



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: Tommy Kuykendall

COUNCIL MEMBER: Jim Fatheree

COUNCIL MEMBER: Dana Hollingsworth

STAFF:

ACTING CITY MANAGER: Paula Ryan

CITY SECRETARY: D. Gordon Offord

CITY ATTORNEY: J. Grady Randle

SPECIAL CITY COUNCIL MINUTES FEBRUARY 6, 2018

I. OPENING

A. CALL TO ORDER

A SPECIAL CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR, JEFF W. ROBERTS IN THE IRENE STERN CENTER LOCATED AT 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 6:33 P.M.. MAYOR ROBERTS ANNOUNCED ALL COUNCIL MEMBERS ARE PRESENT.

B. QUORUM AND ROLL CALL

COUNCIL MEMBERS PRESENT:

JEFF W. ROBERTS, MAYOR

TRICIA KRENEK, MAYOR PRO TEM

JIM FATHEREE, COUNCIL MEMBER

STEPHEN GILL, COUNCIL MEMBER

DANA HOLLINGSWORTH, COUNCIL MEMBER

KAYE KAHLICH, COUNCIL MEMBER

TOMMY KUYKENDALL, COUNCIL MEMBER

CITY STAFF PRESENT:

DIANA GORDON OFFORD, CITY SECRETARY

J. GRADY RANDLE, CITY ATTORNEY

PAULA RYAN, ACTING CITY MANAGER

BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING & DEVELOPMENT

ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR

SHARON VALIANTE, PUBLIC WORKS DIRECTOR

WES VELA, CHIEF FINANCIAL OFFICER

DAVID LEYENDECKER, CITY ENGINEER

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CONTINUE- CITY STAFF:

KENNY SEYMOUR, CHIEF OF POLICE

OTHERS:

KEVIN KRUEZ

CJ MCDANIELS

ANDREA CAMMACK

CONNIE SEGER

VIOLA RANDLE

CHERRYL FINNEY

RANDY ETHERIDGE

GEORGE GAYLE

CHARLES GARIBAY

KATE JOHNSON PATAGOC

KEVIN WHITE

LINDA WOOTEN

RICK HOLLINGTON

TIMOTHY SIMMS

JEFF & LISA MARTIN

BOB BARDIN

AND 20 OTHERS WHO DID NOT SIGN IN

- II. **CITIZEN'S COMMENTS**-MAYOR ROBERTS EXPLAINED THAT NO CITIZENS' COMMENTS ARE ALLOWED AT SPECIAL MEETINGS BUT STATED HE REQUESTED IT SINCE NO JANUARY MEETING WAS HELD DUE TO THE ICE STORM.

CONNIE SEGER-SHE STATED SHE IS A MEMBER OF THE CEMETERY BOARD AND WANTED COUNCIL TO KNOW THAT THE CEMETERY DID NOT MAKE ANY REQUEST REGARDING THE PROPOSED DEVELOPMENT ON WALLIS STREET. MS. SEGER STATED THAT THE CEMETERY IS PROTECTED UNDER STATE LAWS. (FOR ALL OF THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

- III. **CITY MANAGER'S REPORT**

PAULA RYAN, ACTING CITY MANAGER, ADDRESSED THE COUNCIL TO INFORM THEM THAT THIS WOULD BE HER LAST CITY COUNCIL MEETING AND WOULD BE LEAVING THE CITY 'S EMPLOYMENT AS OF FEBRUARY 16TH AND EXPRESSED HER GRATITUDE FOR BEING A PART OF THIS ORGANIZATION. (FOR ALL OF THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

MAYOR ROBERTS GAVE AN ACCEPTANCE SPEECH TO MS. RYAN REGARDING HER RESIGNATION. (FOR ALL OF THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

- IV. **PUBLIC HEARINGS**

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SPECIAL USE REQUEST- 8050 FM 359 SOUTH

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the second Public Hearing will be held by the Fulshear City Council on February 6, 2018 at 6:30 p.m., the hearing will be held at Irene Stern Community Center located at 6920 Katy Fulshear Rd, Fulshear, Texas. The hearing will allow all interested persons an opportunity to be heard.

The location of the premises in question is in the Downtown District, Block 26 (PT) of the Town of Fulshear, specifically the address is 8050 FM 359 South, Fulshear, Texas 77441.

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Use for Restaurant/Bar.

Specific relief is requested from Section 1-193 (c) (2) (e) which states that the use of eating and drinking places; within the Downtown District is permitted if they are approved in the process outlined in section 1-283.

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/Council.

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 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

THE PUBLIC HEARING WAS OPENED AT 6:49 P.M. BY MAYOR ROBERTS.

