

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 Kahlich

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

SPECIAL CITY COUNCIL MEETING

November 19, 2019

NOTICE IS HEREBY GIVEN OF A SPECIAL CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, November 19, 2019 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, 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."

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. PRESENTATION REGARDING AN UPDATE FOR PROJECTS AND INITIATIVES IN THE CITY'S CAPITAL IMPROVEMENT PROGRAM**
- B. PRESENTATION AND POSSIBLE ACTION REGARDING A MEMORANDUM OF UNDERSTANDING FOR A COOPERATIVE PARTNERSHIP WITH YMCA FOR PARKS AND RECREATIONAL SERVICES**

V. EXECUTIVE SESSION

- A. EXECUTIVE SESSION- PURSUANT TO SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), CONSULT WITH THE CITY ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNING BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT; PURSUANT TO SECTION 551.072 OF THE TEXAS OPEN MEETINGS ACT, DELIBERATE CONCERNING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY; AND PURSUANT TO SECTION 551.087 OF THE TEXAS OPEN MEETINGS ACT, DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT OR BOTH.**

VI. ACTION FROM EXECUTIVE SESSION

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2019-443, A RESOLUTION REGARDING A CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS AND THOMAS BLACKBURN REGARDING PROPOSED DEVELOPMENT ACTIVITIES AND CONVEYANCE OF REAL PROPERTY**
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS AND THOMAS BLACKBURN.**
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO.**

2019-444, A RESOLUTION REGARDING A CHAPTER 380 ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS AND WSS-15 FULSHEAR MARKETPLACE LLC REGARDING PROPOSED DEVELOPMENT ACTIVITIES AND CONVEYANCE OF REAL PROPERTY

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS AND WSS-15 FULSHEAR MARKETPLACE LLC

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 15, 2019 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

**AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS**

AGENDA OF: 11/19/2019

ITEMS: IV.A.

**DATE
SUBMITTED:**

DEPARTMENT: Administration

PREPARED BY: Brant Gary, ACM; Sharon Valiante,
Dir of PW; Zach Goodlander, Dir of
Dev Svcs

PRESENTER: Brant Gary, ACM; Sharon Valiante,
Dir of PW; Zach Goodlander, Dir of
Dev Svcs

SUBJECT: PRESENTATION REGARDING AN UPDATE FOR PROJECTS AND INITIATIVES IN THE
CITY'S CAPITAL IMPROVEMENT PROGRAM

Expenditure Required: N/A

Amount Budgeted: N/A

Funding Account: N/A

Additional Appropriation Required: N/A

Funding Account: N/A

EXECUTIVE SUMMARY

City Staff will present an overview of various projects included in the City's Capital Improvement Plan. This update will include some specifics on progress-to-date and next steps for those projects.

RECOMMENDATION

No Council action is being requested, but City Council is encouraged to provide any direction necessary on the projects being covered.

**AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS**

AGENDA OF: 11/19/2019

ITEMS: IV.B.

**DATE
SUBMITTED:**

DEPARTMENT: Administration

PREPARED BY: Brant Gary, Asst. City Manager;
Sharon Valiante, Public Works Dir;
Zach Goodlander, Dir of Dev Svcs

PRESENTER: Brant Gary, Asst. City Manager;
Sharon Valiante, Public Works Dir;
Zach Goodlander, Dir of Dev Svcs

SUBJECT: PRESENTATION AND POSSIBLE ACTION REGARDING A MEMORANDUM OF UNDERSTANDING FOR A COOPERATIVE PARTNERSHIP WITH YMCA FOR PARKS AND RECREATIONAL SERVICES

Expenditure Required: N/A

Amount Budgeted: N/A

Funding Account: N/A

Additional Appropriation Required: N/A

Funding Account: N/A

EXECUTIVE SUMMARY

The City has been in preliminary discussions with area YMCA officials regarding a possible partnership for the YMCA to provide recreational programming and other related services to the City of Fulshear. City Staff in conjunction with representatives from the YMCA will provide a presentation outlining the discussions to date.

A Memorandum of Understanding (MOU) is also being provided for Council consideration to formally authorize the City to continue these discussions and next steps with the YMCA as it relates to the proposed partnership.

RECOMMENDATION

City Staff recommends the City Council approve the MOU with the YMCA.

ATTACHMENTS:

Description	Upload Date	Type
COF-YMCA Presentation	11/15/2019	Backup Material
YMCA-COF-MOU	11/18/2019	Cover Memo

A Community Program Partnership for Parks & Recreation
City of Fulshear – YMCA of Greater Houston





City of Fulshear Parks & Recreation

Where are We Now?



