



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: Aaron Groff

MAYOR PRO-TEM: Kaye Kahlich

COUNCIL MEMBER: Kent Pool

COUNCIL MEMBER: Dana Hollingsworth

COUNCIL MEMBER: Debra Cates

COUNCIL MEMBER: Lisa Martin

COUNCIL MEMBER: Joel Patterson

COUNCIL MEMBER: John Kelly

STAFF:

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MEETING SEPTEMBER 18, 2018

NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, SEPTEMBER 18, 2018 AT 7:00 P.M.** IN IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, 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).

"Incidental Meeting Notice: A quorum of the City of Fulshear City Council, Planning & Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks & Recreation Commission, Historic Preservation & Museum Commission, Zoning Board of Adjustment, or any or all of these, may be in attendance at the meeting specified in the foregoing notice, which attendance may constitute a meeting of such governmental body or bodies as defined by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Therefore, in addition to the foregoing notice, notice is hereby given of a meeting of each of the above-named governmental bodies, the date, hour, place, and subject of which is the same as specified in the foregoing notice."

- I. **CALL TO ORDER**
- II. **QUORUM & ROLL CALL**
- III. **INVOCATION- KYLE LEAK- ADULT MINISTRIES PASTOR, 2ND BAPTIST CHURCH**

- 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.*
- 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*
- VI. **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.*
- VII. **CITY'S 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.*
- A. **DISCUSSION OF THE CITY OF FULSHEAR HOLIDAY SCHEDULE FOR 2018/2019**
- B. **DISCUSSION OF EXECUTIME SYSTEM**
- C. **DISCUSSION OF GRANICUS (NOVUS AGENDA)**
- D. **DISCUSSION OF OPEN RECORDS SYSTEMS**
- VIII. **CITY COUNCIL LIAISON REPORT**- *BRIEFINGS OR UPDATES FROM CITY COUNCIL MEMBERS MAY BE PROVIDED REGARDING BOARDS AND COMMISSIONS MEETINGS.*
- MAYOR PRO-TEM KAHLICH- LIAISON FOR PLANNING & ZONING COMMISSION AND EX OFFICIO FOR THE LIVABLE CENTERS STUDY
 - COUNCIL MEMBER KELLY- LIAISON FOR FULSHEAR DEVELOPMENT CORP "TYPE A"
 - COUNCIL MEMBER MARTIN- LIAISON FOR FULSHEAR DEVELOPMENT CORP "TYPE B"
 - COUNCIL MEMBER POOL- LIAISON FOR PARKS & RECREATION COMMISSION
 - COUNCIL MEMBER CATES- LIAISON FOR HISTORIC PRESERVATION AND MUSEUM COMMISSION
- IX. **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 CREEK COVE AT CROSS CREEK RANCH SECTION 12/PRELIMINARY PLAT**
- B. **CONSENT AND APPROVAL OF SUNSET DRIVE-STREET DEDICATION/PRELIMINARY PLAT**
- C. **CONSENT AND APPROVAL OF SKYLINE DRIVE-STREET DEDICATION/PRELIMINARY PLAT**
- D. **CONSENT AND APPROVAL OF FULSHEAR TRACE THIRD EXTENSION/PRELIMINARY PLAT**
- E. **CONSENT AND APPROVAL OF SHOPPES AT CREEK CROSSING/PRELIMINARY PLAT**
- F. **CONSENT AND APPROVAL OF MARCEL TOWN CENTER/PRELIMINARY PLAT**

- G. CONSENT AND APPROVAL OF TAMARRON SECTION 12/PRELIMINARY PLAT
 - H. CONSENT AND APPROVAL OF POLO RANCH SECTION 11/PRELIMINARY PLAT
 - I. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 5/FINAL PLAT
 - J. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 12/FINAL PLAT
 - K. CONSENT AND APPROVAL OF POLO RANCH SECTION 3 (2ND REVIEW)/FINAL PLAT
 - L. CONSENT AND APPROVAL OF CITY COUNCIL MINUTES FROM CITY COUNCIL MEETINGS HELD ON AUGUST 9, 2018, AUGUST 14, 2018, AUGUST 21, 2018 (WORKSHOP), AUGUST 21, 2018 (REGULAR), AND AUGUST 28, 2018
 - M. CONSENT AND APPROVAL OF GENERAL FUND REPORT FOR AUGUST 2018
 - N. CONSENT AND APPROVAL OF CONVEYANCE OF UTILITIES AND PAVING TO SERVE FBC MUD NO. 173- CREEK FALLS AT CROSS CREEK RANCH, SEC 5 AND THE CREEK FALLS DRIVE EXTENSION NO. 2
 - O. CONSENT AND APPROVAL OF PURCHASES FOR STREET REPAIRS
 - P. CONSENT AND APPROVAL OF RESOLUTION NO. 2018-401 A RESOLUTION OF THE CITY OF FULSHEAR DESIGNATING THE FORT BEND HERALD COASTER AS THE OFFICIAL NEWSPAPER OF RECORD FOR THE FISCAL YEAR 2018-2019
 - Q. CONSENT AND APPROVAL OF RESOLUTION NO. 2018-402 A RESOLUTION FOR THE 2018 IEBP EMPLOYEE BENEFIT POOL BALLOT NOMINATION
 - R. CONSENT AND APPROVAL OF ORDINANCE NO. 2018-1282 AN ORDINANCE REPEALING AND REPLACING CHAPTER 2, ARTICLE VII OF THE CITY'S CODE, REGARDING RECORDS MANAGEMENT AND PUBLIC INFORMATION
- X. **BUSINESS**
- A. PROCLAMATION FOR PROSTATE CANCER AWARENESS
 - B. PRESENTATION AND POSSIBLE ACTION ON THE CROSS CREEK RANCH GENERAL PLAN
 - C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1285 AN ORDINANCE OF THE CITY OF FULSHEAR APPROVING AND ADOPTING THE CITY OF FULSHEAR, TEXAS BUDGET FOR FISCAL YEAR 2019; MAKING APPROPRIATIONS FOR THE CITY OPERATIONS FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT
 - D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2018-1286 AN ORDINANCE OF THE CITY OF FULSHEAR PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF FULSHEAR, TEXAS FOR THE YEAR 2019 AND EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID, PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES IN CONFLICT
 - E. CONSIDERATION AND POSSIBLE ACTION TO RATIFY THE PROPERTY TAX REVENUE INCREASE INCLUDED IN THE FISCAL YEAR 2019 BUDGET

- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-403 A RESOLUTION APPOINTING A CITY REPRESENTATIVE AND AN ALTERNATE TO THE HGAC 2019 GENERAL ASSEMBLY
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO 2018-404 A RESOLUTION NOMINATING MEMBERS FOR ELECTION OF PLACES 11-14 OF THE BOARD OF TRUSTEES FOR THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE TX INSURORS/HEALTHCARE BENEFITS
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SOLICITATION PERMIT

XI. 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:

LITIGATION - MUDS

XII. ACTION FROM EXECUTIVE SESSION

XIII. 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, KIMBERLY KOPECKY, 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 SEPTEMBER 14, 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.

Kimberly Kopecky

KIMBERLY KOPECKY, CITY SECRETARY