



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 Kahllich

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

CITY COUNCIL MEETING MINUTES **September 15, 2020**

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 7:04 P.M. A QUORUM WAS PRESENT.

II. QUORUM AND ROLL CALL

COUNCIL MEMBERS PRESENT:

AARON GROFF, MAYOR

KAYE KAHLICH, MAYOR PRO-TEM

JOEL PATTERSON

DEBRA CATES

KENT POOL

JOHN KELLY

KEVIN WHITE

LISA MARTIN

CITY STAFF PRESENT:

KIMBERLY KOPECKY

KERRY SIGLER

SHARON VALIANTE

JACK HARPER

BYRON BROWN

DAN MCGRAW

WES VELA

ANGELA FRITZ
KRISTI BRASHEAR
ZACH GOODLANDER

OTHERS PRESENT:

TREY DEVILLIER
AND APPROXIMATELY 6 OTHERS THAT DID NOT SIGN IN

III. INVOCATION

INVOCATION WAS GIVEN BY MAYOR GROFF.

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 THE TEXAS FLAG WERE LED BY MAYOR GROFF.

VI. 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.

VII. 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. JOINT MEETING WITH THE CDC AND FDC ON SEPTEMBER 21, 2020

JACK HARPER INFORMED COUNCIL THAT THERE IS A VIRTUAL SPECIAL MEETING NEXT MONDAY SEPTEMBER 21, 2020 FROM 5:15 PM TO 5:30 PM AND A VIRTUAL JOINT MEETING WITH EDC A AND B AT 5:30 PM TO GO OVER THE EXECUTIVE SESSION ITEM THAT DID NOT WORK OUT AT THE AUGUST 18TH MEETING.

B. UPDATE ON CITY RESPONSE TO COVID-19

JACK HARPER INFORMED COUNCIL THAT ALL CITY COUNCIL MEETINGS WITH THE EXCEPTION OF NEXT WEEK WILL IN PERSON MEETING, BOARDS AND COMMISSIONS WILL CONTINUE TO BE VIRTUAL TO MAINTAIN SOCIAL DISTANCING AT CITY HALL.

ALL CITY BUILDINGS CONTINUE TO BE OPEN IN THE FOYER AREA. CITY EMPLOYEES CONTINUE TO WORK A FULL SCHEDULE IN PERSON. THERE IS AN AUTOMATIC TEMPERATURE TAKER IN THE FOYER AREA.

****FOR FULL COMMENTARY PLEASE REFER TO OUR WEBSITE****

VIII PUBLIC HEARING

A NOTICE OF PUBLIC HEARING ON TAX INCREASE A tax rate of 0.207070 per \$100 valuation has been proposed by the governing body of City of Fulshear. **PROPOSED TAX RATE NO-NEW REVENUE TAX RATE VOTER-APPROVAL TAX RATE \$0.207070 per \$100 \$0.194563 per \$100 \$0.207070 per \$100 DE MINIMIS RATE \$0.225016 per \$100** The no-new-revenue tax rate is the tax rate for the 2020 tax year that will raise the same amount of property tax revenue for City of Fulshear from the same properties in both the 2019 tax year and the 2020 tax year. The voter-approval tax rate is the highest tax rate that City of Fulshear may adopt without holding an election to seek voter approval of the rate, unless the de minimis rate for City of Fulshear exceeds the voter-approval tax rate for City of Fulshear. The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate for City of Fulshear, the rate that will raise \$500,000, and the current debt rate for City of Fulshear. The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Fulshear is proposing to increase property taxes for the 2020 tax year. A public hearing on the proposed tax rate will be held on September 15, 2020 at 7:00 PM at Irene Stern Community Center 6920 Katy Fulshear Road Fulshear TX 77441. The proposed tax rate is not greater than the voter-approval tax rate. As a result, City of Fulshear is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the City Council of City of Fulshear at their offices or by attending the public meeting mentioned above **YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS: property tax amount=(tax rate) X (taxable value of your property)/100**

The members of the governing body voted on the proposed tax increase as follows:

FOR:

Council Member Debra Cates Council Member Kevin White
Council Member Lisa Martin Council Member Joel Patterson
Council Member Kent Pool Council Member John Kelly
Mayor Pro-Tem Kaye Kahlich

