



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:** Lisa Martin **COUNCIL MEMBER:** Kent Pool
COUNCIL MEMBER: Jason Knape **COUNCIL MEMBER:** Kaye Kahlich **COUNCIL MEMBER:** Debra Cates
COUNCIL MEMBER: Joel
Patterson **COUNCIL MEMBER:** Sarah B.
Johnson

STAFF:

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

CITY COUNCIL MEETING

May 16, 2023

NOTICE IS HEREBY GIVEN OF A CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, May 16, 2023 AT 5:30 PM** IN THE CITY OF FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LANE, FULSHEAR, TX 77441 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. INVOCATION-FATHER CHRISTOPHER MEYER, ST. FAUSTINA CATHOLIC CHURCH

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

I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.

V. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE

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.

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

B. PHOTOGRAPHY CONTEST

C. KEEP FULSHEAR BEAUTIFUL UPDATE

D. RECIPIENT OF EMPLOYEE OF THE YEAR

VIII BUSINESS

A STATE OF THE CITY

B ELECTION CEREMONY WITH OFFICERS-ELECT

- ISSUE CERTIFICATES
- ISSUE ANTIBRIBERY STATEMENTS
- ISSUE OATHS OF OFFICE

C CONSIDERATION AND POSSIBLE ACTION TO ELECT A MAYOR PRO-TEM

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 APRIL 4, 2023 (SPECIAL), APRIL 18, 2023 (SPECIAL), APRIL 18, 2023 (REGULAR), AND APRIL 25, 2023 (SPECIAL)**
- B. CONSENT AND POSSIBLE ACTION TO APPROVE THE MARCH 2023 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- C. CONSENT AND APPROVAL OF THE FY2024 2ND QUARTER INVESTMENT REPORT**
- D. CONSENT AND POSSIBLE ACTION TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT FOR USE OF VERIZON WIRELESS SERVICES FOR \$110,000**
- E. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 12 FINAL PLAT**
- F. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 13 FINAL PLAT**
- G. CONSENT AND APPROVAL OF RESOLUTION 2023-596 SUSPENDING THE EFFECTIVE DATE OF SIENERGY'S PROPOSED RATE INCREASE**
- H. CONSENT AND APPROVAL OF THE TAMARRON PARKWAY STREET DEDICATION SECTION 2 IN TAMARRON WEST FINAL PLAT**
- I. CONSENT AND APPROVAL OF THE JORDAN RANCH BOULEVARD STREET DEDICATION SECTION 2 IN TAMARRON WEST FINAL PLAT**
- J. CONSENT AND APPROVAL OF THE CROSS CREEK WEST SECTION 6 FINAL PLAT**
- K. CONSENT AND APPROVAL OF THE CROSS CREEK WEST SECTION 9 FINAL PLAT**
- L. CONSENT AND APPROVAL OF THE FULSHEAR LAKES HILLSIDE SECTION 1 FINAL PLAT**
- M. CONSENT AND POSSIBLE ACTION TO PURCHASE 5 REPLACEMENT POLICE VEHICLES AS INDICATED ON THE VEHICLE AND EQUIPMENT REPLACEMENT SCHEDULE AND APPROVED IN THE MARCH 21, 2023, CITY COUNCIL MEETING BUDGET AMENDMENT**

X PUBLIC HEARING

- A THE CITY OF FULSHEAR CITY COUNCIL WILL HOLD A PUBLIC HEARING ON MAY 16, 2023 AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LANE, FULSHEAR, TEXAS 77441 TO CONSIDER ORDINANCE NO. 2023-1423, AN ORDINANCE AMENDING CHAPTER 28, "COORDINATED DEVELOPMENT ORDINANCE (CDO)", ARTICLE III, "SITE DEVELOPMENT," AND ARTICLE IV, "SUBDIVISION REGULATIONS," OF THE**

FULSHEAR CODE. INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD.

XI. BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1420, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE VII, "RECORDS MANAGEMENT," OF THE FULSHEAR CODE BY ADDING A NEW DIVISION 3, "ELECTRONIC RECORDS," GOVERNING ELECTRONIC STORAGE OF RECORDS AND DESTRUCTION OF SOURCE DOCUMENTS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.**
- B. PRESENTATION OF PROPOSED FY2024 CAPITAL IMPROVEMENT 5 YEAR PLAN**
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT 2021-098 FOR THE DESIGN OF CITY HALL**
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A MASTER SIGNAGE PLAN FOR SUMMERVIEW**
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1423, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING CHAPTER 28, "COORDINATED DEVELOPMENT ORDINANCE (CDO)," ARTICLE III, "SITE DEVELOPMENT," AND ARTICLE IV, "SUBDIVISION REGULATIONS," OF THE FULSHEAR CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE**
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-584, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S PLANNING AND ZONING COMMISSION**
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-585, A RESOLUTION APPOINTING A REPRESENTATIVE FROM THE ETJ AS AN AD HOC VOTING MEMBER OF THE PLANNING AND ZONING COMMISSION WHEN IT ACTS AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE**
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-586, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S ZONING BOARD OF ADJUSTMENT**
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-587, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S PARKS AND RECREATION COMMISSION**
- J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-588, APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**
- K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-589, APPOINTING DIRECTORS TO THE BOARD OF THE FULSHEAR DEVELOPMENT CORPORATION, A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-590, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S HISTORIC PRESERVATION AND MUSEUM COMMISSION

XII. 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.

XIII. 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, KATIE LEWIS, ASSISTANT 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, MAY 12, 2023 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.

Katie Lewis

KATIE LEWIS, ASSISTANT CITY SECRETARY