



6611 W. Cross Creek Bend Lane, 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:** Lisa Martin **COUNCIL MEMBER:** Kent Pool
COUNCIL MEMBER: Jason Knappe **COUNCIL MEMBER:** Kaye Kahlich **COUNCIL MEMBER:** Debra Cates
COUNCIL MEMBER: Joel
Patterson **COUNCIL MEMBER:** Sarah B.
Johnson

STAFF:

CITY MANAGER: Jack Harper **CITY SECRETARY:** Mariela **CITY ATTORNEY:** Byron Brown
Rodriguez

CITY COUNCIL MEETING MINUTES

January 17, 2023

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LANE, FULSHEAR, TEXAS AT 7:03 P.M.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

*AARON GROFF
KAYE KAHLICH
JOEL PATTERSON
DEBRA CATES
KENT POOL
JASON KNAPE
LISA MARTIN
SARAH JOHNSON*

CITY STAFF PRESENT:

*KATIE LEWIS
MARIELA RODRIGUEZ
BYRON BROWN
SHARON VALIANTE
JESUS ESCOBAR*

ERIN TUREAU
ZACH GOODLANDER
CASSIE LEAL
KENNY SEYMOUR
JOSH GREEN
TOMMY BLACKMON
KEVIN ZEISCHANG
NOAH NESEVITCH

**** ZACH GOODLANDER ACTED AS THE CITY MANAGER ON BEHALF OF JACK HARPERS ABSENCE****

OTHERS PRESENT:

PINK LOGAN
CHARLES WISDOM
AND 19 OTHERS

III. INVOCATION- PASTOR CHARLES WISDOM, CHAPLAIN, FULSHEAR POLICE DEPARTMENT

INVOCATION WAS GIVEN BY PASTOR CHARLES WISDOM, FULSHEAR POLICE DEPARTMENT CHAPLAIN.

IV. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

V. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

MAYOR GROFF LED THE PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS.

VI. CITIZENS 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.

PINK LOGAN, RESIDENT OF FULBROOK ON FULSHEAR CREEK, SPOKE REGARDING THE JAMES LANE PROPOSED SUBDIVISION, FLOODING AND DRAINAGE CONCERNS.

VII. CITY MANAGERS 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. APA COMMUNITY OF THE YEAR

*** ZACH GOODLANDER ACTED AS THE CITY MANAGER ON BEHALF OF JACK HARPERS ABSENCE***

ZACH GOODLANDER, ASSISTANT CITY MANAGER, EXPLAINED THE CITY OF FULSHEAR WAS NAMED COMMUNITY OF THE YEAR BY THE APA (AMERICAN PLANNING ASSOCIATION) HOUSTON CHAPTER.

GARY MITCHELL WITH KENDIG KEAST COLLABORATIVE PRESENTED THE AWARD.

B. CHANGES TO VARIOUS CITY STAFF MEMBERS

ZACH INTRODUCED THE NEW HIRES AND INTERNAL PROMOTIONS AND GAVE A BRIEF BACKGROUND ON EACH:

NEW HIRES

- RICHARD TEAGUE - UTILITIES MAINTENANCE TECHNICIAN II*
- NOAH NESEVITCH- UTILITIES MAINTENANCE TECHNICIAN I*
- JOSH GREEN- ASSISTANT CITY ATTORNEY*

INTERNAL PROMOTIONS

- TOMMY BLACKMON- ENGINEERING FIELD TECHNICIAN*
- KATIE LEWIS- ASSISTANT CITY SECRETARY*

C. UPDATE ON BUILD OUT OF CITY HALL AND SELECTION OF AESTHETIC AND INCIDENTAL ITEMS

ZACH GAVE AN UPDATE ON BOTH BUILDINGS:

BUILDINGS A AND B

- 95% OF DOORS HAVE BEEN INSTALLED*
- WAITING ON SOME GLASS INSERTS*
- INTERIOR CARD READER INSTALLATIONS ARE SCHEDULED TO BEGIN THIS WEEK*
- MINOR COSMETIC ITEMS*

ZACH INFORMED COUNCIL THE CITY SEAL HAS BEEN INSTALLED BEHIND THE DIAS AND CITY STAFF IS DETERMINING THE BEST LOCATION FOR THE FLAG POLE INSTALLATION.

TO DATE WE HAVE EXPENDED \$6,433,522.00, 99% OF THE TOTAL PROJECT.

