



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 MAY 19, 2020

NOTICE IS HEREBY GIVEN OF A REGULAR CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD BY VIDEOCONFERENCE ON TUESDAY, MAY 19, 2020 AT 7:00 P.M., FOR THE PURPOSE OF CONSIDERING THE FOLLOWING ITEMS. AUDIO, AND TO THE EXTENT FEASIBLE, VIDEO OF THE MEETING WILL BE AVAILABLE TO THE PUBLIC VIA THE FOLLOWING FREE-OF-CHARGE VIDEOCONFERENCE LINK:

[\[https://global.gotomeeting.com/join/246038173\]](https://global.gotomeeting.com/join/246038173)

The above videoconference link allows for two-way communication with members of the public; however, to avoid disruption of the meeting by channel noise, audio feedback loops, or excessive background noise, members of the public may be muted by the presiding officer or the officer's designee except during the citizen's comments portion of the agenda. A recording of the meeting will be made available to the public.

"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 ABERNATHY, FULSHEAR CHURCH OF CHRIST**

- IV. **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.*

- V. **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 CITY RESPONSE TO COVID-19**
 - B. **UPDATE ON BOARDS & COMMISSIONS VACANCIES AND APPLICATIONS**
 - C. **UPDATE ON ELECTIONS AND NEWLY ELECTED COUNCIL MEMBERS FOR 2020**

- VI. **PUBLIC HEARING**
 - A. **IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE AND CHAPTER 211 OF THE LOCAL GOVERNMENT CODE, THE CITY WILL HOLD FOUR PUBLIC HEARINGS; THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON MAY 1, 2020 AT 8:30 A.M., THE HEARING WILL BE HELD AT (<https://global.gotomeeting.com/join/631315341>). A SECOND PUBLIC HEARING WILL BE BY THE PLANNING AND ZONING COMMISSION ON MAY 1, 2020 AT 9 A.M., THE HEARING WILL BE HELD AT CITY HALL, 30603 FM 1093 FULSHEAR, TEXAS. A THIRD PUBLIC HEARING WILL BE HELD BY CITY COUNCIL ON MAY 19, 2020 AT 5:30 P.M., AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY-FULSHEAR RD., FULSHEAR, TEXAS. THE FOURTH HEARING WILL BE HELD BY THE CITY COUNCIL ON MAY 19, 2020 AT 7:00 P.M., THE HEARING WILL BE HELD AT (<https://global.gotomeeting.com/join/246038173>). EACH HEARING WILL ALLOW ALL INTERESTED PERSONS AN OPPORTUNITY TO BE HEARD. THE LOCATION OF THE PREMISES IN QUESTION IS IN THE RESIDENTIAL ACREAGE DISTRIC, BEING 38.512 ACRES OF LAND, THE REMAINDER OF THE GRANDES RICOS, LLC 44.512 ACRE TRACT, ALL BEING IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS, AND IS MORE SPECIFICALLY LOCATD AT 7510 WALLIS ST., FULSHEAR, TEXAS 77441. THE APPLICANT, JEFFREY DUKE, IS SEEKING A ZONING CHANGE, PUSUANT TO THE ZONING ORDINANCE, SECTION 1-279, TO TAKE THE CURRENT ZONING FROM RESIDENTIAL ACREAGE TO DOWNTOWN DISTRICT, FOR THE PURPOSES OF A MIXED-USE DEVELOPMENT WITH COMMERCIAL, RESIDENTIAL, PARK, CIVIC, AND OTHER USES. 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 DEVELOPMENT SERVICES DEPARTMENT LOCATED AT 29255 FM 1093 SUITE #12C FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 7:00 A.M. TO 4:00 P.M. AND FRIDAYS FROM 7:00 A.M. TO 3 P.M. FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST, PLEASE CALL ZACH GOODLANDER, CITY OF FULSHEAR, 281-346-8852

