



# CITY OF FULSHEAR

29255 FM 1093 Road #12B/ PO Box 279

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

[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:** Kimberly  
Kopecky

**CITY ATTORNEY:** J. Grady Randle

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# **CITY COUNCIL MEETING MINUTES**

## **July 19, 2022**

### **I. CALL TO ORDER**

*A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:13 P.M.*

### **II. QUORUM AND ROLL CALL**

*A QUORUM WAS PRESENT.*

#### ***COUNCIL MEMBERS PRESENT:***

*AARON GROFF*

*KAYE KAHLICH*

*DEBRA CATES*

*KENT POOL*

*JOHN KELLY*

*SARAH JOHNSON*

**COUNCL MEMBERS ABSENT:**

LISA MARTIN  
JOEL PATTERSON

**CITY STAFF PRESENT:**

KIMBERLY KOPECKY  
MARIELA RODRIGUEZ  
JACK HARPER  
BYRON BROWN  
SHARON VALIANTE  
JESUS ESCOBAR  
ERIN TUREAU  
JESS WASHBURN  
ZACH GOODLANDER  
CASSIE LEAL  
CLIFF BROUHARD  
KENNY SEYMOUR

**OTHERS PRESENT:**

TREY DEVILLIER  
GREG TALBERT  
MICHAEL DICKEY  
JON GLUMAC  
AND 5 OTHERS THAT DID NOT SIGN IN.

**III. INVOCATION - CHARLES ABERNATHY, FULSHEAR CHURCH OF CHRIST**

INVOCATION WAS GIVEN BY CHARLES ABERNATHY.

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

**V. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND TEXAS FLAG WAS LED BY MAYOR GROFF.

**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.

THERE WERE NO CITIZEN COMMENTS.

**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. SPECIAL CITY COUNCIL MEETING ON AUGUST 2, 2022**

*THE MEETING IS PLANNED TO BEGIN AT 5:30 PM TO GO OVER THE BUDGET AND BONDING.*

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

*JACK INFORMED COUNCIL OF THE FOLLOWING:*

***BUILDING A***

- 90% OF ALL THE FURNITURE HAS BEEN BROUGHT IN AND ASSEMBLED*
- FINAL MILL WORK IN THE COURT ROOM AND LOBBY ARE BEING INSTALLED*
- MINOR CLEAN UP ITEMS*
- IT SERVERS ARE BEING PREPPED TO GO IN*
- CANOPIES WILL BE PUT UP (ONCE WE ARE MOVED IN)*
- AUTOMATIC TRANSFER SWITCH FOR GENERATOR (STILL TO COME)*
- DOORS WONT BE IN UNTIL DECEMBER*
- GENERATORS HAVE BEEN DELIVERED*

***BUILDING B***

- CEILINGS ARE 90% COMPLETE*
- HVAC SCHEDULED TO BE DELIVERED JULY 27TH*
- ALL FURNITURE HAS BEEN DELIVERED BUT NOT SET UP YET*

***COMPLETION %:***

- CONSTRUCTION IS 90% COMPLETE*
- BUILDING A IS AT 95% COMPLETE*
- BUILDING B IS AT 80% COMPLETE*
- EXPENDED 80% OF FUNDS*

***EXPECTED COMPLETION DATES***

- BUILDING A - EARLY AUGUST*
- BUILDING B- MID AUGUST*

***PROPOSED MOVE IN DATES***

- BUILDING A - AUGUST 8-15TH*
- BUILDING B- AUGUST 22ND*

**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 A 13.121 ACRES OF LAND OUT OF THE L.A. WATERS CALL 12.936 ACRE TRACT OF LAND (FBC 2000029066) AND BEING A PORTION OF THE CALL L.A. WATERS CALL 13.99 ACRE TRACT (FBC 2003016102) AND BEING OUT OF A 87.203 ACRE TRACT CONVEYED TO THE RESOLUTION TRUST CORPORATION (FBC 9360400); ALL 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, JULY 19, 2022, AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, 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 THIS PUBLIC HEARING AT 7:24 P.M.*

