLAUDED. FOR ALL OF HIS COMMENTS, REQUEST A COPY OF TAPE RECORDING.

JASON CHERUBINI- HE STATED THAT INDIVIDUALS MAY QUALIFY TO HOLD A POSITION ON A BOARD BUT WHEN CONCERNING THE PROPOSED ETHICS POLICY BEING CONSIDERED, IT GIVES AN UNFAVORABLE IMPRESSION WHEN THEY SERVE ON THE CHAMBER AND THE EDC BOARD. THE AUDIENCE APPLAUDED. FOR ALL OF HIS COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

BIJAY ARYAL- HE STATED HE WANTED TO SPEAK AS HIS NAME IS MENTION ON ITEM B. HE STATED THAT ETHICS IS VERY IMPORTANT TO HIM. HE STATED THAT IN A LETTER FROM RANDLE LAW FIRM IT STATES HE HAS A CONTRACT WITH THRIVE CHURCH AND MR. ARYAL STATED THIS IS FALSE. HE STATED HE WISHES FOR RANDLE LAW FIRM TO PUT SOMETHING IN WRITING BECAUSE HE HAS NO CONTRACT WITH THRIVE CHURCH. FOR ALL OF HIS COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

MAYOR ROBERTS ANNOUNCED THAT WE WILL NOW MOVE TO THE CONSENT AGENDA.
(GO TO CONSENT AGENDA TO REVIEW THE RESPONSE)

MAYOR ROBERTS ALLOWED MS. STUBBLEFIELD TO SPEAK. SUZANNE STUBBLEFIELD- SHE STATED THAT SHE WANTS TO BRING AWARENESS TO A HISTORICAL CHURCH ON REDBIRD LANE IS FALLING DOWN AND THAT A HISTORICAL MARKER IS THERE AND A CEMETERY IN THE REAR OF THE CHURCH. THE SECOND THING IS AN INFORMATIVE ARTICLE ON FACEBOOK ABOUT HOW TO HANDLE FLOODING. FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING.

VIII. CONSENT AGENDA

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 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 MINUTES FROM THE MEETING OF JUNE 20, 2017
- B. CONSENT AND APPROVAL OF TAMARRON SECTION 29/PRELIMINARY PLAT
- C. CONSENT AND APPROVAL OF CREEK COVE AT CROSS CREEK RANCH SECTION 11/ FINAL PLAT
- D. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 12/ PARTIAL REPLAT NO. 1/ FINAL PLAT
- E. CONSENT AND APPROVAL OF JORDAN RANCH SECTION 14/ PRELIMINARY PLAT
- F. CONSENT AND APPROVAL OF CREEK FALLS DRIVE EXTENSION NO. 2/PRELIMINARY PLAT
- G. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 10/ PRELIMINARY REPLAT
- H. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 11/ PRELIMINARY PLAT
- I. CONSENT AND APPROVAL OF STREET AND UTILITY ACCEPTANCE AND CONVEYANCE AND CONVEYANCE OF SECURITY AGREEMENT FROM MUD 173; CREEK FALLS DRIVE EXTENSION NO. 1

- J. CONSENT AND APPROVAL OF THE SPECIAL WARRANTY DEED (LIFT STATION SITE), STREET AND UTILITY ACCEPTANCE AND CONVEYANCE OF SECURITY AGREEMENT FROM FULSHEAR MUD 1; FULBROOK ON FULSHEAR CREEK SECTION 12
- K. CONSENT AND APPROVAL OF TWELVE (12) MONTH EXTENSION FOR THE FOLLOWING PLATS: TAMARRON SECTION 38/ FINAL PLAT; TAMARRON SECTION 27/ PRELIMINARY PLAT; TAMARRON SECTION 26/ FINAL PLAT; TAMARRON CROSSING SECTION 4/ STREET DEDICATION/ PRELIMINARY PLAT AND TAMARRON CROSSING SECTION 3/ STREET DEDICATION/ FINAL PLAT

COUNCIL MEMBER FATHEREE STATED THAT HE WISHES TO REMOVE HIMSELF FROM ITEMS B AND L AS THERE MAY BE A CONFLICT OF INTEREST. (ALPHABET MIS-QUOTED SHOULD BE B AND K)

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO REMOVE ITEM B AND L FROM THE CONSENT AGENDA. (IT SHOULD BE B AND K AS NO "L" IS ON CONSENT) IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

MOTION PASSES.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE ITEMS A, C-K. (THERE WAS NO "L" ON FINAL CONSENT AGENDA. IT SHOULD HAVE BEEN A, C-J.) IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

COUNCIL MEMBER FATHEREE REMOVED HIMSELF FROM VOTING ON ITEM B AND L. (IT SHOULD BE ITEMS B AND K- NO "L" ON THE AGENDA)

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE ITEMS B AND L. (NO "L" ON THE AGENDA ACTUALLY SHOULD BE ITEMS B AND K). IT WAS SECONDED BY MAYOR PRO TEM KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

RECUSED: COUNCIL MEMBER FATHEREE

MOTION PASSES.

MAYOR ROBERTS ANNOUNCED THAT WE GO BACK TO OUR SECOND PUBLIC HEARING. FOR RESPONSE, REFER BACK TO THE HEARING SECTION.

IX. BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE INTERLOCAL AGREEMENT FOR COST PARTICIPATION BETWEEN THE CITY OF FULSHEAR AND THE HOUSTON GALVESTON AREA COUNCIL FOR THE LIVABLE CENTERS STUDY APPROVAL

BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING AND DEVELOPMENT PRESENTED TO COUNCIL. THIS STUDY WILL LOOK AT A TWO MILE RADIUS FROM ROGERS ROAD/FM 359 BACK SOUTH INTO THE CITY TO IDENTIFY SOME PROJECTS AND/OR ADVANTAGES FOR COMMERCIAL DEVELOPMENT THAT COULD BE BROUGHT INTO THAT AREA. HE STATED THE CITY WOULD ONLY BE RESPONSIBLE FOR PAYING \$38,500 AND THE REST WOULD BE PAID BY H-GAC (HOUSTON GALVESTON AREA COUNCIL). THERE WAS SOME DISCUSSION AMONG THE COUNCIL MEMBERS.

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE INTERLOCAL AGREEMENT FOR COST PARTICIPATION BETWEEN THE CITY OF FULSHEAR AND HOUSTON GALVESTON AREA COUNCIL FOR THE LIVABLE CENTERS STUDY NOT TO EXCEED \$38,500. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

MOTION PASSES.

B. DISCUSSION ON POTENTIAL PROVISIONS FOR INCLUSION OF AN ETHICS ORDINANCE

J. GRADY RANDLE OF RANDLE LAW FIRM (CITY ATTORNEY) PRESENTED THIS ITEM TO THE COUNCIL. MR. RANDLE SPOKE FOR APPROXIMATELY 40 MINUTES. HE STATED IT IS HIS OPINION THAT ANY ETHICS POLICY IS NOT NEEDED AND PRESENTED HIS REASONS WHY. HE DID TELL COUNCIL IF THEY WANTED ONE, HE WOULD DRAW UP A POLICY IF THEY SO DESIRED TO HAVE ONE.

HE ASKED THE QUESTION, "WHY DO WE WANT AN ETHICS POLICY?" HE STATED THIS WILL NOT SOLVE THE LACK OF TRUST ISSUES AMONG THE MEMBERS. HE STATED THIS WILL FURTHER DIVIDE THE TWO GROUPS. MR. RANDLE STATED THAT BIJAY DID NOTHING WRONG AND THERE IS AN APPEARANCE. MR. RANDLE STATED THAT BIJAY HAS NOT BROKEN ANY LAWS. HE STATED THE STATE OF TEXAS ALREADY HAS POLICIES IN PLACE THAT GOVERN ETHICS SUCH AS CONFLICTS OF INTEREST AND DISCLOSURE. HE STATED AN ETHICS POLICY IS NOT GOING TO SOLVE THE ISSUES HERE; IT WILL BE POURING GASOLINE ON THE FIRE IN HIS OPINION. HE STATED HE HAS HEARD THIS SINCE HE GOT HERE IN 2009. HE ASKED THE COUNCIL TO PROVE IT. HE TOLD THEM THERE IS A DIFFERENCE BETWEEN FACT AND ALLEGATIONS. HE CONTINUED TO GIVE THEM THE PROS AND CONS. HE STATED THAT THE POLICY SHOULD INCLUDE A PENALTY CLAUSE IF ADOPTED. FOR ALL COMMENTS, REQUEST A COPY OF TAPE RECORDING. HE ASKED

