



# 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](http://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: Chief Kenny Seymour    CITY SECRETARY: D. Gordon Offord    CITY ATTORNEY: J. Grady Randle

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## CITY COUNCIL MEETING FEBRUARY 20, 2018

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NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, FEBRUARY 20, 2018 AT 7:00 P.M.** IN IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR RD, FULSHEAR, TEXAS FOR CONSIDERING THE FOLLOWING ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY 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 AND ROLL CALL**

**C. INVOCATION-** Pastor Dale Olson, Family Hope

**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, 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. **CITIZEN'S 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 comments to three (3) minutes.*

III. **CITY MANAGER'S REPORT** – *Briefings or updates may be provided regarding City services, administrative/personnel matters, real estate/development, infrastructure, events, regulations, community and intergovernmental relations issues.*

IV. **PUBLIC HEARINGS**

A. **SPECIAL USE REQUEST- KVPAC/ENCORE**

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on February 9, 2018 at 8:30 a.m., the hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on February 20, 2018 at 7:00 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.

The location of the premises in question is in the Downtown District, 0029 C Fulshear. Acres 4.7409, specifically the address is 7926 FM 359 Rd, 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 Theatre and Art Education.

Specific relief is requested from Section 1-193 (c) (2) (g) which states that the use of office 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.

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 MINUTES FROM JANUARY 9, 2018 AND JANUARY 29, 2018
- B. CONSENT AND APPROVAL OF JANUARY 2018 MONTHLY GENERAL FUND FINANCIAL REPORTS
- C. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 2018-376 ADOPTING THE FORT BEND COUNTY HAZARDOUS MITIGATION PLAN
- D. CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FORT BEND COUNTY FOR THE ADMINISTRATION OF THE MAY 2018 GENERAL ELECTION
- E. CONSENT AND APPROVAL OF RESOLUTION NO. 2018-375 SETTING SPECIAL EVENT DATES IN THE CITY OF FULSHEAR FOR THE YEARS 2018 & 2019
- F. CONSENT AND APPROVAL OF RESOLUTION NO. 2018-378 DESIGNATING SPECIAL EVENTS AS A PUBLIC PURPOSE AND AUTHORIZE EXECUTION OF AGREEMENTS WITH TXDOT
- G. CONSENT AND APPROVAL OF ORDINANCE NO. 2018-1269 TO AMEND ORDINANCE 2001-870 UPDATING SPEED LIMIT ENFORCEMENT, CONSTRUCTION ZONES, COMPLIANCE WITH CITY ORDINANCE AND ANY OTHER APPLICABLE STATE LAW.
- H. CONSENT AND APPROVAL OF ORDINANCE NO. 2018-1270 TO AMEND CHAPTER 32, ARTICLE II, DIVISION 2 OF THE CODE OF ORDINANCES – DEVELOPMENT OF NETWORK NODES IN THE PUBLIC RIGHT OF WAY; AMENDING ORDINANCE 2001-876
- I. CONSENT AND APPROVAL OF THE STREET DEDICATION AND THE UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR CROSS CREEK BEND LANE EXTENSION NO. 10. – MUD 169
- J. CONSENT AND APPROVAL OF THE UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR LIFT STATION NO. 1 UPGRADES - MUD 169.
- K. CONSENT AND APPROVAL OF THE STREET DEDICATION AND THE UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR THE BROOKS AT CROSS CREEK RANCH SECTION 2 – MUD 170.
- L. CONSENT AND APPROVAL OF THE DEDICATION OF A WATER METER EASEMENT FOR KATY ISD.
- M. CONSENT AND APPROVAL OF POLO RANCH BOULEVARD - STREET DEDICATION SECTION I/PRELIMINARY PLAT
- N. CONSENT AND APPROVAL OF POLO RANCH SECTION I/PRELIMINARY PLAT
- O. CONSENT AND APPROVAL OF POLO RANCH SECTION 2/PRELIMINARY PLAT
- P. CONSENT AND APPROVAL OF POLO RANCH SECTION 3/PRELIMINARY PLAT
- Q. CONSENT AND APPROVAL OF RL RODGERS ROAD/PRELIMINARY PLAT
- R. CONSENT AND APPROVAL OF WILLIAMS CENTER FULSHEAR/PRELIMINARY PLAT

- S. CONSENT AND APPROVAL OF CROSS CREEK RANCH WATER PLANT NO. 3/PRELIMINARY PLAT
- T. CONSENT AND APPROVAL OF CC F.M. 1093 TRACT 3/PRELIMINARY PLAT

VI. BUSINESS

- A. PRESENTATION OF PROCLAMATIONS RECOGNIZING BLACK HISTORY MONTH
- B. FULSHEAR POLICE DEPARTMENT END OF YEAR 2017 REPORT AND RACIAL PROFILING REPORT PRESENTATION
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ACQUISITION OF HIGH WATER RESCUE AIRBOAT UTILIZING DONATED FUNDS PER PREVIOUS EMERGENCY MANAGEMENT DIRECTIVES FOLLOWING HURRICANE HARVEY
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-379 AUTHORIZING APPLICATION FOR POLICE BODY CAMERAS AND RELATED PERIPHERALS
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE PURCHASE OF LIVE STREAMING VIDEO SYSTEM
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE FULSHEAR DEVELOPMENT CORPORATION GRANT FOR THE 2018 MISS FULSHEAR PAGEANT
- G. DISCUSSION AND REVIEW OF RFQ RESPONSES FOR MAINTENANCE AND OPERATION OF THE CITY'S WATER AND WASTEWATER SYSTEMS AND CONSIDERATION TO AUTHORIZE STAFF TO NEGOTIATE CONTRACTUAL TERMS FOR THOSE SERVICES
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE 2018-1271 TO ABANDON A 20' ROADWAY EASEMENT IDENTIFIED IN A 2.843-ACRE TRACT (OUT OF THE ORIGINAL P. H. MANAKER CALLED 9.88-ACRE TRACT) LOCATED ON THE EAST SIDE OF FM 359 IN THE 7800-7900 BLOCK AREA.
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE 2018-1272 TO ABANDON A PORTION OF KATY-FULSHEAR ROAD DESCRIBED AS AN 11.31-ACRE TRACT OF LAND LOCATED IN THE A.G. SHARPLESS SURVEY (A-322) AND IN THE M. AUTREY SURVEY (A-100)
- J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1273 AMENDING SECTION 30-69 OF THE FULSHEAR CODE, SETTING OUT SOLID WASTE SERVICE RATES FOR COMMERCIAL CUSTOMERS
- K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR THE KVPAC/ENCORE LOCATED AT 7926 FM 359
- L. CONSIDERATION AND POSSIBLE ACTION REGARDING A POLICY RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION TO THE CITY COUNCIL CONCERNING POSSIBLE CHANGES TO THE PROHIBITED SIGNS SECTION OF THE CITY'S SIGN ORDINANCE
- M. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-381 RELATING TO THE APPOINTMENT OF MEMBERS TO THE HISTORIC PRESERVATION AND MUSEUM COMMITTEE

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

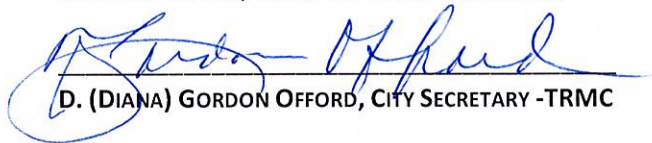
VIII. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SECTION 551.074 (PERSONNEL MATTERS) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT...OF THE CITY MANAGER, WITH POSSIBLE DISCUSSION AND ACTION RELATED THERETO IN OPEN SESSION

UPDATE ON CITY MANAGER SELECTION PROCESS

IX. 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. GORDON 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 FEBRUARY 16, 2018 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. (DIANA) GORDON OFFORD, CITY SECRETARY -TRMC