*THERE WERE NO COMMENTS*

*MAYOR GROFF CLOSED THIS PUBLIC HEARING AT 7:25 P.M.*

- B 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 13.121 ACRE TRACT OF LAND LOCATED ALONG FARM-TO-MARKET 359 AND IMMEDIATELY WEST OF 6910 S. MALLARD DRIVE FULSHEAR, TEXAS 77441. THE TRACT OF LAND, CURRENTLY VACANT, AND IN THE CITY'S EXTRA-TERRITORIAL JURISDICTION REQUESTS TO BE ZONED INTO THE "SEMI-URBAN ZONING DISTRICT" UPON ANNEXATION INTO THE CITY LIMITS. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON JULY 1, 2022 AT 8:30 A.M., THE HEARING WILL BE HELD AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY-FULSHEAR ROAD, FULSHEAR, TEXAS 77441. THE SECOND HEARING WILL BE HELD BY THE CITY COUNCIL ON JULY 19, 2022 AT 7:00 P.M., THE HEARING WILL BE HELD AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY-FULSHEAR RD., FULSHEAR, TEXAS. 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 OF FULSHEAR PLANNING DEPARTMENT 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.**

*MAYOR GROFF OPENED THIS PUBLIC HEARING AT 7:26 P.M.*

*THERE WERE NO COMMENTS*

*MAYOR GROFF CLOSED THIS PUBLIC HEARING AT 7:27 P.M.*

**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 JUNE 21, 2022(SPECIAL), AND JUNE 21, 2022 (REGULAR)**
- B. CONSENT AND POSSIBLE ACTION TO APPROVE THE MAY 2022 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- C. CONSENT AND APPROVAL OF COUNTY TAX ASSESSOR'S TAX WRITE OFF REQUEST**
- D. CONSENT AND APPROVAL OF THE INTERLOCAL AGREEMENT FOR THE COLLECTION OF TAXES**
- E. CONSENT AND APPROVAL OF THE PURCHASE OF BADGER METER DATA**
- F. CONSENT AND APPROVAL OF THE MEWS AT CROSS CREEK RANCH FINAL PLAT**

*COUNCIL MEMBER KAHLICH ASKED TO PULL CONSENT ITEM E FOR DISCUSSION.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEMS A-D AND F. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE :*

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

*APPROVED*

*CONSENT ITEM E*

*SHARON VALIANTE ANSWERED QUESTIONS FROM COUNCIL.*

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

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

APPROVED

**X. BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A WRITTEN SERVICES AGREEMENT WITH LOUIS A. WATERS FOR THE ANNEXATION OF A 13.121 ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR**

*BYRON ANNOUNCED THAT AN UPDATED SURVEY WAS SUBMITTED AND THE EXHIBITS THAT ARE UNDER CONSIDERATION ARE FROM THE UPDATED SURVEY.*

*\*\*BUSINESS ITEMS A, B, AND C ALL PERTAINING TO THE SAME TRACT.\*\**

*ZACH GOODLANDER EXPLAINED WE GOT A PETITION FOR ANNEXATION FOR 13.017 ACRE TRACT OF LAND. PER STATE LAW PRIOR TO ANNEXATION WE HAVE TO ENTER INTO A WRITTEN SERVICE AGREEMENT WHICH STATES WHAT SERVICES ARE PROVIDED BY THE CITY AND WHEN.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE A WRITTEN SERVICES AGREEMENT WITH LOUIS A. WATERS FOR THE ANNEXATION OF A 13.01 ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR. IT WAS SECONDED BY COUNCILMEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

**B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2022-1378, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ANNEXING A 13.121 ACRE TRACT OF LAND INTO THE CITY LIMITS**

*ZACH GOODLANDER INFORMED COUNCIL THIS IS FOR THE 13.017 ACRE TRACT OF LAND AND ANSWERED QUESTIONS FROM COUNCIL. A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2022-1378, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ANNEXING A 13.017 ACRE TRACT OF LAND INTO THE CITY LIMITS. IT WAS SECONDED BY COUNCILMEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

