



**TOWN COUNCIL JOINT PUBLIC
HEARING AND REGULAR MEETING**
Wednesday, September 04, 2024 at 6:00 PM
Fulton Council Chambers, 201 N. 7th Street

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE – U.S. Flag and Texas Flag

OBSERVE A MOMENT OF SILENCE/PRAAYER

CLOSE REGULAR MEETING

OPEN PUBLIC HEARING

- 1.** The purpose of this hearing is to discuss a request by OCB Development LLC for a Rezoning Permit from commercial and R-1 to planned development for the property located at 4131-4159 Hwy 35 N, Fulton, TX 78358.

CLOSE PUBLIC HEARING

OPEN REGULAR MEETING

CITIZENS TO BE HEARD (PUBLIC FORUM)

Public participation is valued and at this time, comments limited to three (3) minutes will be taken from persons who have signed the Speaker's Card located on the table inside the Council Chambers and delivered to the City Secretary before the meeting begins. Written comments received by submission to the City Secretary in person or emailed to citysec@fultontexas.org by 3:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Speaker's Card will have up to three (3) minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 2.** **Discuss/Approve/Disapprove** minutes of the Regular Meeting held on August 21, 2024 and the minutes of the Special Budget Workshop Meeting held on August 26, 2024.

ITEMS FOR CONSIDERATION

3. **Discuss/Approve/Disapprove** the revision to Chapter 5, Compensation of the Town of Fulton Personnel Policy revising the longevity pay cap from \$1,200.00 to \$1,500.00.
4. **Discuss/Approve/Disapprove** candidates for the Texas Municipal League Intergovernmental Risk Pool Board of Trustee Election of Places 11 – 14.

CLOSED SESSION

The Town Council may elect to go into closed session pursuant to Chapter 551, Government Code on any Agenda item where appropriate and particularly Sections 551.071 (consultation with attorney) and 551.074 (personnel matters), Government Code.

OPEN SESSION

Discuss/Approve/Disapprove any and all action necessary with regard to the preceding matter(s).

ANNOUNCEMENTS

5. Mayor's Update.
6. The next Regular Fulton Town Council Meeting will be held Wednesday, September 18, 2024, beginning at 6:00 pm.

EXECUTIVE SESSION - PUBLIC NOTICE is given that the Town Council may elect to go into executive session at any time during the meeting in order to discuss any matters listed on the agenda when authorized by the Open Meetings Act, Chapter 551, Texas Government Code. If the Council elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the Mayor. The Council may deliberate and take action in open session on any issue that may be discussed in executive session.

