



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: Debra Cates

COUNCIL MEMBER: Kent Pool

COUNCIL MEMBER: John Kelly

COUNCIL MEMBER: Kaye Kahlich

COUNCIL MEMBER: Lisa Martin

COUNCIL MEMBER: Joel
Patterson

COUNCIL MEMBER: Sarah B.
Johnson

STAFF:

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly
Kopecky

CITY ATTORNEY: J. Grady Randle

SPECIAL CITY COUNCIL MEETING

November 16, 2021

NOTICE IS HEREBY GIVEN OF A SPECIAL CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, November 16, 2021 AT 5:30 PM** IN IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS FOR CONSIDERING THE FOLLOWING ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE, INCLUDING, BUT NOT LIMITED TO, SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), 551.087 (ECONOMIC DEVELOPMENT), 418.175.183 (DELIBERATIONS ABOUT HOMELAND SECURITY ISSUES) AND AS AUTHORIZED BY THE TEXAS TAX CODE, INCLUDING, BUT NOT LIMITED TO, SECTION 321.3022 (SALES TAX INFORMATION).

Incidental Meeting Notice: A quorum of the City of Fulshear City Council, Planning and Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks and Recreation Commission, Historic Preservation and Museum Commission, Zoning Board of Adjustment, Charter Review Commission, 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.

Notice Pertaining to Social Distancing Requirements: In accordance with the Texas Open Meetings Act, Chapter 551, Government Code, this meeting shall be open to the public, except as provided by said Act. However, any members of the public who attend the meeting are individually responsible for complying with any applicable proclamation or order issued by the governor or any local official which may be in effect at the time of the meeting, including but not limited to any restrictions which may require such members of the public to implement social distancing, to minimize social gatherings, or to minimize in-person contact with people who are not in the same household.

I. CALL TO ORDER

II. QUORUM AND 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. BUSINESS

- A. RECEIVE INITIAL ASSESSMENT REGARDING WHETHER REDISTRICTING IS REQUIRED CONSIDERING THE NEW 2020 CENSUS DATA; AND, IF SO, CONSIDER ADOPTION OF CRITERIA TO APPLY TO DEVELOPMENT OF NEW DISTRICTING PLANS, AND GUIDELINES FOR PUBLIC PARTICIPATION IN THE REDISTRICTING PROCESS**
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE 2021-1353 DIRECTING THE CITY MANAGER TO SELL SITE OF FORMER CITY HALL**

V. EXECUTIVE SESSION

- A. EXECUTIVE SESSION - PURSUANT TO SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE**
 - i. CITY MANAGER**

VI. ACTION FROM EXECUTIVE SESSION

VII. 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 FRIDAY, NOVEMBER 12, 2021 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, CITY SECRETARY

ORDINANCE NO. 2021-1353

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, DIRECTING THE CITY MANAGER TO SELL AND CONVEY CERTAIN LAND THAT THE CITY OWNS, BEING THE SITE FOR THE FORMER CITY HALL AND BEING MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

* * * * *

WHEREAS, on June 18, 2021, the City of Fulshear, Texas (the “City”), purchased that certain 3.781 acre tract or parcel of land described by deed recorded as county clerk file number 2021102753 in the real property records of Fort Bend County, Texas, as a site for a new City Hall; and

WHEREAS, the City also owns that certain approximately 2.215 acre tract or parcel of land located at 30603 FM 1093, being the site of the former City Hall; and

WHEREAS, the City Council desires to direct the City Manager to execute the conveyance of the site of the former City Hall, subject to certain limitations or conditions as provided for herein;

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

Section 1. (a) Subject to subsection (b), the City Manager of the City of Fulshear, Texas, is hereby directed to sell and convey that certain approximately 2.215 acre tract or parcel of land located at 30603 FM 1093, being the site of the former City Hall, by any manner authorized by law, including but not limited to public auction, sealed bid, or under a broker agreement approved by the City Council, and to take any action and execute any instrument necessary or incidental to effect such sale and conveyance.

(b) The City manager may not accept an offer and may not sell and convey the land described in subsection (a) for a sales price less than ONE MILLION FIVE-HUNDRED THOUSAND DOLLARS (\$1,500,000.00).

Section 2. **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 3. **Repeal.** All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

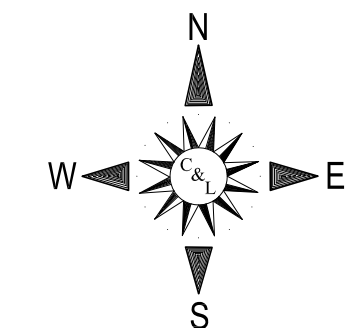
Section 4. **Effective date.** This Ordinance shall be effective and in full force when published as required by law.

PASSED, APPROVED, and ADOPTED this, the _____ day of _____, 2021.

