



# 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

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## SPECIAL CITY COUNCIL MEETING SEPTEMBER 21, 2020

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**NOTICE IS HEREBY GIVEN OF A SPECIAL CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD BY VIDEOCONFERENCE ON MONDAY, SEPTEMBER 21, 2020 AT 5:15 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:**

[\[https://global.gotomeeting.com/join/332542157\]](https://global.gotomeeting.com/join/332542157)

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. 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.

**IV. CITY 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 RETIREMENT OF CHIEF FINANCIAL OFFICER**

**V. BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2020-1334, AN ORDINANCE AMENDING ORDINANCE 2020-1327; ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY**

**VI. 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 17, 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





Monday - Friday  
6:35 AM - 9:15 AM  
2:15 PM - 4:45 PM

Provided the ordinance is adopted, staff will make the necessary changes to the posted signs on Cross Creek Bend Ln and on Fulshear Bend Ln to reflect the new school zone times.

**RECOMMENDATION**

City Council approve the amendments to the school zones for Adams Junior High School and Jordan High School by adopting Ordinance 2020-1334, amending Ordinance 2020-1327, establishing or altering a regulatory speed zone on various streets or portions of streets within the city.

**ATTACHMENTS:**

Description	Upload Date	Type
Ordinance 2020-1334	9/17/2020	Ordinance
Ordinance 2020-1327	9/17/2020	Backup Material

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING ORDINANCE NO. 2020-1327, ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, Transportation Code section 545.352 establishes prima facie reasonable and prudent speed limits for various categories of public roads, streets and highways; and

**WHEREAS**, Transportation Code section 545.356 empowers the City of Fulshear, Texas, to alter those prima facie limits on public roads, streets, and highways in the City as determined from the results of an engineering and traffic investigation conducted according to the procedures adopted by the Texas Transportation Commission; and

**WHEREAS**, the City has conducted the prescribed engineering and traffic investigations to determine reasonable and safe prima facie maximum speed limits for those portions of those certain public roads, streets, and highways described in the exhibits attached hereto; and

**WHEREAS**, the exhibits attached hereto describe speed zones for sections of public roads, streets, and highways where engineering and traffic investigations justify the need to alter the speeds; and

**WHEREAS**, the City previously adopted Ordinance No. 2020-1327 and desires to amend said ordinance as provided for herein;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:**

**Section 1.** Ordinance No. 2020-1327 is hereby amended by repealing and replacing Exhibit E attached thereto with Exhibit E attached hereto.

**Section 2.** Ordinance No. 2020-1327 is hereby amended by repealing and replacing Exhibit F attached thereto with Exhibit F attached hereto.

**Section 3.** The City Manager or his designee is hereby authorized to proceed with the erection of appropriate signs and other traffic control devices to effect this ordinance.

**Section 4.** **Penalty.** Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00), provided that if such rule, ordinance, or police regulation governs fire safety, zoning, or public health

and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00), and further provided that if such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

**Section 5.** **Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 6.** **Repeal.** All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 7.** **Effective date.** This Ordinance shall be effective and in full force when published as required by law.

**PASSED, APPROVED, and ADOPTED** this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Aaron Groff, Mayor

**ATTEST:**

\_\_\_\_\_  
Kimberly Kopecky, City Secretary



## Exhibit E

**School Speed Zones  
Joe M. Adams Junior High  
Katy Independent School District**

<u>Street</u>	<u>Speed</u>	<u>Times in Effect</u>	<u>Limits of Zone</u>
Cross Creek Bend Lane	20 MPH	Monday - Friday 6:35am – 9:15am 2:15pm – 4:45pm	From a point 200 feet south of Fulshear Bend Drive to a point 200 feet north of Evergreen Cove Lane
Evergreen Cove Lane	20 MPH	Monday - Friday 6:15am – 9:15am 2:15pm – 4:45pm	From a point 50 feet west of Cross Creek Bend Lane to the intersection of Cross Creek Bend Lane





## Exhibit F

**School Speed Zones  
Jordan High School  
Katy Independent School District**

<u>Street</u>	<u>Speed</u>	<u>Times in Effect</u>	<u>Limits of Zone</u>
Fulshear Bend Drive	20 MPH	Monday - Friday 6:35am - 9:15am 2:15pm - 4:45pm	From a point 1,900 feet east of Cross Creek Bend Lane to a point 200 feet west of Cross Creek Bend Lane

ORDINANCE NO. 2020-1327

**AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, REPEALING AND REPLACING ORDINANCE NO. 2018-1284, AS AMENDED BY ORDINANCE NO. 2019-1302, ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, Transportation Code section 545.352 establishes prima facie reasonable and prudent speed limits for various categories of public roads, streets and highways; and

**WHEREAS**, Transportation Code section 545.356 empowers the City of Fulshear, Texas, to alter those prima facie limits on public roads, streets, and highways in the City as determined from the results of an engineering and traffic investigation conducted according to the procedures adopted by the Texas Transportation Commission; and

**WHEREAS**, the City has conducted the prescribed engineering and traffic investigations to determine reasonable and safe prima facie maximum speed limits for those portions of those certain public roads, streets, and highways described in the exhibits attached hereto; and

**WHEREAS**, the exhibits attached hereto describe speed zones for sections of public roads, streets, and highways where engineering and traffic investigations justify the need to alter the speeds; and

**WHEREAS**, the City previously adopted Ordinance No. 2018-1284, which was subsequently amended by Ordinance No. 2019-1302, and desires to repeal and replace said ordinance with this ordinance;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:**

**Section 1.** Ordinance No. 2018-1284 is hereby repealed.

**Section 2.** Ordinance No. 2019-1302 is hereby repealed.

**Section 3.** The reasonable and prudent prima facie maximum speed limits set forth in Exhibits A, B, C, D, E & F, which are incorporated herein by this reference, are declared as tabulated in said exhibits and, subject to section 545.356(c), Transportation Code, are in effect at the times set forth in said exhibits.