ADJOURNMENT

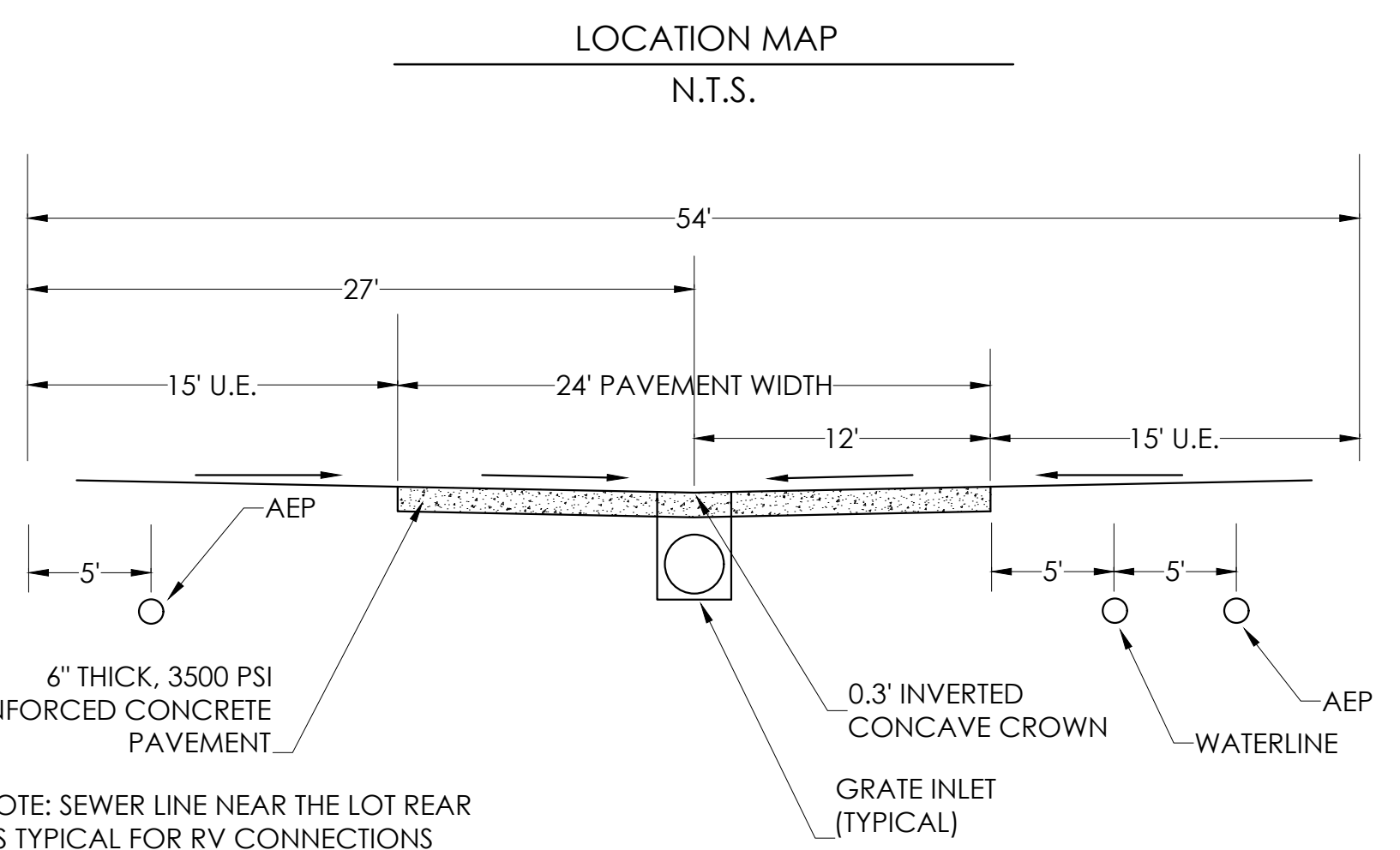
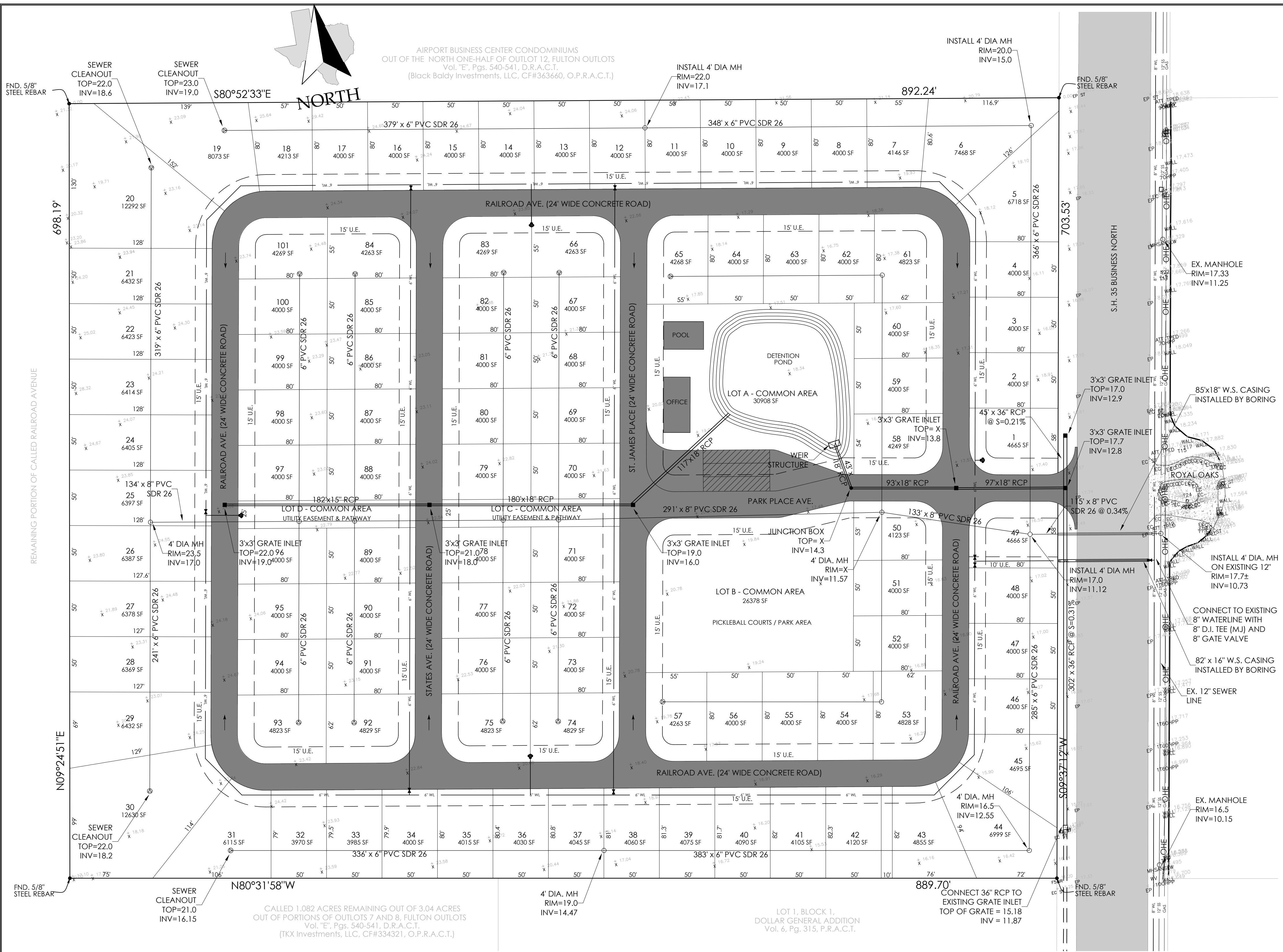
NOTICE

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/729-5533 or by email at citysec@fultontexas.org for further information. Braille Is Not Available. The Town of Fulton reserves the right to convene into Closed Session under Government Code 551.071-551.074 and 551-086.

CERTIFICATION

I certify that the above notice of meeting was posted at Town Hall, 201 N. Seventh Street, Fulton, Texas, on Thursday, August 29, 2024, at 4:00 p.m., and at the U.S. Post Office located at 301 Cactus Street, Fulton, Texas. I further certify that the following News Media were properly notified of this meeting as stated above: The Rockport Pilot.

/S/ Stephanie Garcia, City Secretary



75 50 25 0 50 100
 GRAPHIC SCALE
 1"=50'

FLOOD DATA:
 This is to certify that I have consulted the Federal Flood Hazard Map dated 2-17-16, and found that the property described herein is (or) is not X located in a "Special Flood Hazard Area," Flood Zone "X", Base Elevation N/A, Panel No. 48007/C0235G, Community No. 480012.

PROPERTY ADDRESS
 4131-4159 HWY 35 N, FULTON, TX

ZONING
 PROPERTY IS IN THE TOWN OF FULTON AND IS ZONED C-1 AND R2 - R3

CONCEPTUAL PLAN IS FOR PRELIMINARY REVIEW AND APPROVAL ONLY.
 PLAN IS NOT AUTHORIZED TO BE RECORDED IN THE PLAT RECORDS OF ARANSAS COUNTY.