**C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2022-1379, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ZONING A 13.121 UNZONED PARCEL OF LAND INTO THE SEMI-URBAN RESIDENTIAL (SU) DISTRICT**

*ZACH INFORMED COUNCIL THIS IS FOR THE 13.017 ACRE TRACT OF LAND. IT HAS BEEN PETITIONED TO BE ZONED INTO THE SEMI-URBAN RESIDENTIAL DISTRICT FOR THE INTENT OF DEVELOPING INTO A MULTIFAMILY COMPLEX.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2022-1379, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ZONING A 13.017 UNZONED PARCEL OF LAND INTO THE SEMI-URBAN RESIDENTIAL DISTRICT. IT WAS SECONDED BY COUNCILMEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

**D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2022-559 DIRECTING THE CITY'S PLANNING DEPARTMENT TO PREPARE A SERVICE PLAN THAT PROVIDES FOR THE EXTENSION OF FULL MUNICIPAL SERVICES TO ONE OR MORE AREAS TO BE ANNEXED**

*ZACH GOODLANDER STATED THIS IS A C-1 ANNEXATION (RIGHT OF WAY).*

*THIS RIGHT OF WAY IS THE EAST BOUND LANES OF FM1093 FROM TEXAS HERITAGE PARKWAY EAST TO FM 1463.*

*ZACH AND BYRON ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2022-559 DIRECTING THE CITY'S PLANNING DEPARTMENT TO PREPARE A SERVICE PLAN THAT PROVIDES FOR THE EXTENSION OF FULL MUNICIPAL SERVICES TO ONE OR MORE AREAS TO BE ANNEXED. IT WAS SECONDED BY COUNCILMEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2022-560 DIRECTING THE CITY'S PLANNING DEPARTMENT TO PREPARE A SERVICE PLAN THAT PROVIDES FOR THE EXTENSION OF FULL MUNICIPAL SERVICES TO ONE OR MORE AREAS TO BE ANNEXED**

*ZACH GOODLANDER EXPLAINED THIS IS AN ANNEXATION OF RIGHT OF WAY UNDER C1 PROVISIONS. THIS IS JAMES LANE FROM THE SOUTHERN MOST ENTRANCE TO FULBROOK ON FULSHEAR CREEK OFF OF JAMES LANE, SOUTH TO WHERE IT DEAD ENDS.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2022-560 DIRECTING THE CITY'S PLANNING DEPARTMENT TO PREPARE A SERVICE PLAN THAT PROVIDES FOR THE EXTENSION OF FULL MUNICIPAL SERVICES TO ONE OR MORE AREAS TO BE ANNEXED. IT WAS SECONDED BY COUNCILMEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

**F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN UPDATE TO THE TAMARRON MASTER SIGN PLAN**

*ZACH GOODLANDER EXPLAINED D.R. HORTON WOULD LIKE TO ADVERTISE THEMSELVES AT 3 ROUNDABOUTS. THIS PLAN DOES MEET THE TEXAS HERITAGE PARKWAY IMPROVEMENT DISTRICT STANDARDS IN TERMS OF HEIGHT AND LANDSCAPING. THIS UPDATE TO THE PLAN WENT TO P&Z EARLIER THIS MONTH AND WAS DENIED WITH A VOTE OF 5-0. SINCE THE P&Z MEETING, TAMARRON HAS ADDED THE TEXT "FULSHEAR TEXAS" UNDER THE WORD TAMARRON.*

*CLIFF BROUHARD GAVE SOME CONTEXT BEHIND WHY AN "OBSTRUCTED VIEW" IN THE CENTER OF A ROUNDABOUT MAKES THE FLOW OF TRAFFIC MORE EFFICIENT AND SAFE.*

*CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.*

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

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO DENY AN UPDATE TO THE TAMARRON MASTER SIGN PLAN AS DISCUSSED.. IT WAS SECONDED BY COUNCILMEMBER KAHLICH. THE MOTION WAS CARRIED*



*BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION DENIED*

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN**

*ZACH GOODLANDER WENT OVER THE PROPOSED UPDATES TO THE MASTER SIGN PLAN WHICH INCLUDE ENTRY MONUMENTS. THIS PLAN HAS APPROVAL FROM FORT BEND COUNTY AS WELL AS THE TEXAS HERITAGE PARKWAY IMPROVEMENT DISTRICT.*

*TODD HAMILTON WITH JOHNSON DEVELOPMENT EXPLAINED THE PROJECT AND ANSWERED QUESTIONS FROM COUNCIL.*

*CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN. IT WAS SECONDED BY COUNCIL MEMBER CATES.*

*A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH AMENDING THE ORIGINAL MOTION TO APPROVE AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN WITH THE EXCEPTION OF MONUMENT NUMBER 5. IT WAS SECONDED BY COUNCIL MEMBER POOL.*

*AYES: KAHLICH, POOL*

*NAYS: CATES, KNAPE, JOHNSON*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION FAILED*

**ORIGINAL MOTION**

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN. IT WAS SECONDED BY COUNCIL MEMBER CATES.*

*AYES: CATES, KNAPE, JOHNSON*

*NAYS: KAHLICH, POOL, MARTIN, PATTERSON*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION FAILED*

***NEW MOTION***

*A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO DENY AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN.*

*MOTION FAILED FOR LACK OF SECOND.*

*A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO DENY AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KNAPE, JOHNSON, KAHLICH, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED TO DENY*

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

- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A COMMERCIAL CONTRACT – IMPROVED PROPERTY BETWEEN THE CITY OF FULSHEAR, “SELLER,” AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION AND FULSHEAR DEVELOPMENT CORPORATION, “BUYER,” FOR THAT CERTAIN REAL PROPERTY SITUATED IN FORT BEND COUNTY, TEXAS, AT 30603 FM 1093, FULSHEAR, TEXAS 77441**

*BYRON BROWN EXPLAINED THIS ITEM WAS SUPPOSED TO BE CONSIDERED BY THE EDC'S AT THEIR MEETING YESTERDAY BUT UNFORTUNATELY THEY DIDN'T HAVE A QUORUM AND COULDN'T MEET. THE EDC'S WILL BE MEETING NEXT MONDAY.*

*THIS AGREEMENT HAS A WRITTEN PROVISION ON SECTION 26 STATING THAT EXECUTING THIS AGREEMENT IS AN OFFER AND THAT OFFER EXPIRES IF IT IS NOT ACCEPTED BY THE OTHER PARTY BY JULY 25TH 2022. IN ORDER TO GIVE THE EDC'S ADEQUATE TIME TO MEET AND ACT ON IT BEFORE THE EXPIRATION DATE LEGAL ADVISES THAT THE DATE IN SECTION 26 BE MODIFIED TO BE AUGUST 5, 2022.*

*BYRON BROWN AND JACK HARPER ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE A COMMERCIAL CONTRACT – IMPROVED PROPERTY BETWEEN THE CITY OF FULSHEAR, “SELLER,” AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION AND FULSHEAR DEVELOPMENT CORPORATION, “BUYER,” FOR THAT CERTAIN REAL PROPERTY SITUATED IN FORT BEND COUNTY, TEXAS, AT 30603 FM 1093, FULSHEAR, TEXAS 77441 AS AMENDED WITH THE DATE OF AUGUST 05, 2022.. IT WAS SECONDED BY COUNCILMEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

#### **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.*

*A MOTION WAS MADE BY COUNCILMEMBER KAHLICH TO EXCUSE COUNCIL MEMBER PATTERSONS ABSENCE TONIGHT DUE TO HIS ILLNESS. IT WAS SECONDED BY COUNCILMEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

#### **XII. ADJOURNMENT**

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

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT: MARTIN, PATTERSON*

*MOTION APPROVED*

*MAYOR GROFF ADJOURNED THE MEETING AT 9:30 P.M.*

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AARON GROFF, MAYOR

ATTEST:

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KIMBERLY KOPECKY, CITY SECRETARY