(REMOVED WORD CONTROVERSIAL PER K. KAHLICH)

COUNCIL IF THEY HAD ANY QUESTIONS. THIS WAS AN/ ISSUE THAT WAS DISCUSSED AMONG COUNCIL FOR APPROXIMATELY 30 MINUTES. EACH COUNCIL MEMBER STATED THEIR PERSONAL OPINION REGARDING A PROPOSED ETHICS POLICY.

FOR ALL THE SPECIFICS REGARDING EACH MEMBER, REQUEST A COPY OF THE TAPE RECORDING.

NO ACTION WAS TAKEN ON THIS ITEM.

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-350 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING AN EX-OFFICIO COMMISSION MEMBER TO THE CITY'S PLANNING AND ZONING COMMISSION

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE RESOLUTION NO. 2017-350 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING AN EX-OFFICIO COMMISSION MEMBER TO THE CITY'S PLANNING AND ZONING COMMISSION. IT WAS SECONDED BY COUNCIL MEMBER FATHEREE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

MOTION PASSES.

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-351 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING/ RE-APPOINTING MEMBERS TO THE CITY'S PARKS AND RECREATION COMMISSION

C. J. SNIPES, CITY MANAGER, PRESENTED TO THE COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPOINT THE FOLLOWING MEMBERS: TRES KENNEDY, PAT MOLLERE, MATTHEW BANISTER, ROBERT RICE AND ROB BAMFORD, AND BILL SWEITIZER. IT WAS SECONDED BY COUNCIL MEMBER FATHEREE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

MOTION PASSES.

E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2017-352 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S HISTORICAL PRESERVATION AND MUSEUM COMMITTEE

C. J. SNIPES, CITY MANAGER, PRESENTED TO THE COUNCIL. MR. SNIPES STATED WE NEED ANOTHER MEMBER IN ORDER TO BREAK A TIE VOTE, IF IT OCCURS. COUNCIL

MEMBER KRENEK STATED WE PASSED RESOLUTION NO. 352 LAST MONTH, SO THIS RESOLUTION NEEDS TO BE RE-NAMED. CITY SECRETARY, D. OFFORD, WILL ADJUST THE RESOLUTIONS TO THE CORRECT NUMBERS.

A MOTION WAS MADE BY COUNCIL MEMBER ASHLEY TO APPROVE RESOLUTION NO. 2017-354 OR WHATEVER NUMBER (CITY SECRETARY WILL ADJUST THE NUMBERS ACCORDINGLY) TO APPROVE ~~RE-APPOINTMENT OF JIM DRY~~ (CORRECTED PER K. KAHLICH) ADDING DANNY CURTIS. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

MOTION PASSES.

X. **EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SEC. 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 THREATENED LITIGATION

SEC. 551.074. PERSONNEL MATTERS; CLOSED MEETING

1) TO DELIBERATE THE EMPLOYMENT, EVALUATION, OR DUTIES, OF A PUBLIC OFFICER OR EMPLOYEE; OR

2) TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE.

REVIEW OF CONTRACT FOR CITY MANAGER

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO ENTER INTO EXECUTIVE SESSION AT 8:42 P.M. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK

NAYS: NONE

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD ENTER INTO EXECUTIVE SESSION AT 8:42 P.M. A QUORUM WAS PRESENT.

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


MAYOR ANNOUNCED THAT COUNCIL WOULD RECONVENE BACK INTO REGULAR SESSION AT 12:35 P.M.

MAYOR PRO TEM KRENEK ANNOUNCED THERE WAS NO ACTION TO BE TAKEN FROM EXECUTIVE SESSION AND MADE A MOTION FOR ADJOURNMENT.

XII. **ADJOURNMENT**

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO ADJOURN AT 12:35 A.M. IT WAS SECONDED BY COUNCIL MEMBER ASHLEY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER ASHLEY, FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KRENEK
NAYS: NONE



JEFF W. ROBERTS, MAYOR

ATTEST:



D. (DIANA) GORDON OFFORD, CITY SECRETARY