CONCEPTUAL PLAN PARK PLACE

LEGAL DESCRIPTION

14.335 ACRES OF LAND EMBRACING THE THREE FOLLOWING TRACTS:
 FIRST TRACT: 13.569 ACRES COMPRISING OF THE NORTH ONE-HALF OF OUTLOT 8, ALL OF OUTLOTS 9, 10 AND 11, AND THE SOUTH ONE-HALF OF OUTLOT 12, FULTON OUTLOTS, ARANSAS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME "E", PAGES 540-541, DEED RECORDS OF ARANSAS COUNTY, TEXAS;
 SECOND TRACT: 0.516 ACRES OUT OF THE OLD RAILROAD R.O.W. WEST OF AND ADJACENT TO SAID 13.569 ACRE TRACT; AND
 THIRD TRACT: 0.249 ACRES OUT OF THE OLD RAILROAD R.O.W. WEST OF AND ADJACENT TO SAID 13.569 ACRE TRACT AND SAID TRACTS BEING DESCRIBED IN A DOCUMENT OF RECORD UNDER CLERKS FILE NUMBER 402904, OFFICIAL PUBLIC RECORDS OF ARANSAS COUNTY, TEXAS.

- NOTES:
- DEVELOPER IS PROPOSING 101 RV FEE SIMPLE LOTS AND 4 COMMON AREA AMENITIES LOTS.
 - EACH LOT WILL HAVE AN 18' WIDE BY 65' LONG CONCRETE PAD FOR RV AND TOW VEHICLE PARKING.
 - NEW STREET WILL BE PRIVATE.
 - EACH LOT WILL HAVE AN INDIVIDUAL PUBLIC WATER METER.



PRELIMINARY PLAT / CONCEPT

PARK PLACE TOWN OF FULTON, TEXAS			
DATE	FILE NAME	REVISION NUMBER	SHEET NUMBER
08/16/24	shandley_basefile2.dwg	XX	001
JOB NUMBER	ENGINEER	SCALE	
20240424B	F-8138	1"=50'	

TOWN OF FULTON
201 N. 7th Street
Fulton, TX 78358
(361) 463-1387

ZONING AND LAND DEVELOPMENT APPLICATION

INSTRUCTIONS: Please fill out completely. If more space is needed, attach additional page.

A. REQUESTING: _____ Rezoning
_____ Special Permit
 Planned Unit Development (P.U.D.) by Special Permit _____
PD

B. ADDRESS OF PROPERTY:
TRACT 1: 4131-4159 HWY 35 N
TRACT 2: 4139-4159R HWY 35 N
_____ Fulton, Texas 78358

C. CURRENT ZONING OF PROPERTY: COMMERCIAL & R1

D. PRESENT USE OF PROPERTY: UNIMPROVED

E. ZONING DISTRICT REQUESTED: P.U.D.

F. SPECIAL USE REQUESTED: P.U.D.

G. LEGAL DESCRIPTION: (Fill in the one that applies)

TRACT 1: FULTON OUTLOTS, LOT N/2 OF 8 ALL OF 9 THRU 11 & S/2 OF 12 - WEST OF HWY 35 (13.5634 ACRES)

TRACT 2: RAILROAD RESERVE, ACRES 0.765, W OF & ADJ TO N/2 OF OL 8, ALL OF OL 9-11 & S/2 OF 12
(Addition as platted and recorded in the records of Aransas County, Texas)

(Survey as per metes ad bounds)

H. NAME OF PROPOSED DEVELOPMENT: PARK PLACE
(If applicable)

I. TOTAL ACREAGE OR SQ. FT OF SITE (S): 14.3284 ACRES

J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT: (Be specific)

THE DEVELOPMENT IS PRIVATELY OWNED RV LOTS THAT ARE BETWEEN 4,000 AND 5,000 SQUARE FEET

K. OWNER'S NAME: OCB DEVELOPMENT LLC Darrin Shandley 979-417-8021
Address 4570 Hwy 35 N
City ROCKPORT State TX Zip 78382-7683

L. LIST OF REQUIRED DOCUMENTS: (Must have before application will be accepted)

- Plat of property
- Site plan
- Development plan
- Proof of property ownership

M. FILING FEE:

- Rezoning \$150.00 + \$10 per acre
- Planned Unit Development \$200.00 + \$10 per acre
- PUD Revision \$200.00 + \$10 per acre
- Special Permit \$150.00 + \$10 per acre

Submit application, required documents and filing fee to Building Codes Supervisor.
Town of Fulton * 201 N. 7th Street * Fulton, TX 78358
361.729.5533

FOR OFFICE USE ONLY

Date: 8-12-24 Received by: J. Davis Fees paid:

Submitted Information: Accepted Rejected By: _____

If rejected, why: _____

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709



**Certificate of Formation
Limited Liability Company**

**Filed in the Office of the
Secretary of State of Texas
Filing #: 805343635 12/18/2023
Document #: 1315124980002
Image Generated Electronically
for Web Filing**

Filing Fee: \$300

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

OCB Development, LLC.

Article 2 – Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

R Dias Construction LLC

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

C. The business address of the registered agent and the registered office address is:

**Street Address:
4570 Highway 35 N Rockport TX 78382-78382**

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Managing Member 1: **Richard Dias** Title: **Managing Member**

Address: **4570 Highway 35 N Rockport TX, USA 78382-78382**

Managing Member 2: **Darrin Shandley** Title: **Managing Member**

Address: **4570 Highway 35 N Rockport TX, USA 78382-78382**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Initial Mailing Address

Address to be used by the Comptroller of Public Accounts for purposes of sending tax information.

The initial mailing address of the filing entity is:

**4570 Highway 35 N
Rockport, TX 78382
USA**

Organizer

The name and address of the organizer are set forth below.