CITY STAFF ANSWERED QUESTIONS FROM CITY COUNCIL.

VIII PUBLIC HEARING

- A NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE CITY OF FULSHEAR, TEXAS, PROPOSES TO INSTITUTE ANNEXATION PROCEEDINGS TO ENLARGE AND EXTEND THE BOUNDARY LIMITS OF THE CITY TO INCLUDE THE FOLLOWING DESCRIBED TERRITORY, TO-WIT: BEING 4.39 ACRES OF LAND SITUATED IN R. WRIGHT SURVEY, ABSTRACT NUMBER 344, FORT BEND COUNTY, AND GENERALLY SITUATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF FARM-TO-MARKET 359 AND N. FULSHEAR DRIVE. A PUBLIC HEARING WILL BE HELD BY AND BEFORE THE CITY COUNCIL OF THE CITY OF FULSHEAR AT 7:00 P.M. ON TUESDAY, JANUARY 17, 2023, AT THE FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441, FOR ALL PERSONS INTERESTED IN THE ABOVE PROPOSED ANNEXATION. AT SAID TIME AND PLACE, ALL SUCH PERSONS SHALL HAVE THE RIGHT TO APPEAR AND BE HEARD. A MORE DETAILED DESCRIPTION AND MAP OF THE PROPERTY PROPOSED FOR ANNEXATION IS ON FILE AT THE OFFICE OF THE CITY SECRETARY OF THE CITY OF FULSHEAR, TEXAS. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CALL THE CITY SECRETARY'S OFFICE AT 281-346-1796.**

MAYOR GROFF OPENED THE PUBLIC HEARING AT 7:21PM

NO ONE WISHED TO SPEAK

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 7:22 PM

- B NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE CITY OF FULSHEAR, TEXAS, PROPOSES TO INSTITUTE ANNEXATION PROCEEDINGS TO ENLARGE AND EXTEND THE BOUNDARY LIMITS OF THE CITY TO INCLUDE THE FOLLOWING DESCRIBED TERRITORY, TO-WIT: BEING A 70.681 ACRE PARCEL OF LAND BEING THE FRED E. BRAY TRACT OF LAND (FBC NO. 19999099289), AND BEING IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS. A PUBLIC HEARING WILL BE HELD BY AND BEFORE THE CITY COUNCIL OF THE CITY OF FULSHEAR AT 7:00 P.M. ON TUESDAY, JANUARY 17, 2023, AT THE FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441, FOR ALL PERSONS INTERESTED IN THE ABOVE PROPOSED ANNEXATION. AT SAID TIME AND PLACE, ALL SUCH PERSONS SHALL HAVE THE RIGHT TO APPEAR AND BE HEARD. A MORE DETAILED DESCRIPTION AND MAP OF THE PROPERTY PROPOSED FOR ANNEXATION IS ON FILE AT THE OFFICE OF THE CITY SECRETARY OF THE CITY OF FULSHEAR, TEXAS. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CALL THE CITY SECRETARY'S OFFICE AT 281-346-1796.**

MAYOR GROFF OPENED THE PUBLIC HEARING AT 7:23PM

NO ONE WISHED TO SPEAK

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 7:24PM

- C IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE AND CHAPTER 211 OF THE LOCAL GOVERNMENT CODE, THE CITY WILL HOLD TWO PUBLIC HEARINGS REGARDING A PROPOSED ZONING MAP AMENDMENT FOR AN APPROXIMATELY 70.681 ACRE TRACT OF LAND LOCATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, AND AT THE SOUTHERN TERMINUS OF JAMES LANE. THE TRACT OF LAND, CURRENTLY VACANT, AND NOT ZONED, REQUESTS TO BE ZONED INTO THE SUBURBAN RESIDENTIAL (SR) DISTRICT UPON ANNEXATION INTO THE CITY. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON JANUARY 6, 2023 AT 8:30 A.M. THE SECOND HEARING WILL BE HELD BY THE CITY COUNCIL ON JANUARY 17, 2023 AT 7:00 P.M. THE HEARINGS WILL BE HELD AT FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441. INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE APPLICATION. A COPY OF THE ZONING CHANGE IS ON FILE AT THE CITY SECRETARY'S OFFICE LOCATED AT 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 8:00 A.M. TO 5:00 P.M. AND FRIDAYS FROM 8:00 A.M. TO 3 P.M. FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST PLEASE CALL RODRIGO RODRIGUEZ, CITY OF FULSHEAR, 281-346-8860.**