- B. IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE AND CHAPTER 211 OF THE LOCAL GOVERNMENT CODE, THE CITY WILL HOLD FOUR PUBLIC HEARINGS; THE FIRST PUBLIC HEARING WILL BE HELD BY PLANNING AND ZONING COMMISSION ON MAY 1, 2020 AT 8:30 A.M., THE HEARING WILL BE HELD AT (<HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/631315341>). A SECOND PUBLIC HEARING WILL BE BY THE PLANNING AND ZONING COMMISSION ON MAY 1, 2020 AT 9 AM., THE HEARING WILL BE HELD AT CITY HALL, 30603 FM 1093 FULSHEAR, TEXAS. A THIRD PUBLIC HEARING WILL BE HELD BY CITY COUNCIL ON MAY 19, 2020 AT 5:30 P.M., AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY-FULSHEAR RD., FULSHEAR, TEXAS. THE FOURTH HEARING WILL BE HELD BY THE CITY COUNCIL ON MAY 19, 2020 AT 7:00 P.M., THE HEARING WILL BE HELD AT (<HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/246038173>). EACH HEARING WILL ALLOW ALL INTERESTED PERSONS AN OPPORTUNITY TO BE HEARD.

THE LOCATION OF THE PREMISES IN QUESTION IS IN THE RESIDENTIAL ACREAGE DISTRICT, BEING 86.191 ACRES OF LAND, MORE OR LESS, BEING THE RESIDUE OF A 101 ACRE TRACT AS DESCRIBED IN THE UTILITY EASEMENT AGREEMENT EXECUTED BY AND BETWEEN THE ESTATE OF GERALD WAYNE MCCANN, DECEASED, ET AL., AND THE CITY OF FULSHEAR AND REFERENCED AS INSTRUMENT NUMBER 2018040871, FILED IN THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, AND IS MORE SPECIFICALLY LOCATED AT 31210 FM 1093 FULSHEAR, TEXAS 77441. THE APPLICANT, POSITIVE DEVELOPMENTS LLC, IS SEEKING A ZONING CHANGE, PURSUANT TO THE ZONING ORDINANCE, SECTION 1-279, TO TAKE THE CURRENT ZONING FROM RESIDENTIAL ACREAGE TO DOWNTOWN DISTRICT, FOR THE PURPOSES OF A MIXED-USE DEVELOPMENT WITH COMMERCIAL, RESIDENTIAL, PARK, CIVIC, AND OTHER USES. 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 DEVELOPMENT SERVICES DEPARTMENT LOCATED AT 29255 FM 1093 SUITE #12C FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 7:00 A.M. TO 4:00 P.M. AND FRIDAYS FROM 7:00 A.M. TO 3P.M. FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST PLEASE CALL ZACH GOODLANDER, CITY OF FULSHEAR, 281-346-8852.

- C. IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE AND CHAPTER 211 OF THE LOCAL GOVERNMENT CODE, THE CITY WILL HOLD FOUR PUBLIC HEARINGS; THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON MAY 1, 2020 AT 8:30 A.M., THE HEARING WILL BE HELD AT (<HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/631315341>). A SECOND PUBLIC HEARING WILL BE BY THE PLANNING AND ZONING COMMISSION ON MAY 1, 2020 AT 9 AM., THE HEARING WILL BE HELD AT CITY HALL, 30603 FM 1093 FULSHEAR, TEXAS. A THIRD PUBLIC HEARING WILL BE HELD BY CITY COUNCIL ON MAY 19, 2020 AT 5:30 P.M., AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY-FULSHEAR RD., FULSHEAR, TEXAS. THE FOURTH HEARING WILL BE HELD BY THE CITY COUNCIL ON MAY 19, 2020 AT 7:00 P.M., THE HEARING WILL BE HELD AT (<HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/246038173>). EACH HEARING WILL ALLOW ALL INTERESTED PERSONS AN OPPORTUNITY TO BE HEARD.
- THE LOCATION OF THE PREMISES IN QUESTION IS IN THE MANUFACTURED HOUSING DISTRICT, BEING THE 2.25-ACRE TRACT CONVEYED TO DAVE ROGERS, RECORDED IN VOLUME 230, PAGE 29, DEED RECORDS FORT BEND COUNTY, TEXAS, AND IS MORE GENERALLY LOCATED AT THE NORTHEAST INTERSECTION OF DIXON AND PATTERSON ROADS. THE OWNER'S AGENT, MIKE ROLLER, IS SEEKING A ZONING CHANGE, PURSUANT TO THE ZONING ORDINANCE, SECTION 1-279, TO TAKE THE CURRENT ZONING FROM MANUFACTURED HOUSING TO THE INDUSTRIAL DISTRICT, FOR THE PURPOSES OF AN OFFICE WAREHOUSE WITH NO OUTSIDE STORAGE. 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 DEVELOPMENT SERVICES DEPARTMENT LOCATED AT 29255 FM 1093 SUITE #12C FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 7:00 A.M. TO 4:00 P.M. AND FRIDAYS FROM 7:00 A.M. TO 3P.M. FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST PLEASE CALL ZACH GOODLANDER, CITY OF FULSHEAR, 281-346-8852.