Darrin Shandley 4570 Highway 35 N, Rockport, TX 78382

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is: **December 19, 2023**

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Darrin Shandley

Signature of Organizer

FILING OFFICE COPY

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

WARRANTY DEED WITH VENDOR'S LIEN

DATE: January 8, 2024

GRANTOR: 3T Investments Properties, LLC – Series Fulton (see exhibit attached)

GRANTOR'S MAILING ADDRESS:

3T Investments Properties, LLC
8728 FM 23 W.
Rusk, TX 75785

GRANTEE: OCB Development, LLC

GRANTEE'S MAILING ADDRESS:

OCB Development, LLC
4570 Hwy 35 N
Rockport, Texas 78381

PROPERTY (legal description):

FIRST TRACT: BEING 13.569 ACRES OR 591,084 SQUARE FEET OF LAND COMPRISING THE NORTH ONE-HALF (N/2) OF OUTLOT EIGHT (8), ALL OF OUTLOTS NINE (9), TEN (10), AND ELEVEN (11), THE SOUTH ONE-HALF (S/2) OF OUTLOT TWELVE (12), FULTON OUTLOTS, AND BEING SITUATED WEST OF TEXAS HIGHWAY NO. 35 BUSINESS ROUTE, ALL SHOWN BY PLAT OF RECORD IN VOLUME "E", PAGES 540-541, DEED RECORDS OF ARANSAS COUNTY, TEXAS, AND BEING THAT SAME PROPERTY DESCRIBED AS 13.5634 ACRES CONVEYED TO PRISCILLA C. WILKERSON, ET AL UNDER CLERK'S FILE NO. 229725, PROPERTY RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 13.569 ACRES BEING MORE PARTICULARLY V DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a 5/8" steel rebar found at the intersection of the West R.O.W. line of Texas State Highway No. 35 Business Route with the common line of the North one-half of Outlot 8 and the South one-half of Outlot 8 and being the North line of that property conveyed to Delfil, Inc, called 3.04 acres under Clerk's File No. 225309, Property Records of Aransas County, Texas, with said 5/8" steel rebar being the SOUTHEAST corner and PLACE OF BEGINNING of this survey;

THENCE, North 79°39'10" West along and with the common North line of said Delfil, Inc. 3.04 acres and South line of Wilkerson Tract a distance of 843.47 feet to a 5/8" steel rebar found in the East R.O.W. line of Railroad Avenue as shown on the map of Fulton Townsite recorded in

Volume "E", Pages 540-541, Deed Records of Aransas County, Texas, and being the SOUTHWEST corner of this survey;

THENCE, North 10°31'50" East along and with the East R.O.W. line of said Railroad Avenue a distance of 698.49 feet to a 5/8" steel rebar found on the common line of the North line of said Wilkerson Tract with the South line of the North one-half of Outlot 12 conveyed to J. L. Stewart, et ux, under Volume 184, Page 131, Deed Records of Aransas County, Texas, and being the NORTHWEST corner of this survey;

THENCE, South 79°59'45" East along and with the South line of said Stewart Tract and North line of said Wilkerson Tract a distance of 843.04 feet to a 5/8" steel rebar found on the West R.O.W. line of Texas State Highway No. 35 Business Route for the NORTHEAST corner of this survey;

THENCE, South 10°30'00" West along and with the West R.O.W. line of said Texas State Highway No. 35 Business Route a distance of 703.53 feet to the PLACE OF BEGINNING and containing 13.569 acres or 591,084 square feet of land, more or less.

SECOND TRACT: BEING 0.516 ACRES OF LAND OUT OF THE OLD RAILROAD R.O.W. WEST OF AND ADJACENT TO THE NORTH ONE-HALF (N 1/2) OF OUTLOT NO. EIGHT (8), ALL OF OUTLOT NOS. NINE (9), TEN (10) AND ELEVEN (11). AND THE SOUTH ONE-HALF (S 1/2) OF OUTLOT NO. TWELVE (12), OF THE FULTON OUTLOTS, ACCORDING TO THE MAP RECORDED IN VOLUME "E", PAGES 540 AND 541, DEED RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.516 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a 5/8" steel rebar found in the East R.O.W. line of Railroad Avenue and being the Southwest corner of the North one-half said Outlot No. 8 and being the SOUTHERLY corner and PLACE OF BEGINNING of this survey;

THENCE, North 10°31'50" East along and with the East R.O.W. line of Railroad Avenue and the West boundary line of North one-half of Outlot No. 8 and all of Outlot Nos. 9, 10, 11 and the South one-half of Outlot No. 12, a distance of 698.49 feet to a 5/8" steel rebar found for the Southwest corner of the North one-half said Outlot No. 12 as conveyed to J. L. Stewart, et ux, by Deed Recorded in Volume 184, Page 131, Deed Records of Aransas County, Texas, and being the NORTHEAST corner of this survey;

THENCE, North 79°59'45" West along and with the Westerly projection of the South boundary of said North one-half of Outlot No. 12, a distance of 49.2 feet to a 5/8" steel rebar set in the East boundary of a 2.312 acre tract known as Tract No. 7 portion of Old San Antonio and Aransas Pass Railroad purchased by Mortex Corporation from Steve Paul by special Warranty Deed dated July 30, 1938, in Volume S-2, pages 594 and 595, Deed Records of Aransas County, Texas, and being the NORTHWEST corner of this survey;

THENCE, South $10^{\circ}17'13''$ West along and with the East boundary of said 2.312 acre tract a distance of 228.13 feet to a $5/8''$ steel rebar set for the North corner of a 0.249 acre described this date and being an EXTERIOR corner of this survey;

THENCE, South $04^{\circ}40'14''$ West along and with an old meandering fence line a distance of 472.38 feet to the PLACE OF BEGINNING and containing 0.516 acres or 22,455 square feet of land more or less.

