



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:** Joel Patterson      **COUNCIL MEMBER:** Kent Pool  
**COUNCIL MEMBER:** Jason Knappe      **COUNCIL MEMBER:** Abhijeet Utturkar      **COUNCIL MEMBER:** Debra Cates  
**COUNCIL MEMBER:** Sarah B. Johnson

**STAFF:**

**CITY MANAGER:** Jack Harper      **CITY SECRETARY:** Mariela Rodriguez      **CITY ATTORNEY:** Byron Brown

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## **CITY COUNCIL MEETING MINUTES**

### **June 20, 2023**

**I. CALL TO ORDER**

*A REGULAR 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  
SARAH JOHNSON  
KENT POOL  
ABHIJEET UTTURKAR*

***CITY STAFF PRESENT:***

*JACK HARPER  
KATIE LEWIS  
BYRON BROWN  
JOSH GREEN  
ZACH GOODLANDER  
KEVIN ZIESCHANG*

JESUS ESCOBAR  
SHARON VALIANTE  
ERIN TUREAU  
CASSIE LEAL  
CLIFF BROUHARD  
LANCE HALL  
TIFFANY STODDER  
JOSH BROTHERS  
MELISSA MOYA  
ALEX ROJAS  
MARIO ALMANZA

**OTHERS PRESENT:**

KAYE KAHLICH  
BRYAN THOMAS  
MIKE HALDE  
AND APPROXIMATELY 17 OTHERS THAT DID NOT SIGN IN

**III. INVOCATION-FATHER CHRISTOPHER MEYER, ST. FAUSTINA CATHOLIC CHURCH**

INVOCATION WAS GIVEN BY FATHER CHRISTOPHER MEYER.

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

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

MAYOR GROFF LED THE PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS.

**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. CHANGES TO VARIOUS CITY STAFF MEMBERS**

*JACK HARPER ANNOUNCED THE NEW HIRES AND GAVE A BRIEF BACKGROUND OF EACH:*

- *DYLAN GUADALUPE- POLICE OFFICER*
- *JOSH BROTHERS- PLANNING DIRECTOR*
- *MELISSA MOYA-GIS ANALYST*

**B. SPECIAL CITY COUNCIL MEETING - JULY 11, 2023 (BUDGET WORKSHOP)**

*JACK HARPER ANNOUNCED THERE WILL BE A BUDGET WORKSHOP ON JULY 11, 2023 AT 5:30 PM. WITH THE POSSIBILITY OF AN ADDITIONAL ITEM ADDED TO THE AGENDA.*

**VIII. 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 MEETING HELD ON MAY 16, 2023**
- B. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULSHEAR RUN, SECTION 4, 5 AND 6 FROM FBCMUD NO.2**
- C. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULSHEAR RUN, SECTION 3, FROM FBCMUD NO.2**
- D. CONSENT AND APPROVAL OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR UTILITY EXTENSIONS TO SERVE THE FM1093 TRACTS, PHASE 2 FROM FBCMUD NO.170**
- E. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULSHEAR BEND DRIVE EXTENSION NO.6 FROM FBCMUD NO.169**
- F. CONSENT AND APPROVAL OF THE APRIL 2023 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- G. CONSENT AND APPROVAL OF THE LEGACY RIDGE AT CROSS CREEK RANCH PRELIMINARY PLAT**
- H. CONSENT AND APPROVAL OF THE SOURCEONE FULSHEAR FINAL PLAT**

**I. CONSENT AND APPROVAL OF THE TAMARRON PARKWAY PHASE 5 STREET DEDICATION**

*COUNCIL MEMBER KNAPE ASKED TO PULL CONSENT ITEM F FOR DISCUSSION.*

*A MOTION WAS MADE BY COUNCIL MEMBER CATES TO APPROVE CONSENT ITEMS A-E AND G-I. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, UTTURKAR, PATTERSON, POOL, KNAPE, JOHNSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

**CONSENT ITEM F**

*ERIN TUREAU ANSWERED QUESTIONS FROM COUNCIL.*

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

*AYES: CATES, UTTURKAR, PATTERSON, POOL, KNAPE, JOHNSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

**IX. BUSINESS**

**A. DISCUSSION OF AND POSSIBLE ACTION TO ADDRESS DISTRICT 3 CITY COUNCIL SEAT VACANCY THROUGH CONTINUING VACANCY, CALLING A SPECIAL ELECTION, OR APPOINTING THROUGH A MAJORITY**

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO FILL VACANCY BY APPOINTMENT THROUGH THE PROCESS OF HAVING CANDIDATES SUBMIT THEIR APPLICATION UP UNTIL 7TH OF JULY WHICH WOULD ALLOW FOR US TO LOOK AT THE APPLICANTS FOR THE 11TH AND DO THE INTERVIEW PROCESS.*

*MOTION FAILED DUE TO LACK OF SECOND.*

COUNCIL MEMBER JOHNSON REQUESTED THAT THE QUESTIONS BE SENT TO THE APPLICANTS BEFOREHAND TO GIVE THE APPLICANTS TIME TO PREPARE.

BYRON EXPLAINED THE WAY THE INTERVIEW PROCESS WAS DONE IN THE PAST AND ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE THE ORDINANCE WITH THE DATE OF COUNCIL SUBMITTING THE QUESTIONS BY JULY THE 7TH AND THE APPLICANTS BY JULY THE 14TH SO THAT ON THE OUR JULY 18TH MEETING WE CAN GO THROUGH THAT PROCESS. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR.

COUNCIL DISCUSSED THE PROCESS AMONG THEMSELVES AND BYRON ANSWERED QUESTIONS.

COUNCIL MEMBER KNAPE AMENDED THE MOTION TO ALLOW THE FLEXIBILITY TO DO THE INTERVIEW PROCESS ON THE DATE OF THE SPECIAL 18TH OR ANY OTHER SPECIAL SESSION FOLLOWING. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, PATTERSON, POOL, UTTURKAR, JOHNSON, KNAPE

NAYS:

ABSTAIN:

ABSENT: DISTRICT 3 VACANCY

MOTION APPROVED

### **BACK TO THE ORIGINAL MOTION**

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE THE ORDINANCE WITH THE DATE OF COUNCIL SUBMITTING THE QUESTIONS BY JULY THE 7TH AND THE APPLICANTS BY JULY THE 14TH SO THAT ON THE OUR JULY 18TH MEETING WE CAN GO THROUGH THAT PROCESS. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR.

AYES: CATES, PATTERSON, POOL, UTTURKAR, JOHNSON, KNAPE

NAYS:

ABSTAIN:

ABSENT: DISTRICT 3 VACANCY

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

## **B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT 2023-024 A AGREEMENT FOR CONTINUING DISCLOSURE SERVICES WITH**

**MASTERSON ADVISORS LLC**

*ERIN TUREAU STATED OUT OF THE FIVE (5) PROPOSALS RECEIVED, THE CITY FOUND THAT MASTERSON ADVISORS LLC HAD THE BEST VALUE AND WAS THE MOST ADVANTAGEOUS FOR THE CITY.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENTS FOR FINANCIAL ADVISORS SERVICES WITH MASTERSON ADVISORS LLC. IT WAS SECONDED BY COUNCIL MEMBER CATES.*

*AYES: CATES, PATTERSON, POOL, UTTURKAR, JOHNSON, KNAPE*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

**C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT 2023-024 B FOR FINANCIAL ADVISOR SERVICES WITH MASTERSON ADVISORS LLC**

*ERIN TUREAU MENTIONED THIS IS THE AGREEMENT WITH THE CITY AND MASTERSON ADVISORS LLC. ERIN INTRODUCED KRISTEN BLUME FROM MASTERSON ADVISORS LLC.*

*ERIN ANSWERED QUESTIONS FROM CITY COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AGREEMENT 2023-024 B FOR FINANCIAL ADVISORY SERVICES WITH MASTERSON ADVISORS LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE. IT WAS SECONDED BY COUNCIL MEMBER CATES.*

*AYES: CATES, PATTERSON, POOL, UTTURKAR, JOHNSON, KNAPE*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

**D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE SECOND AMENDMENT TO THE SOLID WASTE CONTRACT CORRECTION TO THE COMMERCIAL RATE SCHEDULE**

*LANCE HALL STATED IN APRIL 2023 THE CONTRACT WITH GFL FOR SOLID WASTE WAS APPROVED. THE EXHIBIT A SECTION B COMMERCIAL RATE TABLE WAS INCORRECT.*

*SUBMITTED AND PROPOSED CORRECTION RATES:*

**6 CUBIC YARDS-4X/WEEK**  
SUBMITTED AT \$530.83  
PROPOSED CORRECTION TO \$347.23

**6 CUBIC YARDS-5X/WEEK**  
SUBMITTED AT \$129.72  
PROPOSED CORRECTION TO \$530.94

**8 CUBIC YARDS-5X/WEEK**  
SUBMITTED AT \$156.29  
PROPOSED CORRECTION TO \$597.38

LANCE INTRODUCED GFL REPRESENTATIVES SUZANNE HABOUSH AND TONY EMILIO.

TONY EMILIO AND LANCE HALL ANSWERED QUESTIONS FROM CITY COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE THE SECOND AMENDMENT TO SOLID WASTE CONTRACT CORRECTION TO THE COMMERCIAL RATE TABLE. IT WAS SECONDED BY COUNCIL MEMBER POOL.

AYES: CATES, PATTERSON, POOL, UTTURKAR, JOHNSON, KNAPE  
NAYS:  
ABSTAIN:  
ABSENT: DISTRICT 3 VACANCY

**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1426 AMENDING SOLID WASTE COMMERCIAL RATES**

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1426 AMENDING SOLID WASTE COMMERCIAL RATES.. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, JOHNSON, KNAPE, PATTERSON, POOL, UTTURKAR  
NAYS:  
ABSTAIN:  
ABSENT: DISTRICT 3 VACANCY

MOTION APPROVED

TONY EMILIO ANSWERED QUESTIONS FROM CITY COUNCIL.

**F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1425 BUDGET AMENDMENT #2**

*ERIN TUREAU INTRODUCED BUDGET AMENDMENT #2*

*ITEMS INCLUDED IN BUDGET AMENDMENT #2:*

- 1. WATER PLANT #1*
- 2. POLYPHOSPHATE FEED SYSTEM*
- 3. AIR STRIPPER INSTALLATION*
- 4. EMERGENCY REPAIRS FOR WATER PLANT #2 AT CROSS CREEK RANCH*

*CITY STAFF ANSWERED QUESTIONS FROM CITY COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1425 WITH EXCEPTION OF WATER PLANT NO. 1 ITEM. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KNAPE, PATTERSON, POOL, UTTURKAR*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

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

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BID 2023-010 CONSTRUCTION OF AIR STRIPPER INSTALLATION**

*CLIFF BROUHARD STATED W.W.PAYTON WAS THE LOW BIDDER FOR THE AIR STRIPPER INSTALLATION AT WATER PLANT #1 AND #3 IN CROSS CREEK RANCH.*

*MIKE HALDE FROM HR GREEN ANSWERED QUESTIONS FROM CITY COUNCIL REGARDING WATER QUALITY.*

*A MOTION WAS MADE BY COUNCIL MEMBER JOHNSON TO APPROVE BID 2023-010 CONSTRUCTION OF AIR STRIPPER INSTALLATION. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*



*AYES: CATES, JOHNSON, KNAPE, PATTERSON, POOL, UTTURKAR*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

**H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BID 2023-029  
CONSTRUCTION OF POLYPHOSPHATE FEED SYSTEMS**

*CLIFF BROUHARD MENTIONED JTR CONSTRUCTORS HAD THE LOWEST  
BID IN THE AMOUNT OF \$905,775.00.*

*KEVAL SATRA FROM HR GREEN ANSWERED QUESTIONS FROM CITY  
COUNCIL*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AND  
AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONSTRUCTION  
CONTRACT FOR THE POLYPHOSPHATE FEED SYSTEM 2023-029. IT WAS  
SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY  
THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KNAPE, PATTERSON, POOL, UTTURKAR*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

**I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PURCHASE OF  
A RAM 5500 3-4 YARD DUMP BODY TRUCK**

*CLIFF BROUHARD IS PROPOSING AN ALL PURPOSE VEHICLE THAT WILL  
INCLUDE A TOOL BOX, TOMMY LIFT, AND 3-4 YARD DUMP BED. THIS  
VEHICLE WILL INCREASE TIMING AND EFFICIENCY.*

*CLIFF ANSWERED QUESTIONS FROM CITY COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO AUTHORIZE THE  
CITY MANAGER TO APPROVE THE PURCHASE OF A 2022 DODGE 5500  
TRUCK WITH 3-4 YARD DUMP TRUCK BED AND ASSOCIATED TOOL BOXES  
AND TOMMY LIFT GATE. IT WAS SECONDED BY MAYOR PRO-TEM  
PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KNAPE, PATTERSON, POOL, UTTURKAR*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

**J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT TO THE CUSTODIAL SERVICE CONTRACT**

*TIFFANY STODDER STATED THIS ITEM IS TO AMEND THE CUSTODIAL SERVICE CONTRACT TO ADD TERM LIMITS TO NOT EXCEED \$396,000 AND ALLOW FOR TWO (2) ONE (1) YEAR RENEWAL TERMS.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AN AMENDMENT TO THE CUSTODIAL SERVICES CONTRACT. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KNAPE, PATTERSON, POOL, UTTURKAR*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

**X. 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.*

*NO ACTION WAS TAKEN ON THIS ITEM.*

**XI. ADJOURNMENT**

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

*AYES: CATES, JOHNSON, KNAPE, PATTERSON, POOL, UTTURKAR*

*NAYS:*

*ABSTAIN:*

*ABSENT: DISTRICT 3 VACANCY*

*MOTION APPROVED*

*MAYOR GROFF ADJOURNED THE MEETING AT 7:04 P.M.*

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AARON GROFF, MAYOR

ATTEST:

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KATIE LEWIS, ASSISTANT CITY SECRETARY