Parks & Pathways Master Plan

Existing Facilities
Future Facilities
Passive & Active Recreation
Pedestrian Mobility



Top 4 Needs Identified

Pedestrian Facilities
Community Events (and Event Space)
Sports Facilities
Bicycle Facilities



Opportunities for use of open-fields



Reconstruction of Irene Stern Community Center/ New Community Center



Current Park Development Activities

Primrose Park
Paseo Trail
Frances Smart Park
Irene Stern Center Park

Projected Growth

(Per 2019 PASA Study)

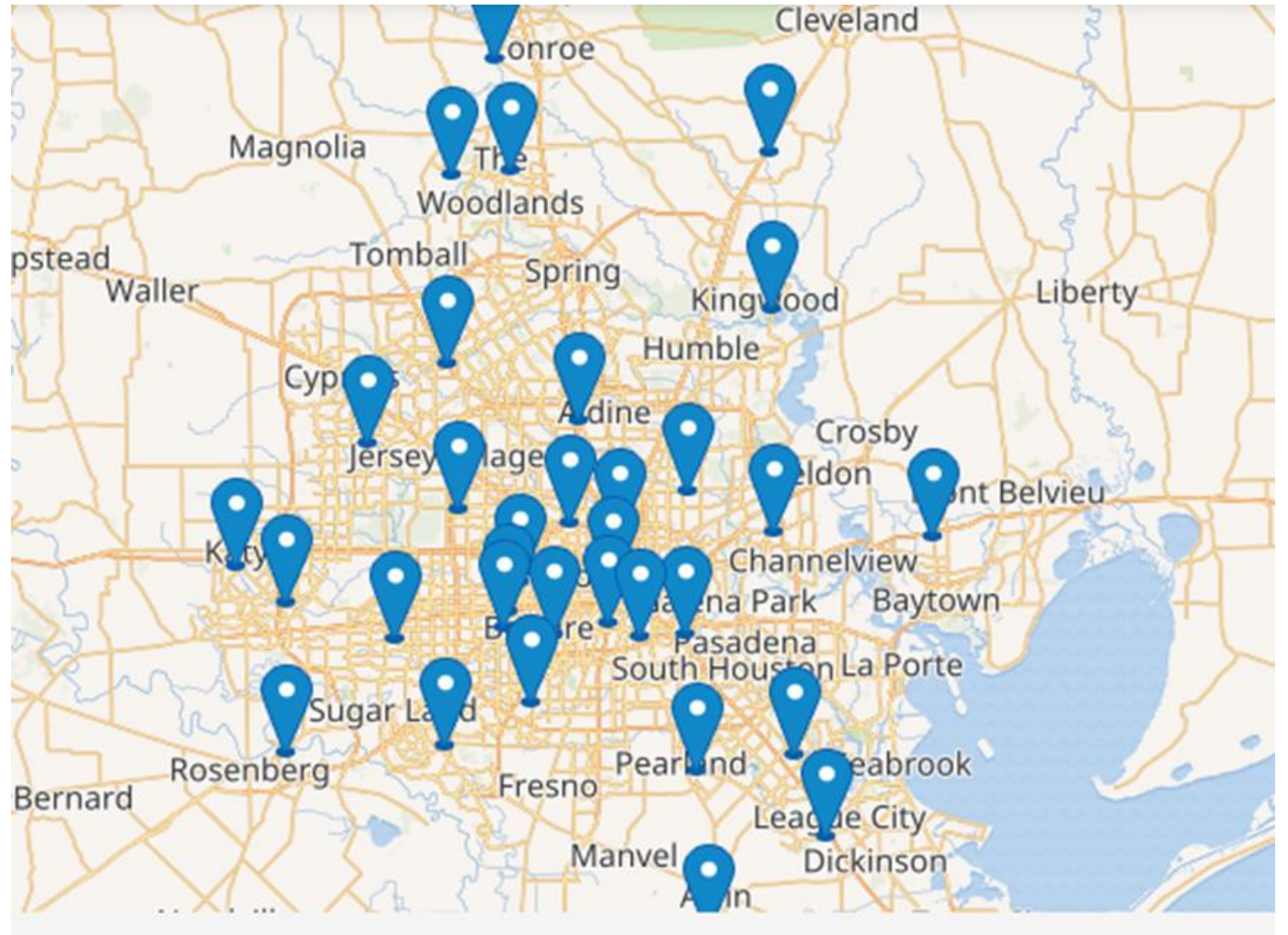
ANNUAL POPULATION PROJECTIONS

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
City											
Population	12,025	14,141	16,187	18,040	19,953	22,022	24,192	26,372	27,893	29,306	30,622
Change		2,116	2,046	1,853	1,913	2,069	2,170	2,180	1,521	1,413	1,316
Growth		18%	14%	11%	11%	10%	10%	9%	6%	5%	4%
ETJ											
Population	16,009	18,271	20,184	22,652	25,852	29,811	34,579	39,365	45,191	51,367	57,520
Change		2,262	1,913	2,468	3,200	3,959	4,768	4,786	5,826	6,176	6,153
Growth		14%	10%	12%	14%	15%	16%	14%	15%	14%	12%
City + ETJ		32,412	36,371	40,692	45,805	51,833	58,771	65,737	73,084	80,673	88,142