THIRD TRACT: BEING 0.249 ACRES OF LAND OUT OF THAT PORTION OF RAILROAD AVENUE LYING WEST OF AND ADJACENT TO THE NORTH ONE-HALF (N 1/2) OF OUTLOT NO. EIGHT (8), ALL OF OUTLOT NOS. NINE (9), TEN (10) AND ELEVEN (11), AND THE SOUTH ONE-HALF (S 1/2) OF OUTLOT NO. EIGHT (8), OF THE FULTON OUTLOTS, ACCORDING TO THE MAP RECORDED IN VOLUME "E", PAGES 540 AND 541, DEED RECORDS OF ARANSAS COUNTY, TEXAS, WITH SAID 0.249 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN at a $5/8''$ steel rebar found in the East R.O.W. line of Railroad Avenue and being the Southwest corner of the North one-half of Outlot Lot No. 8, of said Fulton Outlots, and being the SOUTHEAST corner and PLACE OF BEGINNING of this survey;

THENCE, North $79^{\circ}39'10''$ West along and with the Westerly projection of the South boundary of said North one-half of Outlot No. 8 a distance of 46.23 feet to a $5/8''$ steel rebar set in the East boundary of a 2.312 acre tract called Tract No. 7 and being a portion of Old San Antonio and Aransas Pass Railroad purchased by Mortex Corporation from Steve Paul by special Warranty Deed dated July 30, 1938, in Volume S-2, Pages 594 and 595, Deed Records of Aransas County, Texas, and being the SOUTHWEST corner of this survey;

THENCE, North $10^{\circ}17'13''$ East along and with the East boundary of said 2.312 acre tract a distance of 470.06 feet to a $5/8''$ steel rebar set in an old meandering fence line and being the NORTHERLY corner of this survey;

THENCE, South $04^{\circ}40'14''$ West along and with the meanders of said old fence line a distance of 472.38 feet to the PLACE OF BEGINNING and containing 0.249 acres or 10,865 square feet of land more or less.

CONSIDERATION:

This conveyance is made for the following consideration, the receipt and sufficiency of which is acknowledged:

First-lien Note: Grantee's execution of a promissory note in the amount of \$488,250.00, payable to the order of Charter Bank and Grantee's execution of a deed of trust securing said note to Sid Ridlehuber as trustee, both of which were executed this same date.

VENDOR'S LIEN AND SUPERIOR TITLE:

Charter Bank having paid a portion of the purchase price as is represented by the First Lien Note, and such payment being made at the request of Grantee, the superior vendor's lien

and superior title to the Property are retained for the benefit of and are hereby transferred to Charter Bank.

RESERVATIONS FROM CONVEYANCE: NONE

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made subject to the following exceptions:

Liens described or referenced above relating to the Consideration;

Valid and enforceable easements and prescriptive rights of record or which are open and obvious;

Valid and enforceable matters of record, including restrictions, reservations of interest, covenants, conditions, leases (including but not limited to oil, gas and mineral leases), reservations or conveyances of water interests, and any other instruments (other than a conveyance of a fee estate in the surface) affecting the Property;

Standby fees, taxes, and assessments of any taxing authority for the current year and subsequent years; and

Taxes and assessments for prior years of any taxing authority due to a change in land ownership or usage, payment of which Grantee assumes and agrees to pay.

CONVEYANCE:

For the consideration stated above, the receipt and sufficiency of which is acknowledged, Grantor grants, sells and conveys the Property, together with all and singular any improvements, rights and appurtenances belonging thereto, to Grantee and Grantee's heirs and assigns, TO HAVE AND TO HOLD FOREVER. This conveyance, however, is made subject to all Exceptions and Reservations stated herein.

Grantor assigns to Grantee all funds, if any, on deposit for payment of property taxes and insurance premiums due or coming due against the property.

WARRANTY:

Except for the Reservations and Exceptions stated above, Grantor binds Grantor and Grantor's heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular title to the Property for the benefit of Grantee and Grantee's heirs, executors and assigns, against any and all claims of every person lawfully claiming or to claim the Property or any part thereof.

(Remainder of this page left intentionally blank)

3T Investments Properties, LLC -Series Fulton

**By: 3T Investments Partnership, LP, manager of
3T Investments Properties, LLC**

**By: 3T Investments Management, LLC, general
partner of 3T Investments Partnership**

Douglas Hilton Hassell, Jr.
**Douglas Hilton Hassell, Jr., Manager of 3T
Investments Management, LLC**

ACKNOWLEDGMENT

STATE OF TEXAS

§

§

COUNTY OF CHEROKEE

§

This instrument was acknowledged before me on January 9, 2024, by Douglas Hilton Hassell, Jr., a manager of 3T Investments Management, LLC on behalf of 3T Investments Properties, LLC, a limited liability company.



Sonia McAnally
Notary Public, State of Texas

PREPARED BY:

Law Office of Cliff Williams PLLC
215 E. Commerce St.
Jacksonville, TX 75766

AFTER RECORDING RETURN TO:

Attorney's Title of Cherokee County
215 E Commerce St.
Jacksonville, Texas 75766



TOWN COUNCIL REGULAR MEETING

Wednesday, August 21, 2024 at 6:00 PM
Fulton Council Chambers, 201 N. 7th Street

MINUTES

CALL TO ORDER

PRESENT

Mayor Kelli Cole
Mayor Pro Tem Robert Loflin
Place 2 Chris Garis Place
Place 3 MaryAnn Pahmiyer
Place 4 Margo Nielsen
Place 5 Laura McCorkle

STAFF PRESENT

Stephanie Garcia, City Secretary
Alyssa Hendricks, Administrative Assistant
Hal George, Town Attorney
Steven Robertson, Comptroller
Robert Brake, Police Officer

Mayor Cole called the meeting to order at 6:01 p.m.

PLEDGE OF ALLEGIANCE – U.S. Flag and Texas Flag

Mayor Cole led everyone in the pledges.

OBSERVE A MOMENT OF SILENCE/PRAAYER

Mayor Cole led everyone in a moment of silence.

CITIZENS TO BE HEARD (PUBLIC FORUM)

Public participation is valued and at this time, comments limited to three (3) minutes will be taken from persons who have signed the Speaker's Card located on the table inside the Council Chambers and delivered to the City Secretary before the meeting begins. Written comments received by submission to the City Secretary in person or emailed to citysec@fultontexas.org by 3:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Speaker's Card will have up to three (3) minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Mary Clare Kane addressed the Council regarding high grass on the vacant lot near Seven Palms.