REV. JACKIE GILMORE, PASTOR OF GREATER ZACHERY BAPTIST CHURCH, FULSHEAR, TEXAS HAD SEVERAL QUESTIONS. RESPONSES WERE PROVIDED BY VARIOUS CITY STAFF MEMBERS AND MAYOR ROBERTS. (FOR ALL COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

THE PUBLIC HEARING WAS CLOSED AT 6:54 P.M.

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A. PUBLIC HEARING – PLANNED UNIT DEVELOPMENT (PUD) ZONING CHANGE – WALLIS STREET

The City Council of the City of Fulshear hereby gives notice that a Public Hearing shall be held regarding a request from Texana Center, Thrive Church and the City of Fulshear (for property commonly known as the Fulshear Cemetery (a.k.a. Union Chapel Cemetery)) for support of the Proposed Wallis Street PUD (Planned Unit Development).

The land is composed of three parcels located on the west side of Wallis Street south of its intersection with FM 359:

1. Texana Center – 14.44 acres tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acres tract recorded under County Clerk's File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas.
2. Thrive Church – A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerk's file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.
3. Fulshear Cemetery – 9.78 acres of land including six plus acres of the Mexican Land Grant acquired in 1824 the "Old 300" colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851.

Proposed land uses at this time include:

1. Texana Center - a new regional center, to include:
 - a. Administrative and office space.
 - b. Facilities to support autism programs and services.
 - c. "Center for Learning" education facility
 - d. Retail and café facility for jobs skill training.
 - e. Outdoor recreation areas to support above.
 - f. Parking and site landscape development.
2. Thrive Church - a new church campus, to include:
 - a. Worship Center, Education, Youth, Children and Fellowship areas with ancillary support facilities.
 - b. Outdoor recreation facilities.
 - c. Parking and site landscape development.
 - d. Child care/day care services
3. Fulshear Cemetery - continued use for a cemetery and accessory uses.

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Due to the community-service oriented uses desired, existing zoning requirements/allowances, geographic proximity of the three properties, and the common theme of non-profit ownership, a PUD zoning classification is being requested to consider the proposed projects and uses.

The City Council of Fulshear will hold a public hearing on this item as follows:

Date: February 6, 2018

Time: 6:30 p.m.

Place: Irene Stern Community Center, 6920 Katy Fulshear Rd., Fulshear, TX

Interested Parties may appear at the Public Hearing and be heard with respect to the application.

The application may be inspected by the public at Fulshear City Hall Monday through Thursday from 8:00 a.m. -5:00 p.m. and Fridays 8:00 a.m. -3:00 p.m. For more details, contact the City Secretary, D. Gordon Offord at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 (Phone number: 281-346- 1796 x204)

THE PUBLIC HEARING WAS OPENED AT 6:58 P.M. THERE WERE NO PUBLIC COMMENTS. THE PUBLIC HEARING WAS CLOSED AT 6:59 P.M.

V. **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(s) may request one or more items to be removed from the consent agenda for a separate discussion and action.**

- A. **CONSENT AND APPROVAL OF DECEMBER 2017 MONTHLY GENERAL FUND FINANCIAL REPORTS**
- B. **CONSENT AND APPROVAL OF QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2017**
- C. **CONSENT AND APPROVAL OF MINUTES FROM DECEMBER 19, 2017**
- D. **CONSENT AND APPROVAL OF RESOLUTION NO. 2018-375 SETTING SPECIAL EVENT DATES IN THE CITY OF FULSHEAR FOR CALENDAR YEAR 2018**
- E. **CONSENT AND APPROVAL OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR THE MARKET AT CROSS CREEK UTILITY EXTENSIONS**
- F. **CONSENT AND APPROVAL OF CONVEYANCE OF EASEMENTS FOR THE MARKET AT CROSS CREEK UTILITY EXTENSIONS**

COUNCIL MEMBER KUYKENDALL REQUESTED ITEM C PULLED TO BE HANDLED SEPARATELY. MAYOR PRO TEM KRENEK ASKED THAT ITEM D BE PULLED TO BE HANDLED SEPARATELY.

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A MOTION WAS MADE BY COUNCIL MEMBER KUYKENDALL TO APPROVE THE CONSENT AGENDA FOR ITEMS A, B, E, AND F. IT WAS SECONDED BY MAYOR PRO TEM KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION PASSES

ITEM C- COUNCIL MEMBER KUYKENDALL STATED HE WOULD LIKE TO SUGGEST THAT WE AMEND THE MINUTES ON PAGE 3 UNDER CITIZEN'S COMMENTS TO STRIKE THE FIRST TWO SENTENCES OF CITIZEN'S COMMENTS AND REPLACE WITH " JOHN DOWDALL ADDRESSED COUNCIL TO OPPOSE TOMMY KUYKENDALL RE-APPOINTMENT TO COUNCIL."

