



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 MINUTES JANUARY 21, 2020

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:01 P.M. A QUORUM WAS PRESENT.

II. QUORUM & ROLL CALL

COUNCIL MEMBERS PRESENT:

*AARON GROFF, MAYOR
KAYE KAHLICH, MAYOR PRO-TEM
JOEL PATTERSON
DEBRA CATES
KENT POOL
JOHN KELLY
KEVIN WHITE
LISA MARTIN*

CITY STAFF PRESENT:

*JACK HARPER
SHARON VALIANTE
WES VELA
KIMBERLY KOPECKY
JOHN MICHAEL PENA
GRADY RANDLE*

ZACH GOODLANDER
KERRY SIGLER
MIKE MCCOY
ANGELA FRITZ
LINDSEY DELONG
KENNY SEYMOUR

OTHERS PRESENT:

BRYAN THOMAS
LIZ FAZIO HALE
GORDON PEDERSON
KIM STACY
OWEN BEMENT
FLOYD HASKETT
MELISSA MCCOLLUM
TREY DEVILLIER
KEITH WILLIAMS
AND APPROXIMATELY 13 OTHERS THAT DID NOT SIGN IN.

III. **INVOCATION- CARY WILKINS, FIRST UNITED METHODIST CHURCH**

INVOCATION WAS GIVEN BY MAYOR GROFF.

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**

THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND THE TEXAS FLAG WERE LED BY MAYOR GROFF.

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.**

OWEN BEMENT- SPOKE REGARDING THE SIGN ORDINANCE.

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. **UPDATE ON FEBRUARY 11, 2020 CITY COUNCIL WORKSHOP/MEETING**

JACK HARPER EXPLAINED THIS UPCOMING MEETING WILL BE A SPECIAL MEETING, NOT A WORKSHOP. THIS MEETING WILL START AT 8:30 A.M.

- VIII. **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 CITY COUNCIL MINUTES FROM CITY COUNCIL MEETING HELD ON DECEMBER 17, 2019**
 - B. **CONSENT AND APPROVAL OF AN UPDATE TO THE JORDAN RANCH GENERAL PLAN**
 - C. **CONSENT AND APPROVAL OF THE FULSHEAR RUN SECTION 3 FINAL PLAT**
 - D. **CONSENT AND APPROVAL OF THE BONTERRA AT CROSS CREEK RANCH SECTION 11A FINAL PLAT**
 - E. **CONSENT AND APPROVAL OF THE GOLDEN MANOR DRIVE AND RESERVES FINAL PLAT**
 - F. **CONSENT AND APPROVAL OF THE POLO RANCH SECTION 4 FINAL PLAT**
 - G. **CONSENT AND APPROVAL OF STREET DEDICATION FOR THE WILLOWS AT CROSS CREEK RANCH SECTION 2, AND UTILITY CONVEYANCES AND SECURITY AGREEMENTS FOR THE WILLOWS AT CROSS CREEK RANCH SECTION 2 AND BONTERRA SECTION 5 FROM MUD 170**
 - H. **CONSENT AND APPROVAL OF A STREET DEDICATION FOR JADE SPRINGS LN AND UTILITY CONVEYANCES AND SECURITY AGREEMENTS FOR JADE SPRINGS LN AND CREEK COVE AT CROSS CREEK RANCH SECTION 12 FROM MUD 172**
 - I. **CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR CREEK FALLS AT CROSS CREEK RANCH SECTION 12 FROM MUD 173**
 - J. **CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULBROOK ON FULSHEAR CREEK SECTION 13 FROM FULSHEAR MUD 1**
 - K. **CONSENT AND APPROVAL OF THE WILLIAMS CENTER PLAT**
 - L. **CONSENT AND POSSIBLE ACTION TO ACCEPT DRAINAGE EASEMENTS – NOPPE TRACTS**

MAYOR PRO-TEM KAHLICH ASKED TO PULL ITEM L FOR DISCUSSION.

A MOTION WAS MADE BY MAYOR PRO-TEM TO APPROVE ITEMS A-K. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ITEM L

SHARON VALIANTE EXPLAINED THIS ITEM AND ANSWERED QUESTIONS. A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEM L. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

IX. BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-448, A RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO THE CITY'S HISTORIC PRESERVATION AND MUSEUM COMMISSION

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2020-448, APPOINTING KRISTINA STEWART TO THE HISTORIC PRESERVATION AND MUSEUM COMMISSION WITH A TERM EXPIRING JUNE 1, 2020. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2020-1317, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ORDERING AN ELECTION TO BE HELD ON SATURDAY, THE 2ND DAY OF MAY, 2020

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ORDINANCE NO. 2020-1317, ORDERING AN ELECTION TO BE HELD ON SATURDAY, MAY 2, 2020. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

C. CONSIDERATION OF RESOLUTION NO. 2020-449, 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)

ANGELA FRITZ BRIEFLY EXPLAINED THIS ITEM. THERE WAS NO ACTION.

