



6611 W. Cross Creek Bend Lane, PO Box 279  
Fulshear, Texas 77441  
Phone: 281-346-1796 ~ Fax: 281-346-2556  
[www.FulshearTexas.gov](http://www.FulshearTexas.gov)

**CITY COUNCIL:**

**MAYOR:** Aaron Groff                      **MAYOR PRO-TEM:** Lisa Martin                      **COUNCIL MEMBER:** Kent Pool  
**COUNCIL MEMBER:** Jason Knape                      **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

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**SPECIAL CITY COUNCIL MEETING MINUTES**

February 21, 2023

**I. CALL TO ORDER**

*A SPECIAL 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 5:30 P.M.*

**II. QUORUM AND ROLL CALL**

*A QUORUM WAS PRESENT.*

***COUNCIL MEMBERS PRESENT:***

*AARON GROFF  
JOEL PATTERSON  
DEBRA CATES  
JASON KNAPE  
LISA MARTIN  
KAYE KAHLICH*

***COUNCIL MEMBERS ABSENT:***

*SARAH JOHNSON  
KENT POOL*

***CITY STAFF PRESENT:***

*KATIE LEWIS  
MARIELA RODRIGUEZ  
BYRON BROWN  
JACK HARPER*

CASSIE LEAL  
JOSH GREEN  
BILL HENRY  
MARIO ALMANZA  
ALEX ROJAS  
SHARON VALIANTE  
ERIN TUREAU

**OTHERS PRESENT:**  
7 PEOPLE THAT DID NOT SIGN IN

### 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.*

*THERE WERE NO CITIZEN COMMENTS.*

### IV. **BUSINESS**

- A. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1410 APPOINTING BYRON BROWN AS CITY ATTORNEY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE**

*THIS ITEM WAS TABLED.*

- B. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FORT BEND COUNTY FOR THE ADMINISTRATION OF THE MAY 6, 2023 GENERAL ELECTION**

*NO ACTION WAS TAKEN ON THIS ITEM DUE TO EACH DISTRICT BEING UNOPPOSED.*

- C. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT 2022-012 FOR DESIGN SERVICES FOR THE NEW 1.0 MGD EAST FULSHEAR WASTEWATER TREATMENT PLANT AT CROSS CREEK RANCH (WW22B)**

*CLIFF BROUHARD PRESENTED THIS ITEM AND EXPLAINED THIS IS AN*

*EXTENSION OF THE PROJECT. THAT WAS APPROVED LAST YEAR BY COUNCIL THIS WAS FOR THE PRELIMINARY ENGINEERING REVIEW (PER) FOR THE 1 MILLION GALLON TREATMENT PLANT AT THE CROSS CREEK RANCH SITE. THIS AGREEMENT IS TO AMEND THE CONTRACT WITH ENPROTEC/HIBBS & TODD, INC. (EHT) TO INCLUDE UP TO THE FINAL DESIGN.*

*JOSH BERRYHILL FROM EHT STATED THE TIMEFRAME FOR DESIGN COMPLETION IS 12-15 MONTHS DEPENDING ON TCEQ REVIEW.*

*CLIFF BROUHARD AND SHARON VALIANTE ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT 2022-012. IT WAS SECONDED BY MAYOR PRO-TEM MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: JOHNSON, POOL*

*MOTION APPROVED*

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

**D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT 2023-014 FOR DESIGN SERVICES FOR THE FM 359 SANITARY SEWER (WW23A) AND WATER LINE (W23B) EXTENSIONS**

*CLIFF BROUHARD EXPLAINED THIS IS FOR A WATER AND SANITARY SEWER LINE ON THE NORTHEAST SIDE OF FM 359 FROM THE POLO RANCH ENTRANCE TO THE CLOVER DEVELOPMENT PROPERTY. IT WILL ENCOMPASS ABOUT 1,600 FEET OF LINE ON THE NORTHEAST SIDE OF THE HIGHWAY FOR ANTICIPATED GROWTH. THE GROWTH CONSISTS OF PLANNED MULTIFAMILY HOMES FOR THE LOU WATERS PROJECTS.*

*SHARON VALIENTE STATED THIS PROJECT IS A COMMITMENT FROM THE DEVELOPMENT AGREEMENT. THE AGREEMENT IS WITH MR. WATERS THROUGH THE DEL WEBB AND POLO RANCH COMMUNITIES.*

*THE CITY STAFF WOULD LIKE TO USE LJA ENGINEERING, ONE OF THE CITIES PRE-QUALIFIED VENDORS.*

ZACH GOODLANDER AND CLIFF BROUHARD ANSWERED QUESTIONS FROM CITY COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE PROFESSIONAL SERVICES AGREEMENT 2023-014 FOR DESIGN SERVICES.. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: KAHLICH, MARTIN, PATTERSON, KNAPE, CATES