**Section 4.** The City Manager or his designee is hereby authorized to proceed with the erection of appropriate signs and other traffic control devices to effect this ordinance.

**Section 5. Penalty.** Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00), provided that if such rule, ordinance, or police regulation governs fire safety, zoning, or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00), and further provided that if such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

**Section 6. Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 7. Repeal.** All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 8. Effective date.** This Ordinance shall be effective and in full force when published as required by law.

PASSED, APPROVED, and ADOPTED this, the 21<sup>st</sup> day of July, 2020.



ATTEST:

  
\_\_\_\_\_  
Kimberly Kopecky, City Secretary

  
\_\_\_\_\_  
Aaron Groff, Mayor



**Exhibit A**

**School Speed Zones  
Campbell Elementary  
Katy Independent School District**

<b><u>Street</u></b>	<b><u>Speed</u></b>	<b><u>Times in Effect</u></b>	<b><u>Limits of Zone</u></b>
Cross Creek Bend Lane	20 MPH	Monday - Friday 7:15am - 8:15am 2:45pm - 3:45pm	From the intersection of Tamarron Trace to a point 200 feet east of Creek Falls Drive
Creek Falls Drive	20 MPH	Monday - Friday 7:15am - 8:15am 2:45pm - 3:45pm	From a point 810 feet north of Cross Creek Bend Lane to the intersection of Cross Creek Bend Lane



## Exhibit B

**School Speed Zones  
Randolph Elementary  
Katy Independent School District**

<u>Street</u>	<u>Speed</u>	<u>Times in Effect</u>	<u>Limits of Zone</u>
Flewellen Oaks Lane	20 MPH	Monday - Friday 7:15am - 8:15am 2:45pm - 3:45pm	From a point 400 feet west of FM 1463 to a point 400 feet south of South Fry Road
South Fry Road	20 MPH	Monday - Friday 7:15am - 8:15am 2:45pm - 3:45pm	From a point 400 feet east of Flewellen Oaks Lane to a point 400 feet west of Flewellen Oaks Lane
Dove Ranch Boulevard	20 MPH	Monday - Friday 7:15am - 8:15am 2:45pm - 3:45pm	From a point 75 feet north of Flewellen Oaks Lane to the intersection of Flewellen Oaks Lane



## Exhibit C

**School Speed Zones  
Lamar CISD School Complex  
(Leaman Junior High School, Fulshear High School and Roberts Middle School)  
Lamar Consolidated Independent School District**

<u>Street</u>	<u>Speed</u>	<u>Times in Effect</u>	<u>Limits of Zone</u>
Charger Way	20 MPH	Monday - Friday 7:35am - 8:35am 3:10pm - 4:10pm	From a point 600 feet north of FM 1093 to a point 3970 feet north of FM 1093



**Exhibit D**

**School Speed Zones  
Huggins Elementary  
Lamar Consolidated Independent School District**

<b><u>Street</u></b>	<b><u>Speed</u></b>	<b><u>Times in Effect</u></b>	<b><u>Limits of Zone</u></b>
Huggins Drive	20 MPH	Monday - Friday 6:50am - 7:50am 2:35pm - 3:35pm	From the intersection of Houston Street to the intersection of Katy Fulshear Road





**Exhibit E**

**School Speed Zones  
Joe M. Adams Junior High  
Katy Independent School District**

<b><u>Street</u></b>	<b><u>Speed</u></b>	<b><u>Times in Effect</u></b>	<b><u>Limits of Zone</u></b>
Cross Creek Bend Lane	20 MPH	Monday - Friday 8:15am – 9:15am 3:45pm – 4:45pm	From a point 200 feet south of Fulshear Bend Drive to a point 200 feet north of Evergreen Cove Lane
Evergreen Cove Lane	20 MPH	Monday - Friday 8:15am – 9:15am 3:45pm – 4:45pm	From a point 50 feet west of Cross Creek Bend Lane to the intersection of Cross Creek Bend Lane





**Exhibit F**

**School Speed Zones  
Jordan High School  
Katy Independent School District**

<b><u>Street</u></b>	<b><u>Speed</u></b>	<b><u>Times in Effect</u></b>	<b><u>Limits of Zone</u></b>
Fulshear Bend Drive	20 MPH	Monday - Friday 6:35am - 7:35am 2:15pm - 3:15pm	From a point 1,900 feet east of Cross Creek Bend Lane to a point 200 feet west of Cross Creek Bend Lane