D. CONSIDERATION OF RESOLUTION NO. 2020-450, 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)

ANGELA FRITZ BRIEFLY EXPLAINED THIS ITEM. THERE WAS NO ACTION.

E. CONSIDERATION AND ACTION ON RESOLUTION NO. 2020-449, 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)

A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO APPROVE RESOLUTION NO. 2020-449, AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC). IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

F. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-450, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)

A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO APPROVE RESOLUTION NO. 2020-450, AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC). IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

G. CONSIDERATION AND POSSIBLE ACTION ON ORDINANCE NO. 2020-1318; AN ORDINANCE AMENDING CHAPTER 40, UTILITIES, OF THE CODE OF THE ORDINANCES, REGARDING SANITARY SEWER USE AND BACKFLOW REGULATIONS

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ORDINANCE NO. 2020-1318, AMENDING CHAPTER 40, UTILITIES, OF THE CODE OF ORDINANCES, REGARDING SANITARY SEWER USE AND BACKFLOW REGULATIONS. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2020-1319 AN ORDINANCE ESTABLISHING MAXIMUM PRIMA FACIE SPEED LIMITS

SHARON VALIANTE PRESENTED THIS ITEM. SHE WENT THROUGH THE CHANGES TO SPEED LIMITS. A MOTION WAS MADE BY COUNCIL MEMBER PATTERSON TO APPROVE ORDINANCE NO. 2020-1319, ESTABLISHING MAXIMUM PRIMA FACIE SPEED LIMITS. IT WAS SECONDED BY COUNCIL MEMBER WHITE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-451 TO NOMINATE A CANDIDATE FOR THE BOARD OF DIRECTORS FOR THE NORTH FORT BEND WATER AUTHORITY APPOINTMENT

SHARON VALIANTE EXPLAINED THIS ITEM TO COUNCIL. A MOTION WAS MADE BY COUNCIL MEMBER POOL TO NOMINATE DANA HOLLINGSWORTH AS CANDIDATE FOR THE BOARD OF DIRECTORS FOR THE NORTH FORT BEND WATER AUTHORITY. IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH.

COUNCIL MEMBER POOL WITHDREW HIS MOTION.

MAYOR GROFF READ A LETTER BY DANA HOLLINGSWORTH.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2020-451, NOMINATING DANA HOLLINGSWORTH AS CANDIDATE TO THE BOARD OF DIRECTORS FOR THE NORTH FORT BEND WATER AUTHORITY. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

J. CONSIDER AND TAKE ACTION UPON WORK ORDER #10 WITH KENDIG-KEAST COLLABORATIVE FOR THE PURPOSES OF A COMPREHENSIVE PLAN UPDATE

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE WORK ORDER #10 A COMPREHENSIVE PLAN UPDATE WITH KENDIG-KEAST COLLABORATIVE. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

X. EXECUTIVE SESSION

- A. EXECUTIVE SESSION- PURSUANT TO SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNING BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT; PURSUANT TO SECTION 551.072 IF THE TEXAS OPEN MEETINGS ACT, DELIBERATE CONCERNING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY**
- B. 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

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO ENTER INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 8:05 P.M.

MAYOR GROFF RECONVENED THE REGULAR MEETING BACK INTO SESSION AT 9:20 P.M.

XI. ACTION FROM EXECUTIVE SESSION

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SCOPE OF SERVICES FOR PHASE 2 AND A ROUTE STUDY REGARDING THE PROJECT DEVELOPMENT FOR A REGIONAL WASTEWATER TREATMENT PLAN

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE THE SCOPE OF SERVICES PRESENTED AND AUTHORIZE THE EXPENDITURES IN THE AMOUNT OF \$300,000. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

XII. 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 WAS NO ACTION FROM THIS ITEM.

XIII. ADJOURNMENT

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

MAYOR GROFF ADJOURNED THE MEETING AT 9:26 P.M.




AARON GROFF, MAYOR

ATTEST:


KIMBERLY KOPECKY, CITY SECRETARY