A MOTION WAS MADE BY COUNCIL MEMBER KUYKENDALL TO REVISE THE COMMENTS MADE BY JOHN DOWDALL UNDER CITIZEN'S COMMENT AND REPLACE WITH THE FOLLOWING WORDING: "JOHN DOWDALL ADDRESSED COUNCIL TO OPPOSE TOMMY KUYKENDALL RE- APPOINTMENT TO COUNCIL". IT WAS SECONDED BY COUNCIL MEMBER GILL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION PASSES

ITEM D-MAYOR PRO TEM KRENEK HAD QUESTIONS REGARDING CHANGING THE DATES FOR THE SPECIAL EVENTS. SHE STATED THE BACK UPDATES WERE INCORRECT

COUNCIL MEMBER KUYKENDALL SUGGESTED THAT THE DATES FOR YEAR 2019 SHOULD ALSO BE INCLUDE IN THE RESOLUTION. HE ALSO SUGGESTED SOME ALERNATE DATES (AND OR RAIN DATES).

MAYOR PRO TEM KRENEK ALSO SUGGESTED SOME ALTERNATE DATES. THE DISCUSSION BETWEEN COUNCIL MEMBER KUYKENDALL AND MAYOR PRO TEM KRENEK CONTINUED. MAYOR ROBERTS INTERRUPTED TO SUGGEST HAVE THE ITEM POSTPONE AND STAFF GET WITH CHAMBERS AND BRING BACK A REVIISED CALENDAR OF EVENTS. (FOR ALL OF THE COMMENTS, REQUEST A COPY OF TAPE RECORDING)

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A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO POSTPONE ITEM D. IT WAS SECONDED BY COUNCIL MEMBER KALICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER FATHEREE, GILL, HOLLINGSWORTH, KALICH, KRENEK, AND KUYKENDALL
NAYS: NONE

VI. BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2018-1267 ORDERING AN ELECTION ON SATURDAY, MAY 5, 2018 IN THE CITY OF FULSHEAR

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE AND ADOPT ORDINANCE NO. 2018-1267 ORDERING AN ELECTION ON SATURDAY, MAY 5, 2018 IN THE CITY OF FULSHEAR SUBJECT TO THE CORRECTION ON THE DATE, APRIL 28TH AND SPANISH SPELLING OF THE WORD "APRIL". IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER FATHEREE, GILL, HOLLINGSWORTH, KALICH, KRENEK, AND KUYKENDALL
NAYS: NONE

MOTION PASSES

B. CONSIDERATION AND POSSIBLE ACTION TO REAFFIRM AND APPROVE 2011 WATER AND SANITARY SEWER EASEMENT AGREEMENT BETWEEN GM EQUITY GROUP, LLC AND THE CITY OF FULSHEAR

MAYOR PRO TEM KRENEK REMOVED HERSELF FROM THE DISCUSSION ON THIS ITEM.

J. GRADY RANDLE, CITY ATTORNEY, STATED THAT AN AGREEMENT WAS REACHED WITH THE GINTERS ON AN EASEMENT TO EXTEND UTILITY LINES TO THEIR PROPERTY. HE (REFERRING TO MR. GINTER) SIGNED THE EASEMENT AND SENT IT TO THE CITY. THE AGREEMENT SLIPPED THROUGH THE CRACKS AS IT WAS NEVER SIGNED BY THE CITY'S OFFICIAL BUT IT DOES NOT AFFECT THE VALIDITY OF THE AGREEMENT. ON THIS DOCUMENT IT IS BEING CHANGED FROM THE PREVIOUS MAYOR TO THE CURRENT MAYOR.

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A MOTION WAS MADE BY COUNCIL MEMBER KUYKENDALL TO REAFFIRM AND APPROVE 2011 WATER SANITARY SEWER EASEMENT AGREEMENT BETWEEN GM EQUITY GROUP, LLC AND THE CITY OF FULSHEAR. IT WAS SECONDED BY COUNCIL MEMBER FATHEREE.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KUYKENDALL

NAYS: NONE

MOTION PASSES

MAYOR PRO TEM KRENEK RETURNED TO HER COUNCIL SEAT.