MAYOR GROFF OPENED THE PUBLIC HEARING AT 7:25PM

NO ONE WISHED TO SPEAK

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 7:26 PM

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 DECEMBER 13, 2022 (SPECIAL) AND DECEMBER 15, 2022 (SPECIAL)**
- B. CONSENT AND APPROVAL FOR AN UPDATE TO EXHIBIT C FOR THE TXDOT UTILITY AGREEMENT FOR FM 1463 AND TO AUTHORIZE THE MAYOR TO**

EXECUTE THE EXHIBIT

- C. CONSENT AND APPROVAL OF THE NOVEMBER 2022 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- D. CONSENT AND APPROVAL OF AGREEMENT 2023-011 FOR MOWING AND RELATED SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE**
- E. CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO APPROVE AN AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FUNCTION 4 FOR PRINTER LEASE AND SERVICES**

COUNCIL MEMBER KAHLICH ASKED TO REMOVE CONSENT ITEM D FOR DISCUSSION.

COUNCIL MEMBER CATES ASKED TO REMOVE CONSENT ITEM C FOR DISCUSSION.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEMS A, B, AND E. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

CONSENT ITEM C

ERIN TUREAU ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO APPROVE CONSENT ITEM C. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

CONSENT ITEM D

SHARON VALIANTE ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO APPROVE CONSENT ITEM D. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

X. BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2023-1408, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, THE 6TH DAY OF MAY, 2023

MARIELA RODRIGUEZ INFORMED COUNCIL THAT THIS ORDINANCE IS TO ORDER THE GENERAL ELECTION.

SHE EXPLAINED THERE ARE FOUR SEATS TO FILL:

- AT-LARGE, POSITION 1*
- DISTRICT 1*
- DISTRICT 4*
- DISTRICT 5*

THE CITY SECRETARIES OFFICE WILL BEGIN ACCEPTING APPLICATIONS STARTING JANUARY 18, 2023 THROUGH FEBRUARY 17, 2023 AT 5PM. THERE ARE NO FILING FEES.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCILMEMBER JOHNSON TO APPROVE ORDINANCE NO. 2023-1408 ORDERING THE ELECTION FOR THE CITY OF FULSHEAR.. IT WAS SECONDED BY COUNCILMEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

B. PRESENTATION AND DISCUSSION OF GFL CONTRACT RENEWAL AND DIRECTION FOR SETTING RATES

SHARON INTRODUCED THIS ITEM AND WENT OVER THE CURRENT SOLID WASTE AND RECYCLE RATES.

SHE PROVIDED A BRIEF EXPLANATION OF THE OFFERED SERVICES BY GFL AS PART OF THE CONTRACT:

- VALET CART SERVICES FOR SPECIAL NEEDS
- DEDICATED ROUTE SUPERVISOR
- SPRING AND FALL CITY WIDE CLEAN UP EVENTS (ROLL OFF CONTAINERS)
- CALL CENTER
- TEMPORARY CONTAINERS FOR BLOCK PARTIES
- ENHANCED GPS AND CAMERA SYSTEMS IN TRUCKS
- CITY WIDE POLYCART REFRESH - NEW GREEN RECYCLE AND SOLID WASTE CARTS
- AVAILABILITY TO PURCHASE AN ADDITIONAL CART AT MAXIMUM OF 2 CARTS
- REPLACEMENT CARTS (1 TIME FEE)

THE CITY'S CONTRACT EXPIRED IN 2022 AND IS CURRENTLY MONTH TO MONTH AT THE SAME RATES.

SHARON WENT OVER A PACKET THAT SHE PROVIDED TO COUNCIL SHOWING THE CURRENT RATES VERSUS THE PROPOSED RATES FOR 1 AND 2 TIMES A WEEK SERVICE. SHE INFORMED COUNCIL OF THE RESULT OF THE SURVEY POSTED ON THE CITY'S WEBSITE AND PROMOTED VIA FACEBOOK. SHARON WENT OVER SOME OF THE COMMENTS FROM THE PUBLIC.

CITY COUNCIL DIRECTED STAFF TO IMPLEMENT A 50% OF THE PROPOSED RATE INCREASE TO GO INTO AFFECT IN MARCH 2023 AND THE ADDITIONAL 50% IN OCTOBER 2023. CUSTOMERS WILL SEE THE FIRST INCREASE ON THEIR APRIL BILL.