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. **Discuss/Approve/Disapprove** minutes of the Regular Meeting held on August 7, 2024.
2. **Discuss/Approve/Disapprove** the July 2024 financials.

Motion made by Place 2 Garis, Seconded by Mayor Pro Tem Loflin to approve the Consent Agenda items as presented.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

ITEMS FOR CONSIDERATION

3. **Discuss/Approve/Disapprove** the proposed 2024 - 2025 Fiscal Year Tax Rate of .250843/\$100.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to table Item 3 until later in the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

Mayor read the proposed tax rate and asked Steven Robertson, Comptroller to discuss. Mr. Robertson asked for any questions and informed the Council of last year's rate of 0.266875. Alderwoman McCorkle inquired as to why the rate was lower. Mr. Robertson gave an explanation regarding the lower Voter Approval Rate versus the No-New Revenue Rate. He again formed the Council that the Town is proposing the Voter Approval Rate of 0.250843. Alderwoman Pahmiyer asked for the three rates that would be available for the 2024 – 2025 fiscal year. Mr. Robertson explained the rates and noted that due to tax laws the Town cannot use the No-New-Revenue rate.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to approve the proposed 2024 - 2025 Fiscal Year Tax Rate of .250843/\$100.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

4. **Discuss/Approve/Disapprove** scheduling a public hearing on the proposed Fiscal Year 2024 - 2025 Budget: **September 9, 2024.**

Mayor Cole read the item and there were no questions or comments.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 5 McCorkle to approve the scheduling a public hearing on the proposed Fiscal Year 2024 - 2025 Budget: September 9, 2024.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

5. **Discuss/Approve/Disapprove** scheduling a public hearing to adopt the Fiscal Year 2024 - 2025 Budget and Tax Rate: **September 9, 2024.**

Mayor Cole read the item and there were no questions or comments.

Motion made by Place 2 Garis, Seconded by Place 4 Nielsen to approve the scheduling a public hearing to adopt the Fiscal Year 2024 - 2025 Budget and Tax Rate: September 9, 2024..

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

6. **Discuss/Approve/Disapprove** the Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Tax in 2024-2025 Between County of Aransas, Texas, and the Town of Fulton, Texas.

Mayor Cole read the item, and it was noted that the only change was the dates of the agreement.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to approve the Interlocal Cooperation Agreement for Tax Assessment and Collection of Property Tax in 2024-2025 Between County of Aransas, Texas, and the Town of Fulton, Texas.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

7. **Discuss/Approve/Disapprove** the renewal of the Texas Municipal League Intergovernmental Risk Pool insurance for the Town of Fulton.

Mayor Cole read the item and noted that the rates remained the same.

Motion made by Place 5 McCorkle, Seconded by Place 4 Nielsen to approve the renewal of the Texas Municipal League Intergovernmental Risk Pool insurance for the Town of Fulton.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

CLOSED SESSION

The Town Council may elect to go into closed session pursuant to Chapter 551, Government Code on any Agenda item where appropriate and particularly Sections 551.071 (consultation with attorney) and 551.074 (personnel matters), Government Code.

The Council did not convene into Closed Session.

OPEN SESSION

Discuss/Approve/Disapprove any and all action necessary with regard to the preceding matter(s).

ANNOUNCEMENTS

8. Mayor's Update.

Maintenance – Mayor Cole informed the Council that the maintenance team has been working the stabilization of Fulton Beach Road to prevent erosion. They have also been cutting dangerous rebar that was left in the stabilization materials. She also noted that after last storm the Town spent approximately \$70K to repair the part of Fulton Beach Road that washed out. The maintenance department has also acquired two new large mowers.

Police Department – Officer Brake informed the Council that the traffic control during the first week of school went well and continues to go well.

9. The next Joint Public Hearing and Regular Fulton Town Council Meeting will be held Wednesday, September 4, 2024, beginning at 6:00 pm.

Mayor Cole announced the next meeting date and time.

ADJOURNMENT

There being no further business, Mayor Cole entertained a motion to adjourn.

Motion made by Mayor Pro Tem Loflin, Seconded by Place 2 Garis to adjourn the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 2 Garis, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

The meeting was adjourned at 6:19 a.m.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary



**TOWN COUNCIL SPECIAL MEETING -
BUDGET WORKSHOP**
Monday, August 26, 2024 at 9:00 AM
Fulton Council Chambers, 201 N. 7th Street

MINUTES

CALL TO ORDER

PRESENT

Mayor Kelli Cole
 Mayor Pro Tem Robert Loflin
 Place 3 MaryAnn Pahmiyer
 Place 4 Margo Nielsen
 Place 5 Laura McCorkle

ABSENT

Place 2 Chris Garis Place

STAFF PRSENT

Stephanie Garcia, City Secretary
 Ty Gerstenberger, Police Chief
 Matt Olenick, Director of Operations
 Alyssa Hendricks, Administrative Assistant
 Steven Robertson, Comptroller
 Ashley Sloan, Bookkeeper
 Sherry Myers, Pier Manager
 Melissa Pina, Coordinator

Mayor Cole called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE – U.S. Flag and Texas Flag

Mayor Cole led everyone in the pledges.

OBSERVE A MOMENT OF SILENCE/PRAYER

Mayor Cole led everyone in a moment of silence.

CITIZENS TO BE HEARD (PUBLIC FORUM)

Public participation is valued and at this time, comments limited to three (3) minutes will be taken from persons who have signed the Speaker's Card located on the table inside the Council Chambers and delivered to the City Secretary before the meeting begins. Written comments received by submission to the City Secretary in person or emailed to citysec@fultontexas.org by 3:00 p.m. on the day of the meeting, on any subject matter that is not on the agenda, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Speaker's Card will have up to three (3) minutes to speak. In accordance with the Open Meetings Act, Council may not

discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

No one came forward.

ITEMS FOR CONSIDERATION

- 1. Presentations and general discussion of Hotel Occupancy Tax (HOT) fund request from the Rockport-Fulton Chamber of Commerce.

