



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 JANUARY 15, 2019

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR PRO-TEM KAYE KAHLICH AT IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:03 P.M. A QUORUM WAS PRESENT.

II. QUORUM & ROLL CALL

COUNCIL MEMBERS PRESENT:

AARON GROFF, MAYOR (ARRIVED @ 7:06 P.M.)

KAYE KAHLICH, MAYOR PRO-TEM

DEBRA CATES

DANA HOLLINGSWORTH

JOEL PATTERSON

LISA MARTIN

KENT POOL

JOHN KELLY

CITY STAFF PRESENT:

JACK HARPER, CITY MANAGER

KIMBERLY KOPECKY, CITY SECRETARY

BRANT GARY, ASSISTANT CITY MANAGER

SHARON VALIANTE, PUBLIC WORKS DIRECTOR

DAVID LEYENDECKER, CITY ENGINEER

CHANDLER MARKS, ECONOMIC DEVELOPMENT COORDINATOR

KENNY SEYMOUR, POLICE CHIEF

ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR

GRADY RANDLE, CITY ATTORNEY
WES VELA, CHIEF FINANCIAL OFFICER
KERRY SIGLER, CHIEF BUILDING OFFICIAL

OTHERS PRESENT:

ANITA HOLLMAN
BRYAN THOMAS
LINDA WOOTEN
MIKE KUZICH
KEVIN WHITE
STEPHEN BURKE
CJ MCDANIEL
MIKE HAUDE
CHAPLAIN C WISDOM
KATHY HOLLISTER
A.J. HOLLISTER
AND ABOUT 9 OTHERS THAT DID NOT SIGN IN

III. INVOCATION- CHARLES WISDOM, SR ASSOCIATE PASTOR, SECOND BAPTIST CHURCH

THE INVOCATION WAS GIVEN BY FULSHEAR POLICE CHAPLAIN CHARLES WISDOM.

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

BOTH THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG WERE LED BY MAYOR PRO-TEM KAHLICH.

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

MAYOR PRO-TEM KAHLICH OPENED THE PUBLIC HEARING AT 7:07 P.M.

MAYOR GROFF TAKES HIS SEAT TO LEAD THE MEETING.

NO COMMENTS BY THE PUBLIC.

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 7:09 P.M.

- 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.

NO CITIZEN COMMENTS

- 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

JACK HARPER GAVE REPORT TO COUNCIL REGARDING AN UPCOMING RETREAT TO DRIVE POLICY FOR THE UPCOMING FISCAL YEAR BUDGET. THE DATE ALMOST EVERYONE CAN ATTEND IS WEDNESDAY, FEBRUARY 13TH.

B. FEBRUARY 20TH- FORT BEND COUNTY DAY

THIS IS IN AUSTIN AT THE STATE CAPITOL. THERE IS A CHARTER BUS THAT WILL COVER TRANSPORTATION AND A MEAL. THIS IS OPEN TO ANYONE.

- 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

COUNCIL MEMBER MARTIN ASKED TO PULL ITEM I FOR DISCUSSION.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEMS A-H AND ITEM J. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

COUNCIL MEMBERS DISCUSSED ITEM I WITH STAFF.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEM I. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

X. BUSINESS

- ~~A. PROCLAMATION HONORING BOY SCOUT TROOP 106~~**

THIS ITEM WAS PULLED FROM THE AGENDA

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SPECIAL USE PERMIT FOR 8418 HARRIS STREET, FULSHEAR, TEXAS 77441

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO AUTHORIZE A SPECIAL USE PERMIT FOR 8418 HARRIS STREET, FULSHEAR, TEXAS 77441 WITH THE CONDITIONS AS STATED BY PLANNING AND ZONING AND DR. GARY (ALLOWANCE OF CRUSHED GRANITE FOR PARKING, ALLOWANCE OF SUBMISSION OF SURVEY DOCUMENTS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY). IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SOLICITATION PERMIT APPLICATION

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE A SOLICITATION PERMIT FOR STEPHEN MOUND. IT WAS SECONDED BY COUNCIL MEMBER KELLY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

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

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPOINT ANDREW VAN CHAU AND REVEREND JACKIE GILMORE TO "CDC TYPE A", STACY MANGUM AND RAY KERLICK TO "FDC TYPE B", AND LISA MARTIN AND JOHN KELLY AS COUNCIL REPRESENTATIVES FOR A STEERING COMMITTEE FOR THE ECONOMIC DEVELOPMENT STRATEGIC PLAN. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

~~**E. CONSIDERATION AND POSSIBLE ACTION ON SHADY LANE DRAINAGE EASEMENT**~~

THIS ITEM WAS PULLED BY STAFF

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

DANA HOLLINGSWORTH AND KENT POOL FILED LOCAL GOVERNMENT CONFLICT STATEMENTS. PER CITY ATTORNEY (GRADY RANDLE) BOTH ARE STILL ELIGIBLE TO VOTE ON THIS ITEM.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE THE PROPOSED AMENDMENTS TO THE UTILITY AGREEMENTS BETWEEN THE CITY OF FULSHEAR, TEXAS, AND FORT BEND COUNTY MUD 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. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

- 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 4TH 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 4TH 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)**

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH 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 4TH DAY OF MAY, 2019. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTES:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

- 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.

THERE WERE NO ABSENCES FOR THIS MEETING.

XII. **ADJOURNMENT**

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

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

MAYOR GROFF ADJOURNED THE MEETING AT 8:15 P.M.

ATTEST:




KIMBERLY KOPECKY, CITY SECRETARY


AARON GROFF, MAYOR