****THE ORDINANCE AND PROPOSED AGREEMENT WILL BE COMING BACK TO COUNCIL IN FEBRUARY FOR ADOPTION****

**** FOR THE FULL DISCUSSION PLEASE REFER TO THE CITY'S WEBSITE TO VIEW THE VIDEO****

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1400, ANNEXING THE HEREINAFTER DESCRIBED PROPERTY (APPROX. 11.666 ACRES) TO THE CITY OF FULSHEAR, TEXAS

ZACH DESCRIBED ANNEXATION TO BE FROM THE CURRENT CITY LIMITS BY MARCOS PIZZA TO HUNT ROAD. TXDOT HAS CONSENTED TO THIS

ANNEXATION AND WILL BE RESPONSIBLE FOR MAINTENANCE.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL AND CONFIRMED THE ORDINANCE BEING APPROVED IS THE MOST UPDATED VERSION IN THE PACKET ONLINE.

TO VIEW THE PACKET PLEASE REFER TO THE CITY'S WEBSITE

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO APPROVE ORDINANCE NO. 2023-1400, ANNEXING THE HEREINAFTER DESCRIBED PROPERTY (APPROX. 11.666 ACRES) TO THE CITY OF FULSHEAR. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1401, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 7.893 ACRES) TO THE CITY OF FULSHEAR, TEXAS

ZACH DESCRIBED THE ANNEXATION TO BE HEADING NORTH ON FM 359 FROM HUNT ROAD TO HEPPLWHITE ROAD AT ONE OF THE ENTRANCES TO PECAN HILL.

HE EXPLAINED WITH THIS ANNEXATION THE CITY HAS REACHED THE SIMONTON BORDER AND WE CAN NO LONGER GROW IN THAT AREA.

ZACH ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE ORDINANCE NO. 2023-1401 TO ANNEX THE TERRITORY DESCRIBED APPROX. 7.893 ACRES. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1402, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 3.511 ACRES) TO THE CITY OF FULSHEAR, TEXAS

ZACH EXPLAINED THAT THIS ANNEXATION IS NECESSARY FOR ITEM H TO TAKE PLACE. HE ALSO STATED THE ROAD IS CURRENTLY A COUNTY ROAD AND ONCE ANNEXED IT WOULD BE THE CITY'S RESPONSIBILITY TO MAINTAIN.

THIS WOULD ANNEX THE RIGHT OF WAY ON JAMES LANE FOR THE BRAY TRACT.

COLLIN PIER FROM TRI-POINTE ANSWERED QUESTIONS FROM COUNCIL

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

****FOR THE FULL DISCUSSION PLEASE REFER TO THE CITY'S WEBSITE TO VIEW THE VIDEO****

A MOTION WAS MADE BY COUNCIL MEMBER JOHNSON TO APPROVE THE ORDINANCE NO. 2023-1402 JAMES LANE RIGHT OF WAY ANNEXATION. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1403, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 22.081 ACRES) TO THE CITY OF FULSHEAR, TEXAS

ZACH DESCRIBED THIS IS THE LAST RIGHT OF WAY ANNEXATION. THE ANNEXATION WOULD BE THE EASTBOUND LANES OF FM 1093 FROM TEXAS HERITAGE PARKWAY ALMOST TO THE INTERSECTION OF FM 1463.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1403. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A WRITTEN SERVICES AGREEMENT WITH TRI POINTE HOMES, TEXAS INC. FOR THE ANNEXATION OF A 70.681 ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR

ZACH STATED THIS SERVICE AGREEMENT IS A NECESSARY STEP TO ANNEX THE PROPERTY AND STIPULATES WHAT SERVICES THE CITY WILL PROVIDE AND WHEN. HE EXPLAINED THIS SERVICE AGREEMENT DOESNT RUN COUNTER TO THE DEVELOPMENT AGREEMENT.

