

"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 COUNCIL MEMBER: Kevin White COUNCIL MEMBER: Joel Patterson

CITY MANAGER: Jack Harper

MAYOR PRO-TEM: Kaye Kahlich COUNCIL MEMBER: Debra Cates COUNCIL MEMBER: John Kelly

STAFF:

CITY SECRETARY: Kimberly Kopecky

COUNCIL MEMBER: Kent Pool COUNCIL MEMBER: Lisa Martin

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MEETING AUGUST 18, 2020

[https://global.gotomeeting.com/join/226576317]

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF VIA VIDEOCONFERENCE AT 7:01 P.M. A QUORUM WAS PRESENT.

II. QUORUM & ROLL CALL

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

WES VELA MARIELA RODRIGUEZ SHARON VALIANTE KIMBERLY KOPECKY ANGELA FRITZ BYRON BROWN JACK HARPER KENNY SEYMOUR ZACH GOODLANDER

OTHERS PRESENT:

MALINA SPRINGER
JASON MAKLARY
281-799-1136
TODD HAMILTON
RUSSELL COSBEY
832-418-0170
JACOB CLARK, LJA
KS
TREY DEVILLIER
VICTOR DURON ESPARZA
GERALD GRISSOM
J. STEPHEN WILCOX, P.E., CFM
MIKE HALDE

III. INVOCATION- DR. CHARLES WISDOM, FULSHEAR POLICE CHAPLAIN

DR. CHARLES WISDOM GAVE THE INVOCATION.

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.

THERE WERE NO CITIZEN COMMENTS.

V. <u>CITY'S MANAGER'S REPORT</u> – 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

JACK HARPER GAVE A BRIEF UPDATE. ALL CITY OPERATIONS ARE GOING AS WELL AS POSSIBLE, THE FACILITIES ARE OPEN AND THE CITY IS BUSY.

B. SPECIAL MEETING ON AUGUST 25TH-CDO WORKSHOP

PER JACK, DUE TO A LOT OF QUESTIONS FROM STAFF AND STAKEHOLDERS, WE WILL BE HAVING A SPECIAL MEETING ON AUGUST 25 FROM 8 A.M. – 5 P.M. PLEASE SUBMIT QUESTIONS TO ZACH AND JACK. DAVID AND BRETT FROM KKC WILL BE AT THE MEETING ALL DAY TO ANSWER QUESTIONS. THERE WILL BE SOCIAL DISTANCING AND HAND SANITIZER.

- VI. 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 21, 2020 (SPECIAL), JULY 21, 2020 (REGULAR), AND JULY 28, 2020 (JOINT SPECIAL)
 - B. CONSENT AND POSSIBLE ACTION TO ACCEPT THE QUARTERLY INVESTMENT REPORT
 - C. CONSENT AND POSSIBLE ACTION TO RECORD RECEIPT OF 2020 CERTIFIED APPRAISAL ROLL AND COLLECTION RATE AS REQUESTED BY THE COUNTY TAX ASSESSOR/COLLECTOR
 - D. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR SKYLINE DRIVE STREET DEDICATION FROM FORT BEND COUNTY MUD NO. 171
 - E. CONSENT AND POSSIBLE ACTION TO ACCEPT THE MONTHLY FINANCIAL STATEMENTS FOR THE GENERAL AND UTILITY FUNDS
 - F. CONSENT AND APPROVAL OF THE POLO RANCH SECTION 12 PRELIMINARY PLAT
 - G. CONSENT AND APPROVAL OF AN UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN
 - H. CONSENT AND APPROVAL OF THE FULSHEAR BEND DRIVE NO. 4 EXTENSION FINAL PLAT
 - I. CONSENT AND APPROVAL OF THE FULBROOK ON FULSHEAR CREEK SECTION 16 PRELIMINARY PLAT
 - J. CONSENT AND APPROVAL OF THE FULBROOK ON FULSHEAR CREEK SECTION 15
 PRELIMINARY PLAT
 - K. CONSENT AND APPROVAL OF THE COMMONS AT JORDAN RANCH PRELIMINARY PLAT
 - L. CONSENT AND APPROVAL OF THE BEND IN JORDAN RANCH PRELIMINARY PLAT
 - M. CONSENT AND APPROVAL OF AN UPDATE TO THE POLO RANCH MASTER SIGN PLAN