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SPECIAL USE REQUEST- 8050 FM 359 SOUTH

BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING AND DEVELOPMENT PRESENTED TO THE COUNCIL. HE ALSO INTRODUCED THE OWNER FOR THE RESTAURANT, MANUEL ATENCO. (FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

MR. GARY OPENED THE DOOR TO ANSWER ANY QUESTIONS FROM COUNCIL. THE DISCUSSION AMONG COUNCIL AND MR. GARY WAS APPROXIMATELY 5 MINUTES. (FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE SPECIAL USE REQUEST- 8050 FM 359 SOUTH. IT WAS SECONDED BY MAYOR PRO TEM KRENEK. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

MOTION PASSES

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PLANNED UNIT DEVELOPMENT (PUD) ZONING CHANGE – WALLIS STREET

BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING AND DEVELOPMENT, PRESENTED TO COUNCIL THE PUD PROJECT. THIS PRESENTATION LASTED FOR ONE HOUR WHICH INCLUDED QUESTIONS AND ANSWERS. MR. GARY OUTLINED THE ADMINISTRATIVE AND OFFICE SPACE INCLUDED IN THIS PROJECT, TRAFFIC STUDY, PARKING, LANDSCAPING, AND ETC. AT THE CONCLUSION, MR. GARY STATED STAFF HAS NO

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FORMAL RECOMMENDATIONS AND IF CONSIDER, ANY SPECIFIC CONDITIONS OR MODIFICATIONS SHOULD BE NOTED. (FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO APPROVE PLANNED UNIT DEVELOPMENT (PUD) ZONING CHANGE- WALLIS STREET – ORDINANCE NO. 2018- 1268 SUBJECT TO INCORPORATING ALL THE CHANGES SPECIFIED BY COUNCIL PER MEETING OF2-6-2018 AND TO INCLUDE AN AUTOMATIC REVOKE IF BUILDING PERMITS HAVE NOT BEEN ISSUED TO THE APPLICANT WITHIN A SEVEN (7) YEAR PERIOD STARTING FROM THE DATE OF THE ORDINANCE. IT WAS SECONDED BY COUNCIL MEMBER KALICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER FATHEREE, GILL, HOLLINGSWORTH, KALICH, KRENEK, AND KUYKENDALL
NAYS: NONE

MOTION PASSES

E. CONSIDERATION AND POSSIBLE ACTION WITH PRESENTATION BY VERDUNITY, INC. REGARDING IMPACT OF PAST, PRESENT, AND FUTURE DEVELOPMENT ON REVENUES AND SERVICE COSTS TO THE CITY OF FULSHEAR (TO INCLUDE DEVELOPMENT AGREEMENTS AND REBATE TERMS)

BRANT GARY, EXECUTIVE DIRECTOR OF PLANNING AND DEVELOPMENT, INTRODUCED KEVIN SHEPHERD OF VERDUNITY, INC. MR. SHEPHERD MADE A PRESENTATION TO THE COUNCIL. THE PRESENTATION ITSELF COVERED A PERIOD OF 35-40 MINUTES. THIS PRESENTATION EXPRESSES UNDERSTANDING THE IMPACTS OF DEVELOPMENT DECISION ON REVENUE AND SERVICE COSTS (FUNDING GROWTH VS MAINTENANCE AND OPERATIONS). FOR A COPY OF THE PRESENTATION, SEE THE CITY OF FULSHEAR WEBSITE OR REQUEST A COPY OF THE TAPE RECORDING.

MAYOR PRO TEM KRENEK AND COUNCIL MEMBER KALICH RECOMMENDED THIS INFORMATION BE SHARED WITH MUD BOARDS AND PLACED ON THE CITY'S WEBSITE.

COUNCIL MEMBER KUYKENDALL, MAYOR PRO TEM KRENEK, AND MAYOR ROBERTS THANKED MR. SHEPHERD AND STAFF FOR ALL THEIR HARD WORK IN PUTTING THIS PRESENTATION TOGETHER AND THE AWARENESS BROUGHT TO THE COUNCIL.

NO ACTION WAS TAKEN ON THIS ITEM.