YMCA of Greater Houston

- Over 30 locations in the Greater Houston Area
- Poised to grow as the Houston area continues to grow
- Committed to its core values and areas of focus
 - Youth Development
 - Healthy Living
 - Social Responsibility



Katy Area YMCA Locations

There are two locations that currently serve the Katy-Fulshear area

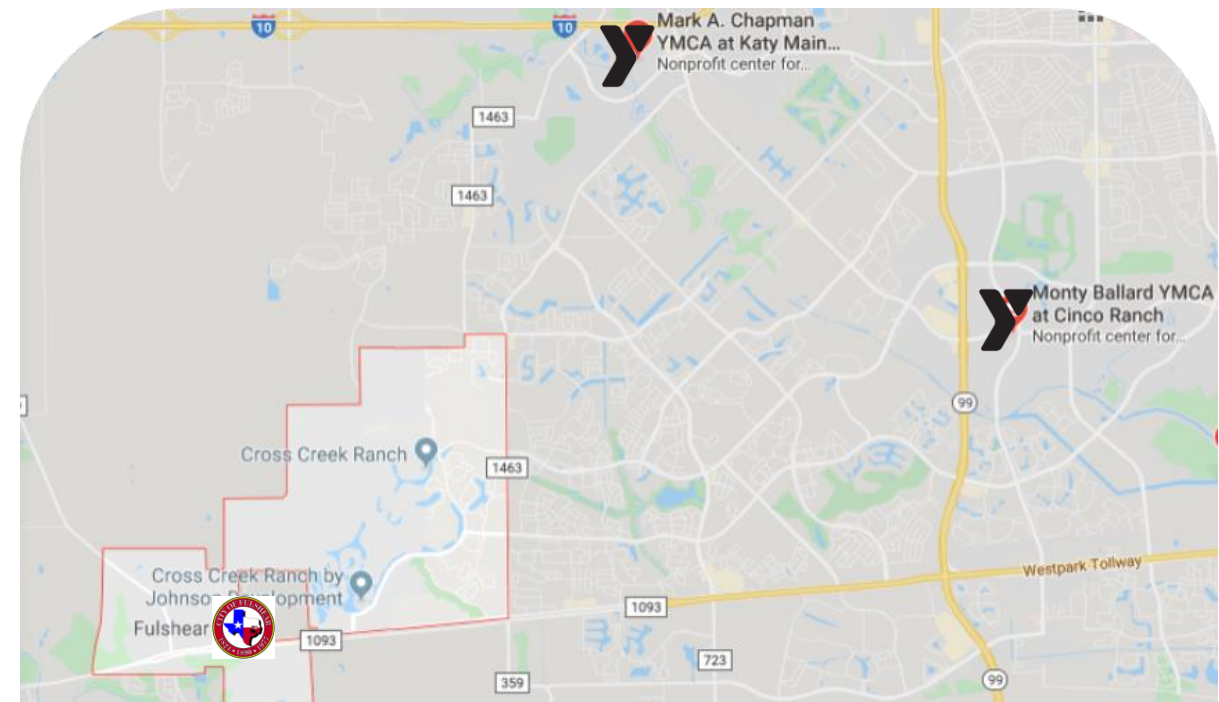
- Monty Ballard YMCA at Cinco Ranch
 - Originally opened in 2001
 - Approximately 55,000 sq ft
- Mark A. Chapman YMCA at Katy Main Street
 - Opened in 2017
 - Approximately 41,000 sq ft
- These locations serve approximately 20,000 area YMCA members
- They generate approximately \$10m in annual revenue
- Based on growth projections, the demands would exceed the capacity of these two facilities
- Fulshear is a target destination for YMCA expansion in the area



Monty Ballard YMCA
at Cinco Ranch



Mark A. Chapman YMCA
at Katy Main Street



Advantages of a Strategic Partnership



STRENGTHENS THE
FOUNDATIONS OF
COMMUNITY THROUGH
DEVELOPMENT OF AREA
YOUTH



SUPPORTS HEALTHY
LIVING & ACTIVE
LIFESTYLES



FOSTER SHARED
SOCIAL
RESPONSIBILITY FOR
OVERALL COMMUNITY
WELL-BEING



PROVIDES OPPORTUNITIES
TO GIVE BACK AND SUPPORT
THE COMMUNITY THROUGH
VOLUNTEERING



PUTS RESOURCES
BACK INTO THE
COMMUNITY



ALLOWS YMCA TO
ESTABLISH A PRESENCE IN
OUR COMMUNITY AS
THEY EXPLORE OPTIONS
FOR EXPANSION



ALLOWS THE CITY TO
PROVIDE PARK AND
RECREATION PROGRAMS
SOONER THAN EXPECTED

Strengths and Benefits of the Partnership

City of Fulshear

- Meet Established Parks & Recreation Needs
- Financing Opportunities (revenue sharing)
- Management of Growth & Services Provided
- Promote the Values of the Community
- Enhance the lifestyles of residents and visitors to

FULS**HEART**TEXAS

YMCA

- Provide programs sooner & closer
- Leverage Positive Brand Image
- Operational & Systems Expertise
- Long-term stability
- Non-Profit/Fundraising Model
- **“No One is Turned Away”**



Any
Questions?

Memorandum of Understanding between the YMCA of Greater Houston and the City of Fulshear for a COMMUNITY PROGRAM PARTNERSHIP

This Memorandum of Understanding (MOU) is by and between the Young Men's Christian Association of Greater Houston (YMCA), a Texas non-profit organization and the City of Fulshear (CITY), a Texas municipality, and is entered into this 19th day of November, 2019.

Whereas, the YMCA has as its stated purpose to strengthen the foundations of community through the development of youth, the support of healthy living and the fostering of shared social responsibility for overall community well-being; and

Whereas, one of the primary ways the YMCA accomplishes its stated purpose is by working with communities to develop and operate YMCA facilities at which are offered memberships, programs, and activities for people of all ages; and

Whereas, the YMCA believes that communities are served best when Ys work closely with groups of engaged volunteers who provide advice and counsel in support of YMCA decision making processes; and

Whereas, the CITY has adopted a Parks & Pathways Master Plan identifying parks and recreation initiatives through which the quality of life in Fulshear might be improved; and

Whereas, the CITY of Fulshear has identified long-term facility needs for parks and recreation activities requiring specific financial and operational planning; and

Whereas, the CITY seeks assurance that it shall have a voice in programmatic decision-making processes for future parks and recreation initiatives and facilities; and

Whereas, the CITY wishes to enter into a strategic partnership with the YMCA to pursue and implement these park and recreation opportunities; and

Therefore, the YMCA commits:

That for the duration of the YMCA-City partnership, to maintain a working relationship with the City Staff, City Parks & Recreation Commission, and the City Council towards these efforts.

That there will be a commitment to maintain open communications between the YMCA and the CITY regarding community programs and opportunities with the goal of continuing to foster a culture of collaboration and partnership between the YMCA and the CITY.

That the YMCA shall review the City's Parks & Pathways Master Plan and participate in the update of that Master Plan in order for the YMCA to have necessary knowledge and input into the Master Plan relative to the goals of this partnership.

That at the conclusion of the Parks & Pathways Master Plan review and update, the YMCA, with input from the CITY, shall work to create a long-term programming plan. This plan will guide future operating and capital responsibilities of both the YMCA and the CITY in the form of an agreement for review and approval by the CITY and the YMCA.

That the YMCA shall provide, as needed, a staff member to attend meetings and provide a written program report to City staff, the Fulshear City Council, and the City Parks & Recreation Committee.

That the program report shall include a summary of programs, relevant observations and findings, participant counts and projections, revenue and expense information, as well as future program development plans stemming both from the work and input of the CITY and the YMCA.

YMCA certifies that it does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If YMCA is convicted of a violation under 8 U.S.C. § 1324a(f), YMCA shall repay the amount of any public subsidy provided under this MOU plus interest, at the rate of the prime rate plus six percent (6%) per annum, not later than the 120th day after the date the City notifies YMCA of the violation.

As required by Chapter 2271, Texas Government Code, YMCA hereby verifies that it, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same, does not boycott Israel and will not boycott Israel while this MOU is in effect. The term "boycott Israel" in this paragraph has the meaning assigned to such term in Section 808.001 of the Texas Government Code, as amended.

Pursuant to Chapter 2252, Texas Government Code, YMCA hereby verifies that, at the time of execution of this MOU neither it, nor any wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of the same, is a company listed by the Texas Comptroller of Public Accounts under Sections 2270.0201 or 2252.153 of the Texas Government Code.

And as such, CITY commits:

To providing continual support to the YMCA and this partnership in the form of active participation in the educational efforts, planning initiatives, and the promotion of current and future recreational opportunities and related activities available to the Fulshear community.

To partner with the YMCA to identify and recruit advisory board and committee members from the Fulshear community.

Both parties will agree upon written alterations to this Memorandum of Understanding.

APPROVED:

YMCA of Greater Houston

Signed: _____

Date: _____

Name: Stephen Ives

Title: CEO & President

City of Fulshear

Signed: _____

Date: _____

Name: Aaron Groff

Title: Mayor