AGAINST:

None

PRESENT and not voting:

Mayor Aaron Groff

ABSENT:

None

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Fulshear last year to the taxes proposed to be imposed on the average homestead by City of Fulshear this year:

	2019	2020	Change
Total Tax Rate (per \$100 of value)	\$0.218510	\$0.207070	decrease of -\$0.011440 OR -5.24%
Average homestead taxable value	\$352,223	\$366,794	increase of 4.13%

Tax on average homestead	\$770	\$760	decrease of -\$10 OR - 1.30%
Total tax levy on all properties	\$3,862,983	\$4,479,322	Increase of \$616,339 OR 15.96%

For assistance with tax calculations, please contact the tax assessor for City of Fulshear at 2813413710 or FBCTaxInfo@fortbendcountytexas.gov, or visit www.fortbendcountytexas.gov for more information.

MAYOR GROFF OPENED THE PUBLIC HEARING AT 7:15 PM

NO ONES WISHED TO SPEAK.

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 7:16 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 AUGUST 4, 2020 (SPECIAL), AUGUST 18, 2020 (JOINT SPECIAL), AUGUST 18, 2020 (REGULAR), AND AUGUST 25, 2020(SPECIAL)**
- B. **CONSENT AND APPROVAL OF NOMINATION OF MEMBERS TO THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES ELECTION**
- C. **CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR ARGONNE DRIVE STREET, MUD 170**
- D. **CONSIDERATION & POSSIBLE ACTION TO ACCEPT THE MONTHLY FINANCIAL STATEMENTS FOR THE GENERAL & UTILITY FUNDS**
- E. **CONSENT AND APPROVAL OF THE POLO RANCH SECTION 12 FINAL PLAT**
- F. **CONSENT AND APPROVAL OF THE FULBROOK ON FULSHEAR CREEK SECTION 16 FINAL PLAT**
- G. **CONSENT AND APPROVAL OF THE COMMONS AT JORDAN RANCH FINAL PLAT**
- H. **CONSENT AND APPROVAL OF THE BEND IN JORDAN RANCH FINAL PLAT**
- I. **CONSENT AND APPROVAL OF THE TAMARRON SECTION 21 FINAL PLAT**

- J. CONSENT AND APPROVAL OF THE TAMARRON SECTION 44 PRELIMINARY PLAT
- K. CONSENT AND APPROVAL OF THE TAMARRON FM 1463 COMMERCIAL RESERVE SECTION 1 PRELIMINARY PLAT
- L. CONSENT AND APPROVAL OF THE TAMARRON PARKWAY PHASE 4 STREET DEDICATION PRELIMINARY PLAT
- M. CONSENT AND APPROVAL OF THE TAMARRON SECTION 33 PRELIMINARY PLAT
- N. CONSENT AND APPROVAL OF THE TAMARRON CROSSING SECTION 2 STREET DEDICATION PRELIMINARY PLAT
- O. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 25 PRELIMINARY PLAT
- P. CONSENT AND APPROVAL OF THE JORDAN RANCH STREET DEDICATION NO.8 FINAL PLAT
- Q. CONSENT AND APPROVAL OF THE FULSHEAR RUN SECTION 4 PRELIMINARY PLAT
- R. CONSENT AND APPROVAL OF AN UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ITEMS A-R. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, KAHLICH, KELLY, MARTIN, PATTERSON, POOL, WHITE

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

X. BUSINESS

- A. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2020-1333 ADOPTING THE FY2020 OPERATING & CAPITAL BUDGET**

BYRON BROWN INFORMED COUNCIL THIS ITEM REQUIRES A ROLL CALL VOTE. HE ALSO STATED WE WILL NEED A SEPERATE ROLL CALL VOTE TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE BUDGET.