F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE POLO RANCH CONCEPTUAL PLAN

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A REPRESENTATIVE FROM LJA ENGINEERING NAMED TAYLOR PRESENTED TO COUNCIL. HE STATED HE HAS BEEN WORKING WITH LOU WATERS THE DEVELOPER OF THE TRACT AND HAS COMMUNICATED WITH SHARON AND BRANT (CITY OF FULSHEAR STAFF). HE STATED A DEVELOPMENT AGREEMENT WAS APPROVED APPROXIMATELY JUNE OF 2017 AND IN THAT AGREEMENT WAS A CONCEPTUAL PLAN. HE STATED WE ARE NOW UNDERWAY WITH THE FIRST PHASE OF PROJECT CALLED POLO RANCH. HE STATED FOUR PLATS HAS BEEN SUBMITTED TO THE CITY AND THERE IS AN ENTRY BOULEVARD. IT CONTAINS SECTION ONE, TWO AND THREE. HE SHOWED A DIAGRAM OF THE LAYOUT FOR THOSE SECTIONS AND IT CONTAINS A ROUND-ABOUT. HE ASKED COUNCIL IF THEY HAD ANY QUESTIONS. (FOR ALL THE COMMENTS, REQUEST A COPY OF THE TAPE RECORDING)

THERE WERE SEVERAL QUESTIONS FROM THE COUNCIL. MR. TAYLOR RESPONDED.

A MOTION WAS MADE BY COUNCIL MEMBER KUYKENDALL TO APPROVE POLO RANCH CONCEPTUAL PLAN. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION PASSES

MAYOR ROBERTS REQUESTED BEFORE GOING TO ITEM G, A MOTION TO GO INTO EXECUTIVE SESSION. (GO TO ITEM VIII TO SEE RESPONSE)

COUNCIL RECONVENED BACK INTO REGULAR SESSION AT 10:35 AND A QUORUM WAS PRESENT. MAYOR ROBERTS STATED WE WILL NOW MOVE TO ITEM G.

G. CONSIDERATION AND POSSIBLE ACTION TO APPOINT AN ACTING CITY MANGER PER CITY OF FULSHEAR CHARTER SECTION 4.03

A MOTION WAS MADE BY MAYOR PRO TEM KRENEK TO ACCEPT THE RESIGNATION OF ACTING CITY MANAGER, PAULA RYAN WITH AN EFFECTIVE DATE OF 2-16-2018 AND APPOINT CHIEF KENNY SEYMOUR AS ACTING CITY MANAGER EFFECTIVE 2-17-2018. IT WAS SECONDED BY COUNCIL MEMBER KUYKENDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION PASSES

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MAYOR ROBERTS REQUESTED A SECOND EXECUTIVE SESSION FOR SEC. 551.071 OF THE GOVERNMENT CODE TO CONSULT WITH ATTORNEY. (GO TO VII FOR DETAILS)

VII. 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

(C) ACQUIRING PROPERTY; 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

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO ENTER INTO A SECOND EXECUTIVE SESSION IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

MAYOR PRO TEM KRENEK RECUSED HERSELF. A QUORUM WAS STILL PRESENT. MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD ENTER INTO A SECOND EXECUTIVE SESSION AT 10:36 P.M.

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD RECONVENE BACK INTO OPEN SESSION AT 10:57 P.M. AND A QUORUM WAS PRESENT. COUNCIL ANNOUNCED NO ACTION NEEDED TO BE TAKEN FROM EXECUTIVE SESSION. MAYOR REQUESTED A MOTION TO ADJOURN.

VIII. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SECTION 551.074 (PERSONNEL MATTERS) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT...OF THE CITY MANAGER, WITH POSSIBLE DISCUSSION AND ACTION RELATED THERETO IN OPEN SESSION

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UPDATE ON CITY MANAGER SELECTION PROCESS

_____ A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO ENTER INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER KUYKENDALL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

MAYOR ROBERTS ANNOUNCED THAT COUNCIL WOULD ENTER INTO EXECUTIVE SESSION AT 9:45 P.M. AND A QUORUM WAS PRESENT.

COUNCIL RECONVENED BACK INTO REGULAR SESSION AT 10:35 AND A QUORUM WAS PRESENT. (GO TO ITEM G FOR DETAILS)

IX. ADJOURNMENT

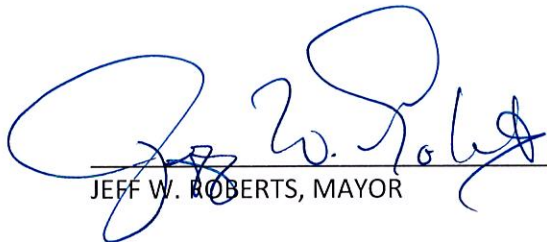
A MOTION WAS MADE BY COUNCIL MEMBER FATHEREE TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER FATHEREE, GILL, HOLLINGSWORTH, KAHLICH, AND KUYKENDALL

NAYS: NONE

RECUSED: MAYOR PRO TEM KRENEK

MAYOR ROBERTS ANNOUNCED THAT WE ARE ADJOURNED AT 10:58 P.M.



JEFF W. ROBERTS, MAYOR

ATTEST:


D. (DIANA) GORDON OFFORD, CITY SECRETARY