- VII. **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 APRIL 21, 2020 (SPECIAL) AND APRIL 21, 2020 (REGULAR)**
 - B. **CONSENT AND POSSIBLE ACTION TO ACCEPT THE MONTHLY FINANCIAL STATEMENTS FOR THE GENERAL & UTILITY FUNDS**
 - C. **CONSENT AND POSSIBLE ACTION TO APPROVE 20-1 QUARTERLY INVESTMENT REPORT**
 - D. **CONSENT AND APPROVAL OF THE TAMARRON SECTION 15 FINAL PLAT**
 - E. **CONSENT AND APPROVAL OF THE TAMARRON SECTION 21 FINAL PLAT**
 - F. **CONSENT AND APPROVAL OF THE TAMARRON SECTION 27 FINAL PLAT**

- G. CONSENT AND APPROVAL OF THE POLO RANCH SECTION 6 REPLAT NO. 1 PRELIMINARY PLAT
- H. CONSENT AND APPROVAL OF THE FLETCHER MORGAN ELEMENTARY SCHOOL PRELIMINARY PLAT
- I. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR CREEK COVE AT CROSS CREEK RANCH, SECTION 11, FROM MUD 173
- J. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR CREEK TRACE AT CROSS CREEK RANCH, SECTION 1 FROM MUD 170
- K. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR BROOKS AT CROSS CREEK RANCH, SECTION 3, FROM MUD 170
- L. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULSHEAR BEND DRIVE EXTENSION NO. 3, FROM MUD 169

VIII. BUSINESS

- A. PROCLAMATION IN SUPPORT OF NATIONAL PUBLIC WORKS WEEK MAY 17-23, 2020
- B. CONSIDERATION AND POSSIBLE ACTION TO ELECT A MAYOR PRO-TEM
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A ZONING CHANGE FROM (R-1) RESIDENTIAL ACREAGE TO DOWNTOWN DISTRICT FOR A PROPERTY LOCATED AT 7510 WALLIS STREET
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A ZONING CHANGE FROM (R-1) RESIDENTIAL ACREAGE TO DOWNTOWN DISTRICT FOR A PROPERTY LOCATED AT 31210 FM 1093
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A ZONING CHANGE FROM (MH) MANUFACTURED HOUSING TO (I) INDUSTRIAL FOR A PROPERTY APPROXIMATELY 2.25 ACRES IN SIZE, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF PATTERSON AND DIXON ROADS
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-463, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S PLANNING AND ZONING COMMISSION
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-464, A RESOLUTION APPOINTING A REPRESENTATIVE FROM THE ETJ AS AN AD HOC VOTING MEMBER OF THE PLANNING AND ZONING COMMISSION WHEN IT ACTS AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-469, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S ZONING BOARD OF ADJUSTMENT

- I. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-465, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY’S PARKS AND RECREATION COMMISSION**
- J. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-466, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY’S HISTORIC PRESERVATION AND MUSEUM COMMISSION**
- K. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-467, APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE “A” ECONOMIC DEVELOPMENT SALES TAX CORPORATION**
- L. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-468, APPOINTING DIRECTORS TO THE BOARD OF THE FULSHEAR DEVELOPMENT CORPORATION, A TYPE “B” ECONOMIC DEVELOPMENT SALES TAX CORPORATION**
- M. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE INDIVIDUAL AGREEMENTS FOR LAW ENFORCEMENT EQUIPMENT WITH FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 172, FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 173, AND FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 170**
- N. **CONSIDERATION AND APPROVAL OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, KEITH AND CYNTHIA WILLIAMS, AND THE WESTPARK CHURCH OF CHRIST**
- O. **CONSIDERATION AND POSSIBLE ACTION TO DENY THE ACADEMIX VILLAGE PRELIMINARY PLAT**

IX. 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.

X. ADJOURNMENT

NOTE: IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, AND TO THE EXTENT APPLICABLE, 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 MAY 13, 2020 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