



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: Kevin White

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 (AMENDED) AUGUST 20, 2019

NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **TUESDAY, AUGUST 20, 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- DR. DALE OLSON, FAMILY HOPE**

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. **UPCOMING MEETINGS AND WORKSHOPS**

B. **EMERGENCY UPDATE REGARDING A PORTION OF THE CITY BEING PLACED IN STAGE 2 WATER RESTRICTIONS AS IDENTIFIED IN THE CITY'S DROUGHT CONTINGENCY PLAN**

VIII. **PUBLIC HEARING**

PUBLIC HEARING ON TAX INCREASE- ON AUGUST 6, 2019, THE CITY COUNCIL VOTED TO HOLD PUBLIC HEARINGS ON A TAX RATE OF 0.218510/\$100 VALUATION FOR TAX YEAR 2019. THIS IS ALSO THE ROLLBACK TAX RATE WHICH IS 8% ABOVE THE EFFECTIVE TAX RATE. THE CITY COUNCIL INVITES CITIZENS FOR THEIR COMMENTS ON A POSSIBLE TAX RATE. THE TWO REQUIRED PUBLIC HEARINGS ARE TO BE HELD AT IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS:

AUGUST 20, 2019 AT 7:00 P.M. AND

SEPTEMBER 10, 2019 AT 7:00 P.M.

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 MINUTES FROM CITY COUNCIL MEETINGS HELD ON JULY 16, 2019 (SPECIAL), JULY 16, 2019 (REGULAR), JULY 30, 2019 (SPECIAL), JULY 30, 2019 (JOINT)**

B. **CONSENT AND APPROVAL OF QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING 6-30-19**

C. **CONSENT AND APPROVAL OF THE MONTHLY GENERAL AND UTILITY FUND FINANCIALS**

- D. CONSENT AND APPROVAL OF BONTERRA AT CROSS CREEK RANCH SECTION 7 PRELIMINARY PLAT
- E. CONSENT AND APPROVAL OF JORDAN RANCH SECTION 19 PRELIMINARY PLAT
- F. CONSENT AND APPROVAL OF PLAZA ON SOUTH FIRETHORNE REPLAT
- G. CONSENT AND APPROVAL OF PHASE 2 AND 3 OF A COORDINATED DEVELOPMENT ORDINANCE REVIEW
- H. CONSENT AND APPROVAL OF RESOLUTION NO. 2019-433, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, APPOINTING AND REAPPOINTING CERTAIN MEMBERS TO THE CITY'S HISTORIC PRESERVATION AND MUSEUM COMMISSION

X. BUSINESS

- A. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2019-428, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A)
- B. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2019-429, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B)
- C. CONSIDERATION OF RESOLUTION NO. 2019-430, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (1st Reading)
- D. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2019-430, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2nd Reading)
- E. CONSIDERATION OF RESOLUTION NO. 2019-431, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (1st Reading)
- F. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2019-431, A RESOLUTION OF THE CITY OF FULSEHAR AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2nd Reading)

XI. EXECUTIVE SESSION

Executive Session to consult with City Attorney to seek or receive legal advice and discuss pending litigation and other legal matters pursuant to Government Code 551.071 regarding:

- 1. Tax Suits brought by Fort Bend County on behalf of the City of Fulshear and other taxing entities for cause numbers:
 04-DCV-134011 regarding property on Fulshear Katy Road;
 17-DCV-244741 regarding property on Wallis Street;
 18-DCV-257200 regarding property on Harris Street;

2. Cause No. 19-DCV-264185; ATTIP v. City of Fulshear, et al;
3. Cause No. 18-DCV-250347; City of Fulshear v. ATTIP.

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 AUGUST 16, 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.

EMERGENCY AMENDED: 8-20-19 @ 3:30 P.M.

Kimberly Kopecky

KIMBERLY KOPECKY, CITY SECRETARY