



# 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: 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

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## CITY COUNCIL MEETING JANUARY 15, 2019

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NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, JANUARY 15, 2019 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- CHARLES WISDON, SR ASSOCIATE PASTOR, SECOND 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. **PUBLIC HEARING**

IN COMPLIANCE WITH THE CITY OF FULSHEAR ORDINANCE NUMBER 2012-1069, THE CITY WILL HOLD TWO PUBLIC HEARINGS; THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON JANUARY 4, 2019 AT 8:30 AM. THE HEARING WILL BE HELD AT CITY HALL LOCATED AT 30603 FM 1093. THE SECOND HEARING WILL BE HELD BY THE CITY COUNCIL ON JANUARY 15, 2019 AT 7:00 PM. 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, FULSHEAR, BLOCK 5, LOTS 1,4,5, SPECIFICALLY THE ADDRESS IS 8418 HARRIS STREET, FULSHEAR, TEXAS 77441.

THE APPLICANT IS SEEKING A SPECIAL USE PERMIT PURSUANT TO THE ORDINANCE #2012-1069, SECTION 1-193, (C), (2), (f), (g), IF 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 AM TO 5:00 PM AND FRIDAYS FROM 8:00 AM TO 3:00 PM IN THE CITY SECRETARY'S OFFICE FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING.

POSTED: DECEMBER 28, 2018

VII. **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.*

VIII. **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. **SETTING DATES FOR CITY COUNCIL RETREAT IN FEBRUARY**

B. **FEBRUARY 20<sup>TH</sup> - FORT BEND COUNTY DAY**

- 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 DEWBERRY ACRES/PRELIMINARY PLAT**
  - B. CONSENT AND APPROVAL OF LAMAR CISD TAMARRON ELEMENTARY SCHOOL/PRELIMINARY PLAT**
  - C. CONSENT AND APPROVAL OF TAMARRON MULTIFAMILY/PRELIMINARY PLAT**
  - D. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 14/PRELIMINARY PLAT**
  - E. CONSENT AND APPROVAL OF TAMARRON CROSSING SECTION 3- STREET DEDICATION/FINAL PLAT**
  - F. CONSENT AND APPROVAL OF TAMARRON SECTION 13/FINAL PLAT**
  - G. CONSENT AND APPROVAL OF RESOLUTION NO. 2018 - 413, A REVISION TO RESOLUTION NO. 2018 – 411, TO CORRECT A DUPLICATE RESOLUTION NUMBER (SUPPORTING THE CITY OF FULSHEAR’S PARTICIPATION IN THE 2019 LARRY’S TOOLBOX WATER CONSERVATION PROGRAM)**
  - H. CONSENT AND APPROVAL OF CITY COUNCIL MINUTES FROM THE CITY COUNCIL WORKSHOP HELD DECEMBER 18, 2018 AND REGULAR CITY COUNCIL MEETING HELD ON DECEMBER 18, 2018**
  - I. CONSENT AND APPROVAL OF THE MONTHLY GENERAL AND UTILITY FUND FINANCIALS**
  - J. CONSENT AND APPROVAL OF THE QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING 12-31-18**
- X. BUSINESS**
- A. PROCLAMATION HONORING BOY SCOUT TROOP 106**
  - B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR 8418 HARRIS STREET, FULSHEAR, TEXAS 77441**
  - C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SOLICITATION PERMIT APPLICATION**
  - D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2019-414, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, APPOINTING A STEERING COMMITTEE FOR THE ECONOMIC DEVELOPMENT STRATEGIC PLAN**
  - E. CONSIDERATION AND POSSIBLE ACTION ON SHADY LANE DRAINAGE EASEMENT**
  - F. DISCUSSION AND POSSIBLE ACTION RELATED TO PROPOSED AMENDMENTS TO THE UTILITY AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 174, AND THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND THE SUCCESSORS IN INTEREST TO FULSHEAR INVESTMENTS, INC., FULSHEAR EQUINE, LLC, MASON EQUEST INVESTMENT, INC., AND LOUIS A. WATERS**

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2019-1289 , AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, ORDERING AN ELECTION TO BE HELD ON SATURDAY, THE 4<sup>TH</sup> DAY OF MAY, 2019, FOR THE PURPOSE OF ELECTING CITY OFFICIALS; APPOINTING AN EARLY VOTING CLERK; STATING THE EARLY VOTING CLERK'S OFFICIAL MAILING ADDRESS; DESIGNATING AN EMAIL ADDRESS FOR RECEIPT OF AN APPLICATION FOR A BALLOT TO BE VOTED BY MAIL; STATING THE MAIN EARLY VOTING POLLING LOCATION AND THE REGULAR DATES AND HOURS THAT EARLY VOTING WILL BE CONDUCTED; AND PROVIDING FOR SEVERABILTIY (UNA ORDENANZA DE LA CIUDAD DE FULSHEAR, TEXAS, ORDENANDO UNA ELECCION QUE SE REALIZARA EL SABADO, EL 4<sup>TH</sup> DIA DE MAYO DE 2019 PARA EL PROPOSITO DE ELEGIR FUNCIONARIOS DE LA CIUDAD: EL NOMBRAMIENTO DE SECRETARIO DE VOTACION ANTICIPADA: DELARAR LA DIRECCION DE CORREO OFICIAL DE SECRETARIO DE VOTACION TEMPRANA; DESIGNACION DE CORREO ELECTRONICO PARA RECIBIR UNA SOLICITUD DE VOTACION PARA SER VOTADA POR CORREO; INDICANDO EL LUGAR DE VOTACION PRINCIPAL DE VOTACION TEMPRANA Y LAS FECHAS Y HORAS REULARES QUE LA VOTACION ANTICIPADA SE LLEVARA A CABO; Y PROPORCIONANDO LA DIVISIBILIDAD )**

**XI. CONSIDERATION AND POSSIBLE ACTION RELATING TO ABSENCES- IN ACCORDANCE WITH SECTION 3.10 (d) OF THE CITY OF FULSHEAR HOME-RULE CHARTER, PAST ABSENCES DUE TO SICKNESS MAY BE EXCUSED, AND LEAVES OF ABSENCE FOR FUTURE ABSENCES MAY BE GRANTED. ANY ACTION TO EXCUSE A PAST ABSENCE IS DEEMED TO INCLUDE A FINDING THAT THE ABSENCE WAS DUE TO SICKNESS UNLESS THE ACTION INDICATES OTHERWISE.**

**XII. 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 JANUARY 10, 2019 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**