



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 Rodriguez **CITY ATTORNEY:** Byron Brown

CITY COUNCIL MEETING

March 21, 2023

NOTICE IS HEREBY GIVEN OF A CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, March 21, 2023 AT 7:00 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-ROBERT VAUGHN, FULSHEAR CHURCH OF CHRIST ELDER

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. UPDATE ON APPLICATION PROCESS FOR BOARDS & COMMISSIONS VACANCIES

C. POLICE DEPARTMENT GRANTS

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 FEBRUARY 7, 2023 (SPECIAL), FEBRUARY 21, 2023 (SPECIAL) AND FEBRUARY 21, 2023 (REGULAR)

- B. CONSENT AND APPROVAL OF THE CERTIFICATION OF UNOPPOSED CANDIDATES AND ORDINANCE NO. 2023-1412, AN ORDINANCE DECLARING THAT THE UNOPPOSED CANDIDATES ARE DULY ELECTED; CANCELLING THE MAY 6, 2023 GENERAL MUNICIPAL ELECTION
- C. CONSENT AND POSSIBLE ACTION TO APPROVE THE JANUARY 2023 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS
- D. CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXPENSE THE AMOUNT OF \$135,000 WITH TYLER TECHNOLOGIES, INC.
- E. CONSENT AND APPROVAL OF ORDINANCE NO. 2023-1413, AMENDING CITY COUNCIL'S RULES OF PROCEDURE TO ADOPT THE CURRENT EDITION OF "ROBERT'S RULES OF ORDER NEWLY REVISED"
- F. CONSENT AND APPROVAL OF THE FIRST AMENDMENT TO ACTING CITY ATTORNEY AGREEMENT
- G. CONSENT AND APPROVAL OF STREET DEDICATION FOR DEL WEBB FULSHEAR, SECTIONS TWO, THREE AND LOU WATERS PARKWAY FOR FBCMUD 245.
- H. CONSENT AND APPROVAL OF THE DEL WEBB FULSHEAR SECTION 5 FINAL PLAT
- I. CONSENT AND APPROVAL OF THE FULSHEAR LAKES CREEKSIDE SECTION 5 FINAL PLAT
- J. CONSENT AND APPROVAL OF THE MARCEL SQUARE FINAL PLAT
- K. CONSENT AND APPROVAL OF THE TAMARRON SECTION 37 PRELIMINARY PLAT
- L. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 8 FINAL PLAT
- M. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 9 FINAL PLAT
- N. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 16 FINAL PLAT
- O. CONSENT AND DISAPPROVAL OF THE FULSHEAR MAIN STREET FINAL PLAT FOR FAILURE TO COMPLY WITH SECTION 28-7-36 (E) (3) OF THE CITY'S CODE OF ORDINANCES

IX. BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE FY2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT
- B. REVIEW AND APPROVAL OF ORDINANCE 2023-1414 - FY2023 BUDGET AMENDMENT #1
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-591, A RESOLUTION REPEALING RESOLUTION NO. 2022-579, BEING A RESOLUTION DIRECTING THE CITY MANAGER AND THE CITY ATTORNEY TO PROVIDE THE CITY COUNCIL WITH NOTICE OF LEAVE

X. EXECUTIVE SESSION

- A. EXECUTIVE SESSION – PURSUANT TO SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE**
- **CITY MANAGER**

XI. ACTION FROM EXECUTIVE SESSION

- A. CONSIDERATION AND POSSIBLE ACTION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A CITY MANAGER**

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, MARIELA RODRIGUEZ, 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, MARCH 17, 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.

MARIELA RODRIGUEZ, CITY SECRETARY