MAYOR PRO-TEM KAHLICH ASKED TO REMOVE CONSENT ITEM G FOR DISCUSSION.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEMS A-F AND H-M. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES: COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE

COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

CONSENTITEM G

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEM G. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES: COUNCIL MEMBER CATES

COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

VII. BUSINESS

A. CONSIDERATION OF RESOLUTION NO. 2020-479, 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 (1^{5T} READING)

THERE IS NO ACTION TO BE TAKEN FROM THIS ITEM.

B. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-479 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 MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTIO NO. 2020-479, AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC). IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES

COUNCIL MEMBER WHITE COUNCIL MEMBER MARTIN

COUNCIL MEMBER PATTERSON MAYOR PRO-TEM KAHLICH COUNCIL MEMBER POOL COUNCIL MEMBER KELLY

NAYS: NONE

C. CONSIDERATION OF RESOLUTION NO. 2020-481, 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)

THERE IS NO ACTION TO BE TAKEN FROM THIS ITEM.

D. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-481, 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. 2020-481, AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC). IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

E. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-482, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A)

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2020-482, APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A). IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON

MAYOR PRO-TEM KAHLICH COUNCIL MEMBER POOL COUNCIL MEMBER KELLY

NAYS: NONE

F. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-483, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B)

A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO APPROVE RESOLUTION NO. 2020-483, APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B). IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER WHITE

COUNCIL MEMBER CATES
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

G. CONSIDERATION OF RESOLUTION NO. 2020-484, 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 (1^{5T} READING)

THERE IS NO ACTION TO BE TAKEN FROM THIS ITEM.

H. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-484, 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 MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2020-484, AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC). IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH

COUNCIL MEMBER POOL COUNCIL MEMBER KELLY

NAYS: NONE

I. CONSIDERATION OF RESOLUTION NO. 2020-485, 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)

THERE IS NO ACTION TO BE TAKEN FROM THIS ITEM.

J. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-485, 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. 2020-485, AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC). IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT #2020-22 FOR ENGINEERING SERVICES – DESIGN OF THE GLO GRANT PROJECT FOR THE LEA AND PENN LN SITE DRAINAGE IMPROVEMENTS

SHARON VALIANTE EXPLAINED THAT LAST MONTH COUNCIL AUTHORIZED THE CITY TO MOVE FORWARD WITH COSTELLO INC FOR THIS PROJECT. SHE PRESENTED THE AGREEMENT FOR DESIGN OF THE PROJECT. STEPHEN WILCOX WITH COSTELLO WAS IN ATTENDANCE TO ANSWER QUESTIONS OF COUNCIL.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE AGREEMENT #2020-22 FOR ENGINEERING SERVICES- DESIGN OF THE GLO GRANT PROJECT FOR THE LEA AND PENN LN SITE DRAINAGE IMPROVEMENTS. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON

MAYOR PRO-TEM KAHLICH COUNCIL MEMBER POOL COUNCIL MEMBER KELLY

NAYS: NONE

L. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE PURCHASE OF 2 REPLACEMENT FLEET FOR POLICE DEPARTMENT

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO AUTHORIZE THE PURCHASE OF 2 REPLACEMENT FLEET FOR THE POLICE DEPARTMENT. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

M. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT #2020-67 - MASTER DRAINAGE PLAN PHASE II