NAYS:

ABSTAIN:

ABSENT: JOHNSON, POOL

MOTION APPROVED

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

**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT 2023-015 FOR DESIGN SERVICES FOR THE DOWNTOWN FULSHEAR WASTEWATER TREATMENT PLANT EXPANSION (WW22A)**

CLIFF BROUHARD EXPLAINED THAT THE CITY HAS RECENTLY COMPLETED AN EXPANSION PROJECT OF THE DOWNTOWN WASTEWATER TREATMENT PLANT. THE CITY HAS GONE FROM 0.5 GALLONS PER DAY (GPD) TO 0.7 GALLONS PER DAY (GPD). THIS PROJECT IS SLATED TO BRING 1.1 MILLION GALLONS PER DAY (GPD). THIS EXPANSION IS NEEDED IN ORDER TO FULFILL COMMITMENTS TO THE SURROUNDING COMMUNITIES THAT INCLUDE EVERYTHING OUTSIDE OF CROSS CREEK RANCH.

CLAY AND LEYENDECKER DID THE ORIGINAL DESIGN AND THE CITY WOULD LIKE TO CONTINUE USING DR. CLAY. CLIFF EXPLAINED THE ESTIMATED DESIGN COST IS \$320,000. THE COST INCLUDES FULL DESIGN AND CONSTRUCTION MANAGEMENT SERVICES. THE TOTAL DESIGN COULD TAKE ABOUT 6 MONTHS. HE STATED THAT THIS WILL BE THE FINAL EXPANSION OF THIS PLANT.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE PROFESSIONAL SERVICES AGREEMENT 2023-015. IT WAS SECONDED BY

*COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: JOHNSON, POOL*

*MOTION APPROVED*

**F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT 2022-012 FOR ENGINEERING DESIGN SERVICES FOR THE NEW 4.0 MGD LIFT STATION AND 20 INCH FORCE MAIN (WW22C)**

*CLIFF BROUHARD EXPLAINED THIS PROJECT WILL TIE ITEM C AND ITEM E TOGETHER. THIS AGREEMENT IS FOR THE DESIGN OF A 4 MILLION GALLON PER DAY (MGD) LIFT STATION ON THE EXISTING DOWNTOWN WASTEWATER TREATMENT PLANT SITE. ALSO FOR A 20 INCH FORCE MAIN TO BRING THE WATER TO THE PROPOSED 1 MGD WASTEWATER TREATMENT PLANT AT CROSS CREEK RANCH.*

*THE CITY RECEIVED 28 APPLICANTS FROM A REQUEST OF QUALIFICATIONS FROM INTERESTED FIRMS. CITY STAFF NARROWED IT DOWN TO EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. (EHRA).*

*THE FINAL DESIGN COST IS \$976,555.00.*

*THE TOTAL DESIGN TIMEFRAME IS 9-10 MONTHS.*

*PAUL ANDERSON WITH EHRA AND STAFF ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE PROFESSIONAL SERVICES AGREEMENT 2022-012. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: JOHNSON, POOL*

*MOTION APPROVED*

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1411, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, UPDATING AND CODIFYING A SCHEDULE OF FEES**

ZACH GOODLANDER INTRODUCED THIS ITEM. HE EXPLAINED THAT MOST OF THE FEES HAVE NEVER EXISTED IN ONE SINGULAR FEE SCHEDULE BUT HAVE EXISTED IN DIFFERENT PARTS OF THE CODE OF ORDINANCE OR POLICIES. MOST OF THE FEES WILL REMAIN THE SAME BUT PUT INTO A SCHEDULE OF FEES TO CREATE EFFICIENCY TO HELP WITH THE IN HOUSE IMPLEMENTATION OF THE ENVIRONMENTAL HEALTH DEPARTMENT.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

SHARON VALIANTE STATED STAFF WILL TAKE ANOTHER LOOK AT THE TAP AND WATER SYSTEM REPLACEMENT FEES AND BRING BACK TO COUNCIL FOR APPROVAL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE 2023-1411 EXCLUDING THE TAP AND WATER SYSTEM MAINTENANCE REPLACE SECTION OF THE SCHEDULE OF FEES.. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: KAHLICH, MARTIN, PATTERSON, KNAPE, CATES

NAYS:

ABSTAIN:

ABSENT: JOHNSON, POOL

MOTION APPROVED

**\*\*FOR THE FULL DISCUSSION REFER TO THE VIDEO ON THE CITY'S WEBSITE\*\***

## **V. ADJOURNMENT**

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

AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON

NAYS:

ABSTAIN:

ABSENT: JOHNSON, POOL

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 6:19 P.M.

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AARON GROFF, MAYOR

ATTEST:

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MARIELA RODRIGUEZ, CITY SECRETARY