Mayor Cole read the item. Shelly Stuart and Alyssa Massingill introduced themselves and began with a discussion of the changes at the Rockport-Fulton Chamber of Commerce. The City of Rockport will no longer contribute to advertising; however, they have asked the Chamber for a six-month extension to their contract. The Chamber will be focusing on their visitor center. Mrs. Stuart informed the Council that the Chamber does still require our support to continue running the visitor center and provided the Mayor with an updated financial plan. Alderwoman Nielsen inquired as to whether the Chamber will still act as the chamber. Mrs. Stuart addressed her question.

- 2. Presentations and general discussion of Hotel Occupancy Tax (HOT) fund request from the Aransas County Council on Aging.

Mayor Cole read the item. MaryEllen Nies introduced herself as the Executive Director and informed the Council that the bountiful bowl event is their main fund raiser. She indicated that they have someone helping them with the advertising. The advertising primarily consists of email, print and website. The Council of Aging organization is requesting \$2500 this year. The event will be held at the Presbyterian Church on February 1, 2025.

- 3. Presentations and general discussion of Hotel Occupancy Tax (HOT) fund request from the Texas Maritime Museum.

Mayor Cole read the item. Mike Ables introduced himself as Executive Director and began his discussion regarding their request and the draw of the public to the Maritime Museum throughout the year. Mr. Ables shared with the Council that they are enhancing and revitalizing the museum and indicated the ongoing need for the hotel motel funds received from the Town of Fulton.

- 4. Presentations and general discussion of Hotel Occupancy Tax (HOT) fund request from the Friends of Fulton Mansion.

Mayor Cole read the item and noted there was not a representative in attendance.

- 5. Presentation and general discussion of proposed FY 2024-25 Budget.

Mayor Cole began by asking the Town's Comptroller, Steven Robertson, to begin the presentation. Mr. Robertson suggested beginning with the hotel motel fund due to the recipients being in the audience.

Hotel/Motel – Mr. Robertson noted that there was a minimal downturn in revenues compared to the last three years. He indicated that advertising and promotion paid for by the Town will

increase, chamber funding has been reduced slightly to reflect the collections, and there have been repairs made to the schoolhouse this year. Mr. Robertson shared that due to a new statute ten percent of funds may be used on park maintenance. It was noted there is a new transfer to visitor center/pier fund. Alderwoman Pahmiyer inquired as to what will be done at the Visitor Information Center. Mayor Cole and Mr. Robertson addressed the question. Mayor Cole informed the council that they spoke to Melissa Pina regarding in-house advertising. The Mayor also discussed the City of Rockport's marketing plan and informed the Council that no one from the City of Rockport has spoken to her regarding joining them in their advertising campaign. There was discussion regarding the funding for the visitor center.

Mr. Robertson referenced page one of the budget regarding the estimated totals for the fiscal year 2024 – 2025. He noted the proposed voter-approval rate of 0.250843 and discussed the values regarding the freeze adjusted rates. The average taxpayer's taxes should decrease by \$110. Mayor Cole noted that the no-new-revenue rate is higher than the voter-approval rate; however, it does not trigger an election because the Town is not seeking a rate more than the voter-approval rate.

General Fund – Mr. Robertson indicated that the sales tax has experienced a downturn this year; however, the Town budgeted for that. He further discussed that the franchise fees increased, the building permits, and inspection fees. He suggested that the tower lease should be reviewed, and the Town has done well with interest this year. He continued to review the items in the general fund. He noted that the Town still has not received updated information for the dispatch costs and there will be a two percent cost of living raise for the employees.

Debt Service – Mr. Robertson asked for any questions. Alderman Loflin inquired as to whether the current debt will be paid this year. Mr. Robertson indicated that it will mature in 2025 and the Town will most likely be considering issue debt mid-2025.

Police Department – Alderwoman McCorkle inquired regarding the fines and fees being proposed at less than last year. Mr. Robertson and Chief Gerstenberger addressed the question. There was further discussion regarding the funding of the police department, and the vehicle repairs and maintenance fund being increased.

Sewer – Mr. Robertson indicated that the Town has not raised sewer rates and will not need to in the near future.

Convention Center – Mr. Robertson noted that Ms. Pina's numbers came in very close to what was predicted. He reviewed the increases in maintenance wages, and informed the Council that there were no other large changes. Ms. Pina mentioned the concrete flooring does not seem to be holding up well. There was discussion about installation and information that has been received in the past regarding repair and maintenance.

Pier – Mr. Robertson shared with the Council that there is a need to increase repairs and maintenance due to storms damaging the pier. He reviewed the items within the fund. Alderwoman McCorkle inquired regarding the decline in pole fees. Pier Manager, Sherry Hudson, addressed her questions. There was also a discussion regarding tourism being down in general, and merchandise to be sold at the Visitor Center.

CLOSED SESSION

The Town Council may elect to go into closed session pursuant to Chapter 551, Government Code on any Agenda item where appropriate and particularly Sections 551.071 (consultation with attorney) and 551.074 (personnel matters), Government Code.

The Council did not convene into Closed Session.

OPEN SESSION

Discuss/Approve/Disapprove any and all action necessary with regard to the preceding matter(s).

ADJOURNMENT

There being no further business, Mayor Cole entertained a motion to adjourn.

Motion made by Place 5 McCorkle, Seconded by Place 3 Pahmiyer to adjourn the meeting.

Voting Yea: Mayor Pro Tem Loflin, Place 3 Pahmiyer, Place 4 Nielsen, Place 5 McCorkle

The meeting was adjourned at 10:04 a.m.

Kelli Cole, Mayor

Stephanie Garcia, City Secretary

OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 11 – 14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2024. Ballots received after September 30, 2024, cannot be counted. **The ballot must be properly signed, and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P.O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.**

PLACE 11

- Randy Criswell.** (Incumbent) Randy Criswell is currently the City Manager of Wolfforth (Region 3), a position he's held since 2022. He has served on the TML Risk Pool Board of Trustees since 2015 and as Chair of the Board from 2020 to 2022. He has been in public service since 1994, having served the City of Canyon in three administrative roles including City Manager, the City of Mineral Wells as City Manager, and his current position. Mr. Criswell has a Bachelor of Science Degree from Texas Tech University in Engineering Technology and is a Certified Public Manager. He is a member of TCMA and a past member of the TCMA Board of Directors. He and his wife Janie have three grown children, and he enjoys golf, his Harley Davidson motorcycle, and spending time with Janie.