SHARON VALIANTE EXPLAINED THIS WOULD BEGIN PHASE II OF THE MASTER DRAINAGE PLAN. STEPHEN WILCOX WITH COSTELLO WAS IN ATTENDANCE TO ANSWER QUESTIONS. THIS AGREEMENT IS WITHIN THE BUDGETED AMOUNT.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE AGREEMENT #2020-67-MASTER DRAINAGE PLAN PHASE II. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

N. REVIEW AND DISCUSSION OF FY21 OPERATING & CAPITAL BUDGET

JACK HARPER GAVE A BRIEF SYNOPSIS OF THE PROPOSED BUDGET. THE FORMAL CHANGES WERE MADE BY WES PER THE PREVIOUS BUDGET MEETING DISCUSSION. ALL REQUESTED ITEMS FROM THE PREVIOUS MEETING HAVE BEEN EMAILED TO COUNCIL.

WES WENT OVER THE CHANGES THAT WERE MADE AND NEXT TENTATIVE MEETING DATES FOR PUBLIC HEARING/ADOPTION. (FOR FULL DISCUSSION, WATCH ON THE CITY WEBSITE OR REQUEST VIDEO/AUDIO)

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO TAKE A BRIEF RECESS. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH
COUNCIL MEMBER POOL
COUNCIL MEMBER KELLY

NAYS: NONE

MAYOR GROFF CALLED THE RECESS AT 9:02 P.M.

MAYOR GROFF CALLED THE MEETING BACK TO ORDER AT 9:09 P.M.

CITY COUNCIL RESUMED THE MEETING WITH BUDGET DISCUSSION REGARDING THE CITY ATTORNEY AND OPTIONS PRESENTED BY GRADY RANDLE MOVING FORWARD.

JACK AND BYRON ANSWERED QUESTIONS OF THE COUNCIL REGARDING THE OPTIONS AND ADDITIONAL LEGAL STAFF NEEDED BASED ON THE DECISION, ETC.

THE GENERAL CONSENSUS OF COUNCIL WAS TO JUST KEEP THE PROPOSED BUDGETED AMOUNT FOR CITY ATTORNEY AS IS.

O. CONSIDERATION & POSSIBLE ACTION TO PROPOSE A 2020 TAX RATE AND SET A PUBLIC HEARING

WES VELA EXPLAINED THAT THIS ITEM WAS TO SET A TAX RATE AND SET A PUBLIC HEARING.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO PROPOSE A TOTAL TAX RATE OF .20707 PER \$100 VALUATION, .152819 FOR MAINTENANCE AND OPERATION TAX RATE, AND .054251 FOR SINKING AND INTEREST TAX RATE, AND TO DIRECT STAFF TO PUBLISH A NOTICE OF PROPOSED 2020 TAX RATE, ADDITIONALLY A PUBLIC HEARING WILL BE HELD AT IRENE STERN AT 7:00 P.M. ON SEPTEMBER 15, 2020 BY INSTRUCTION OF POSTED AGENDA. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES- COUNCIL MEMBER CATES
COUNCIL MEMBER WHITE
COUNCIL MEMBER MARTIN
COUNCIL MEMBER PATTERSON
MAYOR PRO-TEM KAHLICH

COUNCIL MEMBER POOL COUNCIL MEMBER KELLY

NAYS: NONE

VIII. 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.

COUNCIL MEMBER MARTIN WILL NOT BE AT THE AUGUST 25TH MEETING.

IX. ADJOURNMENT

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

AARON GROFF, MAYOR

AYES- COUNCIL MEMBER CATES

COUNCIL MEMBER WHITE COUNCIL MEMBER MARTIN COUNCIL MEMBER PATTERSON MAYOR PRO-TEM KAHLICH COUNCIL MEMBER POOL COUNCIL MEMBER KELLY

NAYS: NONE

MAYOR GROFF ADJOURNED THE MEETING AT 10:03 P.M.

ATTEST:

KIMBERLY KOPECKY, CITY SECRET