



# 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 MARCH 19, 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, MARCH 19, 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- Reverend Jackie Gilmore, Greater Zachery 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**

Notice is hereby given to all interested persons that the City Council of the City of Fulshear, Texas, will conduct a Public Hearing as follows:

**SUBJECT:** Consider and take action on proposed amendments to the City of Fulshear Code of Ordinances, Chapter 10, Article V. – Sexually Oriented Businesses, to include amendments to zoning regulations regarding Sexually Oriented Businesses within the Industrial District.

**DATE OF HEARING:** March 19, 2019

**TIME:** 7:00 p.m.

**LOCATION:** Irene Stern Community Center, 6920 Katy Fulshear Road, Fulshear, Texas 77441

**PURPOSE:** To hear public comments on proposed amendments to the City of Fulshear Code of Ordinances, Chapter 10, Article V. – Sexually Oriented Businesses, to include amendments to zoning regulations regarding Sexually Oriented Businesses within the Industrial District.

At said times and places all persons shall have the right to appear and be heard. All persons desiring to attend the public hearing may view the City Council's agenda to confirm the scheduling of the Public Hearings. The agenda will be available at Fulshear City Hall, 30603 F.M. 1093, Fulshear, Texas 77441 at least 72 hours preceding the hearings. All persons desiring to be heard at such public hearing are invited to attend the hearings.

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. CITY COUNCIL- APRIL AVAILABILITY**

- 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. CONSIDERATION AND POSSIBLE ACTION REGARDING AN UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN**
  - B. CONSENT AND APPROVAL OF JORDAN RANCH STREET DEDICATION NO. 3/PRELIMINARY PLAT**
  - C. CONSENT AND APPROVAL OF JORDAN RANCH STREET DEDICATION NO. 5/PRELIMINARY PLAT**
  - D. CONSENT AND APPROVAL OF LANDMARK SALES TRACT/PRELIMINARY PLAT**
  - E. CONSENT AND APPROVAL OF POLO RANCH BOULEVARD SECTION 2 AND L. WATERS PARKWAY STREET DEDICATION/PRELIMINARY PLAT**
  - F. CONSENT AND APPROVAL OF POLO RANCH SECTION 4/PRELIMINARY PLAT**
  - G. CONSENT AND APPROVAL OF POLO RANCH SECTION 5/PRELIMINARY PLAT**
  - H. CONSENT AND APPROVAL OF POLO RANCH SECTION 6/PRELIMINARY PLAT**
  - I. CONSENT AND APPROVAL OF FULBROOK ON FULSHEAR CREEK SECTION 14/FINAL PLAT**
  - J. CONSENT AND APPROVAL OF CITY COUNCIL MINUTES FROM THE CITY COUNCIL MEETINGS HELD FEBRUARY 13, 2019 (SPECIAL), FEBRUARY 19, 2019 (SPECIAL), AND FEBRUARY 19, 2019 (REGULAR)**
  - K. CONSENT AND APPROVAL OF THE MONTHLY GENERAL AND UTILITY FUND FINANCIALS**
  - L. CONSENT AND APPROVAL OF THE CERTIFICATION OF UNOPPOSED CANDIDATES AND ORDINANCE NO. 2019-1291, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, DECLARING THAT THE UNOPPOSED CANDIDATES FOR COUNCIL MEMBER AT-LARGE, COUNCIL MEMBER DISTRICT 1, DISTRICT 4, AND DISTRICT 5 ARE DULY ELECTED; CANCELLING THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION**
- X. BUSINESS**
- A. PRESENTATION AND ACCEPTANCE OF AUDITED FY2018 ANNUAL FINANCIAL REPORT**
  - B. CONSIDERATION AND POSSIBLE ACTION ON ORDINANCE NO. 2019-1292, AN ORDINANCE REGARDING PROPOSED AMENDEMENTS TO THE CITY OF FULSHEAR CODE OF ORDINANCES, CHAPTER 10, ARTICLE V. – SEXUALLY ORIENTED BUSINESSES, TO INCLUDE AMENDEMENTS TO ZONING REGULATIONS REGARDING SEXUALLY ORIENTED BUSINESSES WITHIN THE INDUSTRIAL DISTRICT**
- XI. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.**

THIS CHAPTER DOES NOT REQUIRE A GOVERNMENTAL BODY TO CONDUCT AN OPEN MEETING:

1) TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR

2) TO DELIBERATE THE OFFER OF FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT DESCRIBED BY SUBDIVISION (1).

**XII. ACTION FROM EXECUTIVE SESSION**

**XIII. 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.

**XIV. 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 MARCH 14, 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.

  
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KIMBERLY KOPECKY, CITY SECRETARY