A MOTION WAS MADE BY COUNCIL MAYOR PRO-TEM KAHLICH TO APPROVE ORDINANCE NO. 2020-1333 ADOPTING THE FISCAL YEAR 2021 OPERATING CAPITAL BUDGET.IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOITION WAS CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COINCIL MEMBERS KELLY, PATTERSON, MARTIN, KAHLICH, CATES, WHITE ,POOL

NAYS: NONE

ABSTAIN:

ABSENT:

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO RATIFY THE PROPERTY TAX INCREASE SHOWN IN THE BUDGET. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCIL MEMBERS KELLY, PATTERSON, MARTIN, KAHLICH, CATES, WHITE, POOL

NAYS: NONE

ABSTAIN:

ABSENT:

MOTION APPROVED

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2020-1332 REGARDING THE ADOPTION OF THE TAX RATE FOR TAX YEAR 2020

A MOTION WAS MADE BY MAYOR PRO TEM KAHLICH TO APPROVE THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF THE TAX RATE OF .20707 PER \$100.00 VALUATION WHICH IS EFFECTIVELY 6.42% INCREASE IN THE TAX RATE. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

AYES: COUNCIL MEMBER KELLY, PATTERSON, MARTIN, KAHLICH, CATES, WHITE, AND POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-486 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

MAYOR GROFF RECOMMENDED TO APPOINT STACY MANGUM FOR THE TERM ENDING 2022.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPOINT STACY RYAN MANGUM TO THE ECONOMIC DEVELOPMENT CORPORATION A BOARD WITH A TERM THAT EXPIRES 2022.. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, KAHLICH, KELLY, MARTIN, PATTERSON, POOL, WHITE

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

D. CONSIDERATION AND POSSIBLE ACTION TO ACCEPT AND AUTHORIZE THE MAYOR TO EXECUTE TWO UTILITY EASEMENTS FROM LOUIS A WATERS

SHARON VALIANTE EXPLAINED THIS ITEM AND ANSWERED QUESTIONS. A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO ACCEPT THE DEDICATION OF THE TWO EASEMENTS AND AUTHORIZE THE MAYOR TO EXECUTE.. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, KAHLICH, KELLY, MARTIN, PATTERSON, POOL, WHITE

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENTS TO THE DEVELOPMENT AND UTILITY AGREEMENTS WITH TRENDMAKER HOMES AND TRENDMAKER HOMES ON BEHALF OF FORT BEND MUD 175 TO EXTEND THE EXPIRATION DATES

SHARON INTRODUCED THIS ITEM AND INTRODUCED COLLINS PIER TO EXPLAIN THE REASON FOR AN AMENDMENT.

BYRON INFORMED COUNCIL THERE WAS A SUBSEQUENT REQUEST WAS MADE TO ADJUST THE DEADLINE DATE TO DECEMBER 4, 2020.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO EXECUTE THE AMENDMENTS TO THE DEVELOPMENT AGREEMENT AND THE UTILITY AGREEMENT WITH TRENDMAKER HOMES AND TRENDMAKER HOMES ON BEHALF OF FORT BEND MUD 175 TO EXTEND THE TERMINATION DATE, RELATED TO THE PURCHASE OF THE PROPERTY FOR BOTH AGREEMENTS TO DECEMBER 04, 2020.. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, KAHLICH, KELLY, MARTIN, PATTERSON, POOL, WHITE

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT #2021-005 FOR EMERGENCY BUILDING PLAN REVIEW AND INSPECTION SERVICES

ZACH GOODLANDER INFORMED COUNCIL THIS IS ONLY FOR EMERGENCIES AS A BACKUP. ZACH EXPLAINED AND ANSWERED QUESTIONS.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE THE AGREEMENT #2021-005 FOR EMERGENCY BUILDING PLAN REVIEW AND INSPECTION SERVICES BETWEEN THE CITY OF FULSHEAR AND BBG CONSULTING INC.. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, KAHLICH, KELLY, MARTIN, PATTERSON, POOL, WHITE

NAYS:
ABSTAIN:
ABSENT:

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.

DEBRA CATES STATED SHE WILL NOT ATTEND THE SEPTEMBER 21, 2020 MEETING.

XII. ADJOURNMENT

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE: AYES: CATES, KAHLICH, KELLY, MARTIN, PATTERSON, POOL, WHITE NAYS: ABSTAIN: ABSENT: MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 7:38 P.M.



[Handwritten signature]
AARON GROFF, MAYOR

ATTEST:

[Handwritten signature]
KIMBERLY KOPECKY, CITY SECRETARY