Aaron Groff, Mayor

ATTEST:

Kimberly Kopecky, City Secretary

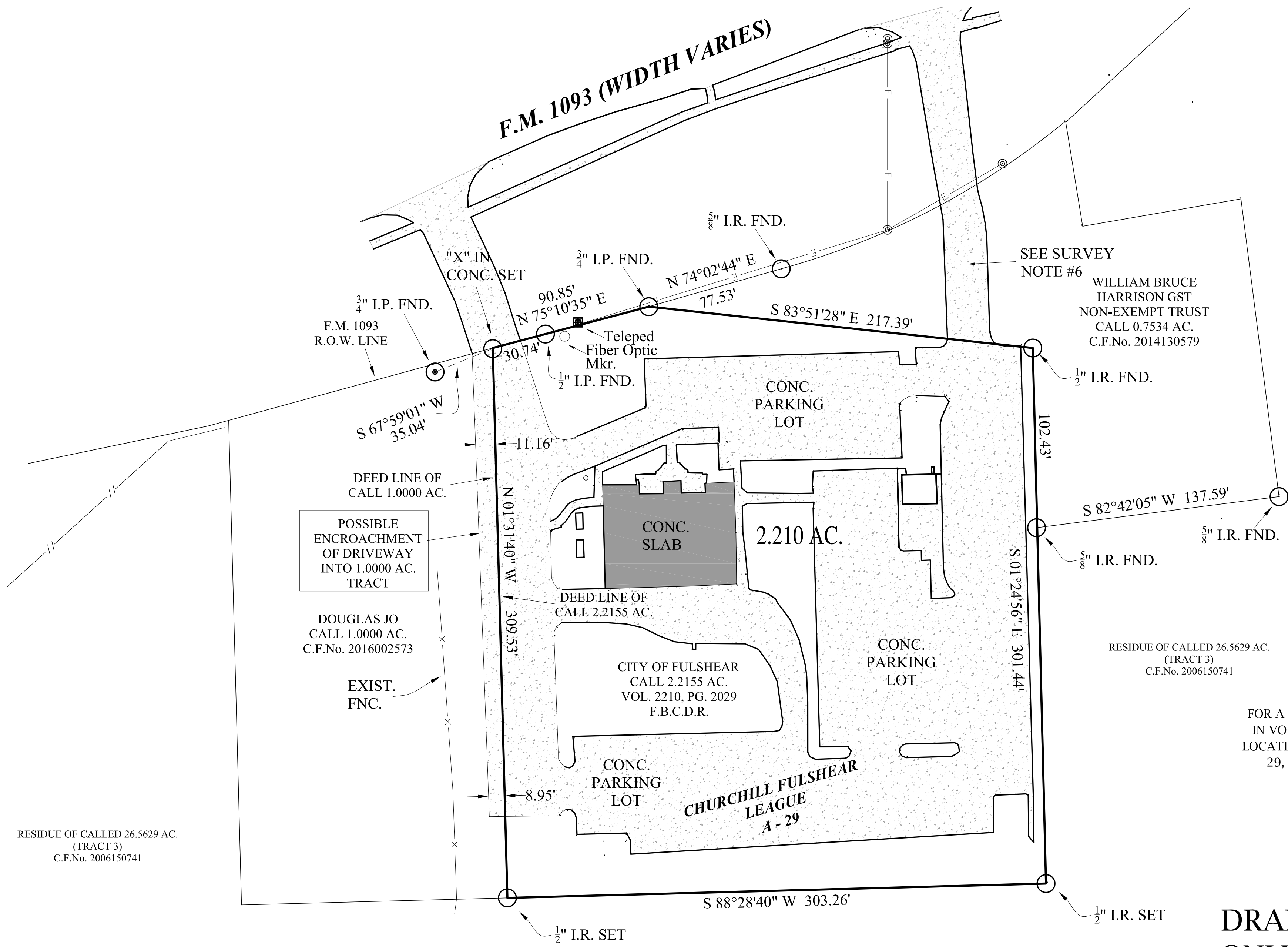


Scale: 1" = 50'

SURVEY NOTES:

1. This survey consists of a separate plat and legal description.
2. This survey was made without the benefit of a Title Report/Commitment and may be subject to Easements and/or Restrictions not shown.
3. This property is not in the 100 year Flood Plain, according to the Fort Bend County, Texas Flood Plain Map Community Panel No. 48157C0085M dated January 29, 2021.
4. All bearings recited hereon are based on the Souther line of F.M. 1093 (Northwest line of call 0.7534 acre tract) running North 74° 02' 44" East.
5. Visible improvements / utilities were located with this survey; no subsurface probing, excavation or exploration was performed for this survey.
6. No Easement or Conveyance was found for access driveway crossing through 0.7534 acre tract.

F.M. 1093 (WIDTH VARIES)



SEE SURVEY NOTE #6
 WILLIAM BRUCE HARRISON GST NON-EXEMPT TRUST
 CALL 0.7534 AC.
 C.F.No. 2014130579

POSSIBLE ENCROACHMENT OF DRIVEWAY INTO 1.0000 AC. TRACT

DOUGLAS JO CALL 1.0000 AC. C.F.No. 2016002573

EXIST. FNC.

RESIDUE OF CALLED 26.5629 AC. (TRACT 3) C.F.No. 2006150741

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PLAT OF SURVEY

FOR A 2.210 ACRE TRACT OF LAND (CALLED 2.2155 ACRES IN VOLUME 2210, PAGE 2029 DEED RECORDS) AND BEING LOCATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, FORT BEND COUNTY, CITY OF FULSHEAR, TEXAS.

The Undersigned does certify that the above is an accurate Plat of Survey, made on the ground, of the property legally described hereon in October, 2021 and is correct, and that there are no discrepancies, conflicts, encroachments or easements apparent on the ground except as shown hereon.

DRAFT COPY FOR REVIEW ONLY, NOT TO BE USED TO CONVEY INTEREST

For Clay & Leyendecker, Inc.
 Herman M. Clay Jr., R.P.L.S
 Texas Registration No. 2732

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Clay & Leyendecker, Inc.

Consulting Engineers & Surveyors
 1350 Ave. D, Katy, Texas 77493 / (281) 391-0173
 Texas Registered Engineering Firm F-2309 / Texas Land Surveying Firm No. 10044600

Scale :	1" = 50'
File Name:	21-133c
Dwn. By :	br
Date :	10-13-2021