- Robert S. Davis.** Robert Davis serves as the City Attorney for the City of Bullard (Region 15). He is a Senior Partner at Flowers Davis PLLC in Tyler and oversees the Business and Commercial Litigation, Insurance Defense, Defense of Governmental Entities, Employment Law, and Medical Liability Sections of the law firm. Mr. Davis has extensive experience in representing governmental entities and government officials in all types of litigation. He also has extensive experience in litigation for major insurance carriers and drafting coverage opinions for insurance carriers. Through the years, he has written many papers for and made numerous presentations to Texas Sheriff's Association, Texas Association of Counties, Texas Jail Association, and Texas Chief Deputies' Association.

WRITE IN CANDIDATE:

PLACE 12

- Cedric Davis, Sr.** Cedric Davis is the City Manager of the City of Mathis (Region 11). He joined the city's administration team on January 3, 2024, and has more than three decades of experience as a public servant. He served as the City Manager of Mathis for over four years, and is a former Chief of Police and Public Educator. He is a graduate of Law Enforcement Management Institute of Texas and the Advanced Military Academy of Texas. He has a Bachelor of Science degree in Criminal Justice Administration from Sam Houston State University. He is a licensed Master Peace Officer, Police Instructor, Investigator, and holds certifications in Public Management, Smart City Practitioner, and Public Finance Investment Officer. In 2008 he served as Mayor of Balch Springs.
- Rocky Hawkins.** Rocky Hawkins is a Councilmember for the City of Gladewater (Region 15), and served as such for four years. He has also served on the Gladewater Lake Board for 10 years, as a Chamber of Commerce Volunteer, as a member of the "Friends of the Library" at the Lee-Bardwell Public Library in Gladewater, and on various boards and committees at First Baptist Church for 30 years. Mr. Hawkins began his career with a brief stint as a Parole Officer for Gregg County; later spent almost 15 years in the Hospitality/Restaurant Business; and finished his career with 30 years at Eastman Chemical Co. He holds an associate's degree in business management from Kilgore College and a B.S. degree in Criminal Justice from Sam Houston State University.
- Allison Heyward.** (Incumbent) Allison Heyward has served as Councilmember for the City of Schertz (Region 7) since 2018. She also serves on the TML Board of Directors and is currently the TML President Elect. She previously served in 2022 on the TMLIRP Board as the TML Board representative. In January 2023, she was appointed to Place 12 on the TMLIRP Board to fill a vacancy. She holds a Bachelor's Degree in Accounting from Texas Southern University, and is a 2020 graduate of the Chamber Leadership Core Program. Mrs. Heyward is also a TML Leadership Fellow and a Certified Municipal Officer (CMO), having received the TMLI CMO (Certified Municipal Official Designation) Award of Excellence for maintaining the designation for 5 continuous years. She has also been recognized with the President's Award for being one of the top 2 highest earners of Continuing Education Units.
- Rudy Zepeda.** Rudy Zepeda has served as the Finance Director for the City of Santa Fe (Region 14) since 2021. Before joining Santa Fe, Mr. Zepeda served eight years in Dayton, Texas, as Assistant City Manager and Finance Director. He holds a degree in Classics from the University of Arizona and certification in Certified Public Management from Stephen F. Austin University. While Finance Director in Santa Fe, the city earned the Government Finance Officers Association (GFOA) Budget Presentation Award and the Excellence in Financial Reporting award. This year, the city was recognized by the State Comptroller's Office with its Traditional Finances Star Award. Mr. Zepeda's career spans 30 years, with significant experience in both public and private sectors, including 14 years in local government.

WRITE IN CANDIDATE:

PLACE 13

- Harlan Jefferson.** (Incumbent) Deputy City Manager for the City of Burleson (Region 13). Mr. Jefferson has been in public service for 41 years, serving as a Risk Manager for the City of Denton early in his career and serving as Town Manager for Flower Mound and Prosper, Texas. Mr. Jefferson is an active member of the Texas City Management Association (TCMA), having served on its Board of Directors and is a Past President of the North Texas City Manager Association. He holds a Bachelor of Arts in Political Science and a Master of Public Administration from the University of North Texas. Additionally, he is an Adjunct Faculty member in the Master of Public Administration Program at the University of North Texas.

- James Quin.** City Administrator for the City of Hutchins (Region 13) since March 2022. He served as City Administrator of Haslet for 8 years and City Manager for Richland Hills for 16 years. Mr. Quin earned a Bachelor of Science Education degree and a Master of Public Administration degree from Missouri State University. He is a member of the International City/County Management Association (ICMA) and maintains the ICMA Credentialed Manager (CM) designation. In April 2022, he was awarded the High Performance Leadership Academy Certificate issued by ICMA Professional Development Academy. Also, he is a full member of TCMA, and previously served on the HCA Medical City Alliance Hospital Board for 6 years.

WRITE IN CANDIDATE:

PLACE 14

- Mike Land** (Incumbent) City Manager for the City of Coppell (Region 13) since 2017, and Deputy City Manager from 2012-2017. Previously, he was Town Manager for Prosper, City Manager for Gainesville, and Executive Director for the Southwestern Diabetic Foundation. Mr. Land serves on the International City/County Management (ICMA) Board of Directors and is the 2024-25 ICMA President-Elect. Additionally, he serves on the Texas Women's Leadership Institute Advisory Board, the Texas A&M University's Development Industry Advisory Council, and the UTA MPA Advisory Board. He has also served as School Board Trustee for Gainesville Independent School District and as President of TCMA.

WRITE IN CANDIDATE:

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness my hand, this _____ day of _____, 2024.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of Political Entity