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE THE WRITTEN SERVICES AGREEMENT WITH TRI-POINTE HOMES FOR THE ANNEXATION OF THE 70.681 ACRE TRACT OF LAND LOCATED IN THE ETJ. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1404, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 70.681 ACRES) TO THE CITY OF FULSHEAR, TEXAS

ZACH EXPLAINED THIS PROPERTY IS OWNED BY TRI-POINTE HOMES AND IS LOCATED AT THE TERMINUS OF JAMES LANE. HE STATED CITY COUNCIL APPROVED THE DEVELOPMENT AGREEMENT WITH THE OBLIGATION TO ANNEX IT INTO THE CITY AS WELL AS A MINIMUM LOT SIZE OF ONE (1) ACRE AND MAXIMUM LOT COUNT OF THIRTY-EIGHT (38). HE INFORMED COUNCIL THAT TRI-POINTE DOES HAVE A FORT BEND COUNTY DRAINAGE DISTRICT APPROVED DRAINAGE PLAN THAT WAS APPROVED SEPTEMBER OF 2022

COLLIN PIERS ANSWERED QUESTIONS FROM COUNCIL.

ZACH ANSWERED QUESTIONS FROM COUNCIL.

*** FOR THE FULL DISCUSSION PLEASE REFER TO THE CITY'S WEBSITE TO VIEW THE VIDEO***

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE ORDINANCE NO. 2023-1404 TO ANNEX THE PROPERTY WE HAVE BEEN DISCUSSING THE 70.681 ACRES INTO THE CITY OF FULSHEAR. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL
NAYS:
ABSTAIN:
ABSENT:

MOTION APPROVED

I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1405, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, GRANTING A ZONING MAP AMENDMENT FOR THE PURPOSES OF ZONING AN UNZONED PARCEL INTO THE SUBURBAN RESIDENTIAL DISTRICT, FOR A 70.681 ACRE TRACT OR PARCEL OF LAND

ZACH STATED THIS ZONING AGREEMENT IS IN LINE WITH THE DEVELOPMENT AGREEMENT.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1405. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL
NAYS:
ABSTAIN:
ABSENT:

MOTION APPROVED

J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A WRITTEN SERVICES AGREEMENT WITH STEPHEN F. DAVIS, DONALD R. DAVIS, RONALD F. DAVIS, KATHRYN A. DAVIS AND KAREN A. DAVIS EFRON FOR THE ANNEXATION OF A 4.3901 ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR

ZACH STATED THIS IS A TRACT OF LAND ON THE INTERSECTION OF N. FULSHEAR DRIVE AND FM 359 ON THE NORTHEAST CORNER. THE LANDOWNERS REQUESTED ANNEXATION AND IS ANTICIPATED TO BE A COMMERCIAL DEVELOPMENT AT SUCH TIME IT DEVELOPS. ZACH MENTIONED THAT THE PROPERTY IS CURRENTLY VACANT

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCILMEMBER JOHNSON TO APPROVE THE WRITTEN SERVICE AGREEMENT DAVIS TRACT FM 359. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL
NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1406, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 4.39 ACRES) TO THE CITY OF FULSHEAR, TEXAS

ZACH ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCILMEMBER JOHNSON TO APPROVE ORDINANCE NO. 2023-1406 DAVIS TRACT ANNEXATION. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

L. DISCUSSION, WITH NO ACTION, REGARDING POSSIBLE UPDATES TO THE CITY'S CONSOLIDATED DEVELOPMENT ORDINANCE

ZACH INFORMED COUNCIL THAT AS REQUESTED THIS ITEM WAS TAKEN TO THE P&Z AND ZBA JOINT MEETING ON JANUARY 06TH.

ZACH EXPLAINED THE MEANING BEHIND THE CATEGORIZING (BY COLOR) OF THE DRAFT CONSOLIDATED DEVELOPMENT ORDINANCE (CDO)

- GREEN-GO
- YELLOW-MORE LEGAL REVIEW
- RED-LARGER POLICY DECISION OR SPLIT DECISION

COUNCIL AND CITY STAFF DISCUSSED THE TIMELINE FOR EFFECTIVENESS ON EACH ITEM ONCE UPDATED AND APPROVED. STAFF TOOK IN ALL OF COUNCILS SUGGESTIONS AND ANSWERED THEIR QUESTIONS.

STAFF WAS DIRECTED BY CITY COUNCIL

****FOR THE FULL DISCUSSION PLEASE REFER TO THE CITY'S WEBSITE TO VIEW THE VIDEO****

XI. 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.

NO ACTION WAS TAKEN ON THIS ITEM

XII. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO ADJOURN. IT WAS SECONDED BY COUNCILMEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 9:30PM

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY