



6611 W. Cross Creek Bend Lane, 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:** 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

CITY COUNCIL MEETING MINUTES

August 15, 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 5:31 P.M.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

*AARON GROFF
JOEL PATTERSON
JASON KNAPE
ABHIJEET UTTURKAR
SARAH JOHNSON*

COUNCIL MEMBERS ABSENT:

*DISTRICT 3 VACANCY
KENT POOL*

CITY STAFF PRESENT:

MARIELA RODRIGUEZ

KATIE LEWIS
ZACH GOODLANDER
JACK HARPER
BYRON BROWN
JOSH GREEN
JESUS ESCOBAR
TIFFANY STODDER
CLIFF BROUHARD
SUEANNE LARSON
KRISTI BRASHEAR
MARIAH GALLEGOS
MARIO ALMANZA
SHARON VALIANTE
JOSH BROTHERS
KEVIN ZIESCHANG
LINDSEY MILLER
ERIN TUREAU

OTHERS PRESENT:

RANDY CONNOR
SHARON BRADY
SUE CALDWELL
ANDREE LEBLANC
DAHLIA ZALK
SCOTT VEEDEU
LINDA VEEDEU
ALVARO PEYAVADO
KAYE KAHLICH
PAT JACKSON
PATRICK POWERS
SAM SELISMANN
MARGARITA AICHINI
DON MCCOY
CHANTELL JAMNICK
HALA ELMACHTOUB
CLINT TAMLN

AND 12 OTHERS THAT DIDN'T SIGN IN

III. INVOCATION- PASTOR BILL HOGAN, WORD SERVE

INVOCATION WAS GIVEN BY PASTOR BILL HOGAN.

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.

RANDY CONNOR FROM DEL WEBB FULSHEAR SPOKE OF THE WATER SUPPLY ISSUES AND THE PSI READINGS HE HAS BEEN TAKING AT HIS HOME.

KAYE KAHLICH RESIDENT OF FULSHEAR SPOKE OF THE DISTRICT 3 VACANCY AND THE LANE STRIPPING ON FLEWELLYN LANE.

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 - SEPTEMBER 5, 2023

JACK HARPER MENTIONED THERE WILL BE A SPECIAL CITY COUNCIL MEETING ON SEPTEMBER 5, 2023 AT 5:30 PM FOR THE PUBLIC HEARING ON THE BUDGET. HE ALSO STATED A FEW ADDITIONAL ITEMS MAY BE ADDED.

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 2.0880 ACRES OF LAND SITUATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, FORT BEND COUNTY, AND GENERALLY SITUATED NEAR THE SOUTHEAST CORNER OF THE INTERSECTION OF FARM-TO-MARKET 359 AND N. FULSHEAR DRIVE. A PUBLIC HEARING WILL BE HELD BY AND BEFORE THE CITY COUNCIL OF THE CITY OF FULSHEAR AT 5:30 P.M. ON TUESDAY, AUGUST 15, 2023, AT THE FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., 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 THE PUBLIC HEARING AT 5:45 P.M.

THERE WERE NO PUBLIC COMMENTS.

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 5:46 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 2.0880 ACRE TRACT OF LAND, NEAR THE INTERSECTION OF FARM-TO-MARKET 359 AND N. FULSHEAR DRIVE, AND LOCATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, AND BEING A PORTION OF A CERTAIN 87.203 ACRE TRACT OF LAND RECORDED IN VOLUME 673, PAGE 138 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS. THE TRACT OF LAND, CURRENTLY VACANT, AND NOT ZONED, REQUESTS TO BE ZONED INTO THE GENERAL COMMERCIAL (GC) DISTRICT UPON ANNEXATION INTO THE CITY. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON AUGUST 4, 2023, AT 8:30 A.M. THE SECOND HEARING WILL BE HELD BY THE CITY COUNCIL ON AUGUST 15, 2023, AT 5:30 P.M. THE HEARINGS WILL BE HELD AT FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441. 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 SECRETARY'S OFFICE LOCATED AT 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 8:00 A.M. TO 5:00 P.M. AND FRIDAYS FROM 8:00 A.M. TO 3 P.M. FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST PLEASE CALL JOSHUA BROTHERS, CITY OF FULSHEAR, 281-346-1796

MAYOR GROFF OPENED THE PUBLIC HEARING AT 5:47 P.M.

THERE WERE NO PUBLIC COMMENTS.

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 5:48 P.M.

IX PUBLIC HEARING

- A** 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 6-ACRE TRACT OF LAND, GENERALLY LOCATED ALONG WALLIS STREET, AND WITHIN THE THRIVE CHURCH FULSHEAR SUBDIVISION. THE TRACT OF LAND, CURRENTLY VACANT, AND WITHIN THE WALLIS STREET PUD ZONING DISTRICT, REQUESTS TO BE ZONED INTO THE GENERAL COMMERCIAL (GC) DISTRICT. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON AUGUST 4, 2023 AT 8:30 A.M. THE SECOND HEARING WILL BE HELD BY THE CITY COUNCIL ON AUGUST 15, 2023 AT 5:30 P.M. THE HEARINGS WILL BE HELD AT FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441. 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 SECRETARY'S OFFICE LOCATED AT 6611

W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 8:00 A.M. TO 5:00 P.M. AND FRIDAYS FROM 8:00 A.M. TO 3 P.M. FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST PLEASE CALL JOSHUA BROTHERS, CITY OF FULSHEAR, 281-346-1796

X. 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 THE CITY COUNCIL MEETINGS HELD ON JULY 11, 2023 (SPECIAL) AND JULY 18, 2023 (REGULAR) MEETINGS**
- B. CONSENT AND POSSIBLE ACTION TO OUTFIT AND WRAP 2 REPLACEMENT POLICE VEHICLES APPROVED AND PURCHASED IN FY2023 BUDGET AND AS INDICATED ON THE VEHICLE AND EQUIPMENT REPLACEMENT SCHEDULE**
- C. CONSENT AND APPROVAL OF A UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR UTILITY EXTENSIONS TO SERVE THE FM 1093 TRACTS FROM FBCMUD NO. 171**
- D. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR MORGANS SPUR DRIVE EXTENSION NO. 4 AND NO. 5 FOR FBCMUD NO. 169**
- E. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULBROOK ON FULSHEAR CREEK, SECTION 18, FROM FMUD NO.1**
- F. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULBROOK ON FULSHEAR CREEK, SECTION 19, FROM FBCMUD 1**
- G. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 6 FINAL PLAT**
- H. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 10 FINAL PLAT**
- I. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 19 FINAL PLAT**
- J. CONSENT AND APPROVAL OF AN UPDATE TO THE TAMARRON MASTER SIGN PLAN**

- K. **CONSENT AND APPROVAL OF AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN**
- L. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JUNE 2023 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- M. **CONSENT AND POSSIBLE ACTION TO APPROVE THE FY2023 3RD QUARTER INVESTMENT REPORT**
- N. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1429 AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2022-1381, ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY**

COUNCIL MEMBER KNAPE ASKED TO REMOVE CONSENT ITEMS B, J & K FOR DISCUSSION.

COUNCIL MEMBER UTTURKAR ASKED TO REMOVE CONSENT ITEM N FOR DISCUSSION.

COUNCIL MEMBER JOHNSON ASKED TO REMOVE CONSENT ITEM C FOR DISCUSSION.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEMS A, D-I, AND L-M. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: KNAPE, UTTURKAR, JOHNSON, PATTERSON, CATES

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

ITEM B

CITY STAFF ANSWERED QUESTIONS FROM CITY COUNCIL RELATING TO THE CITY LOGO BEING INCLUDED IN THE WRAP.

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

AYES: KNAPE, UTTURKAR, JOHNSON, PATTERSON, CATES

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

ITEM C

SHARON VALIANTE EXPLAINED A UTILITY CONVEYANCE AND SECURITY AGREEMENT IS WHEN AN INFRASTRUCTURE IS BUILT AND INSPECTED IT IS THEN CONVEYED TO THE CITY FOR OWNERSHIP.

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

AYES: KNAPE, UTTURKAR, JOHNSON, PATTERSON, CATES

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

ITEM J

JOSH BROTHERS STATED THE CDO AMENDMENTS WILL HOPEFULLY GO BACK TO COUNCIL IN SEPTEMBER. THE CDO UPDATE WILL INCLUDE THE LANGUAGE AND PERMITTED BY RIGHT.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL

A MOTION WAS MADE BY COUNCIL MEMBER PATTERSON TO APPROVE CONSENT ITEM J. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES

NAYS: KNAPE

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

ITEM K

SAM SELISMANN A DEVELOPMENT MANAGER IN CROSS CREEK WEST ANSWERED QUESTIONS FROM COUNCIL REGARDING THE TREES IN THE ROUNDABOUT.

A MOTION WAS MADE BY COUNCIL MEMBER PATTERSON TO APPROVE CONSENT ITEM K. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES

NAYS: KNAPE

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

ITEM N

- CLIFF BROUHARD ANSWERED QUESTIONS FROM CITY COUNCIL REGARDING THE SCHOOL BELL SCHEDULES AND SCHOOL ZONE TIMING.

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

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

THE ASSISTANT CITY SECRETARY EXCUSED HERSELF AT 6:11 PM

THE CITY SECRETARY TOOK HER SEAT AT 6:11 PM

XI. BUSINESS

A. DISCUSSION OF AND POSSIBLE ACTION TO ADDRESS DISTRICT 3 CITY COUNCIL SEAT VACANCY

MAYOR GROFF READ A LETTER HE RECEIVED FROM JASON LEBLANC WITHDRAWING FROM TAKING THE COUNCIL MEMBER DISTRICT 3 SEAT.

BYRON WENT OVER THE OPTIONS:

- LEAVE THE SEAT VACANT (RUN THE RISK OF 2ND VACANCY AND BEING FORCED TO HAVE A SPECIAL ELECTION)*
- APPOINT A QUALIFIED INDIVIDUAL BY ESTABLISHING A PROCEDURE (PREVIOUSLY DONE)*

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO LEAVE THE SEAT VACANT. IT WAS SECONDED BY MAYOR PRO-TEM PATTERSON.

COUNCIL DISCUSSED THE MOTION AND BYRON ANSWERED THEIR

QUESTIONS.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, KNAPE

NAYS: CATES, JOHNSON, UTTURKAR

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION FAILED

COUNCIL DISCUSSED DIFFRENT OPTIONS

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO DIRECT STAFF (CITY SECRETARY) TO REACH OUT TO MS. BARON TO SEE IF SHE IS STILL INTERESTED IN THE POSITION. THE MOTION WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

COUNCIL MADE COMMENTS REGARDING THE THE MOTION.

BYRON EXPLAINED THAT THERE IS A THIRD OPTION WHICH IS TO CALL A SPECIAL ELECTION WITH OUT HAVING A SECOND VACANCY.

THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

**** FOR THE FULL DISCUSSION PLEASE VISIT THE CITY'S WEBSITE TO VIEW THE VIDEO****

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A WRITTEN SERVICES AGREEMENT WITH JDR DEVELOPMENT FOR THE ANNEXATION OF A 2.0880-ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR

ZACH GOODLANDER EXPLAINED THIS IS A STATUTORY REQUIREMENT PRIOR TO ANNEXING A TRACT OF LAND. IT SETS OUT AND CODIFIES WHAT SERVICES WILL BE PROVIDED BY THE CITY TO THE NEWLY

ANNEXED TRACT.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE A WRITTEN SERVICES AGREEMENT WITH JDR DEVELOPMENT FOR THE ANNEXATION OF A 2.0880-ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1430, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY**

JOSH BROTHERS EXPLAINED THIS PROPERTY IS THE ROLLER TRACT LOCATED IN THE CORNER OF NORTH FULSHEAR DRIVE AND FM 359.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1430. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1431, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, GRANTING A ZONING MAP AMENDMENT FOR THE PURPOSES OF ZONING A PARCEL INTO THE GENERAL COMMERCIAL (GC) DISTRICT, FOR A 2.0880 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE C. FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE**

JOSH BROTHERS EXPLAINED THIS PROPERTY OWNER IS LOOKING TO BE ZONED INTO THE GENERAL COMMERCIAL PROPERTY DISTRICT.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1431. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1432, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, GRANTING A ZONING MAP AMENDMENT FOR THE PURPOSES OF REZONING A PARCEL FROM THE WALLIS STREET PLANNED UNIT DEVELOPMENT (PUD) INTO THE GENERAL COMMERCIAL (GC) DISTRICT, FOR A 6 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE C. FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE**

PER JOSH BROTHERS THE PUD FOR THIS PROPERTY HAS NOT EXPIRED BUT THE REQUIREMENTS HAVE NOT BEEN MET. LEADERSHIP HAS CHANGED AND THEY

ZACH GOODLANDER GAVE A BRIEF BACKGROUND ON THIS ITEM AND EXPLAINED THE PROCESS THE REQUESTORS HAVE TO GO THROUGH TO ACHIEVE THEIR REQUEST.

ZACH AND JOSH ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1432. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE TERMS AND CONDITIONS FOR THE PAYMENT OF THE FORT BEND COUNTY INTERLOCAL AGREEMENT FOR TEXAS HERITAGE PARKWAY**

ERIN TUREAU EXPLAINED THESE ARE THE TERMS AND PAYMENT STRUCTURE THAT THE COUNTY HAS ASKED COUNCIL TO APPROVE THAT HAS ALREADY BEEN PUT IN THE BUDGET. THE FIRST PAYMENT WILL BE ON SEPTEMBER 1ST FOR FY2023 AND IN MARCH FOR FY2024. THESE PAYMENTS WILL BE SPLIT 3 WAYS BETWEEN THE CITY OF FULSHEAR AND THE EDC BOARDS.

ERIN ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE THE TERMS AND CONDITIONS FOR THE PAYMENT OF THE FORT BEND COUNTY INTERLOCAL AGREEMENT FOR TEXAS HERITAGE PARKWAY IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

G. CONSIDERATION AND POSSIBLE ACTION TO RECORD RECEIPT OF THE 2023 TAX YEAR APPRAISAL ROLL AND NEW PROPERTY VALUE AS REQUESTED BY THE COUNTY TAX ASSESSOR/COLLECTOR

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO RECORD RECEIPT OF THE 2023 TAX YEAR APPRAISAL ROLL AND NEW PROPERTY VALUE AS REQUESTED BY THE COUNTY TAX ASSESSOR/COLLECTOR. IT WAS SECONDED BY MAYOR PRO-TEM PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

H. CONSIDERATION AND POSSIBLE ACTION TO PROPOSE A TAX RATE AND SET A PUBLIC HEARING

ERIN TUREAU AS OF AUGUST 1ST WE HAVE RECEIVED OUR CERTIFIED TAX ROLLS FROM THE COUNTY ACCESSORS.

THE PROPOSED FY2024 BUDGET PRESENTED IS BASED ON THE TAX RATE OF \$0.168767/\$100 WHICH IS COMPRISED OF THE MAINTENANCE & OPERATIONS TAX RATE OF \$0.127174/\$100 AND THE INTEREST & SINKING (DEBT RATE) OF \$0.041593/\$100.

ERIN EXPLAINED THERE DOES NEED TO BE A RECORD VOTE AND SET A PUBLIC HEARING DATE.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO PROPOSE A TOTAL TAX RATE OF \$0.168767 PER \$100 VALUATION. \$0.127174/\$100 VALUATION FOR THE MAINTENANCE & OPERATIONS TAX RATE AND \$0.041593/\$100 VALUATION FOR THE INTEREST & SINKING RATE AND DIRECT STAFF TO PUBLISH A NOTICE OF THE PROPOSED 2023 TAX RATE FOR A PUBLIC HEARING TO BE HELD ON SEPTEMBER 19, 2023. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING (ROLL CALL) VOTE:

JOHNSON-AYE
PATTERSON-AYE
CATES-AYE
KNAPE-AYE
UTTURKAR-AYE
POOL-ABSENT
DISTRICT 3 SEAT- VACANT

**** FOR THE FULL DISCUSSION PLEASE VISIT THE CITY'S WEBSITE TO VIEW THE VIDEO****

I. DISCUSSION OF FY2024 PROPOSED BUDGET

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.
THE FOLLOWING SUBJECTS WERE DISCUSSED:

- PARKS AND RECREATION BUDGET
 - PRIMROSE PARK
- IRENE STERN COMMUNITY CENTER

**** FOR THE FULL DISCUSSION PLEASE VISIT THE CITY'S WEBSITE TO VIEW THE VIDEO****

XII. EXECUTIVE SESSION

- A. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), CONSULTATION WITH ATTORNEY. A GOVERNMENTAL BODY MAY NOT CONDUCT A PRIVATE CONSULTATION WITH ITS ATTORNEY EXCEPT: (1) WHEN THE GOVERNMENTAL BODY SEEKS THE ADVICE OF ITS ATTORNEY ABOUT: (A) PENDING OR CONTEMPLATED LITIGATION; OR (B) A SETTLEMENT OFFER; OR (2) ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551, GOVERNMENT CODE**

- FM 1093/WESTPARK TOLLWAY EXTENSION

- **PETITION TO APPEAL RATES ESTABLISHED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS FOR FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 222**

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO MOVE INTO EXECUTIVE SESSION. IT WAS SECONDED BY MAYOR PRO-TEM PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

MAYOR GROFF ADJOURNED TO EXECUTIVE SESSION AT 7:06PM

MAYOR GROFF RECONVENED TO THE REGULAR MEETING AT 7:42PM

XIII. 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 COUNCIL MEMBER KNAPE TO EXCUSE MR.POOL'S ABSENCE FROM TONIGHTS MEETING. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO EXCUSE MR.PATTERSON'S ABSENCE FROM THE OCTOBER REGULAR MEETING. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

XIV. ADJOURNMENT

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

AYES: PATTERSON, JOHNSON, UTTURKAR, CATES, KNAPE

NAYS:

ABSTAIN:

ABSENT: POOL, DISTRICT 3 VACANCY

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 7:42 P.M.

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY