



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:**

<b>MAYOR:</b> Aaron Groff	<b>MAYOR PRO-TEM:</b> Joel Patterson	<b>COUNCIL MEMBER:</b> Kent Pool
<b>COUNCIL MEMBER:</b> Jason Knappe	<b>COUNCIL MEMBER:</b> Abhijeet Utturkar	<b>COUNCIL MEMBER:</b> Debra Cates
	<b>COUNCIL MEMBER:</b> Christina Baron	<b>COUNCIL MEMBER:</b> Sarah B. Johnson

**STAFF:**

<b>CITY MANAGER:</b> Jack Harper	<b>CITY SECRETARY:</b> Mariela Rodriguez	<b>CITY ATTORNEY:</b> Byron Brown
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## SPECIAL CITY COUNCIL MEETING MINUTES

November 28, 2023

### I. **CALL TO ORDER**

*A SPECIAL 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  
SARAH B. JOHNSON  
DEBRA CATES  
ABHIJEET UTTURKAR  
JASON KNAPE  
JOEL PATTERSON  
CHRISTINA BARON*

***COUNCIL MEMBERS ABSENT:***

*KENT POOL*

***CITY STAFF PRESENT:***

*MARIELA RODRIGUEZ  
ZACH GOODLANDER  
JACK HARPER  
BYRON BROWN*

JOSH GREEN  
SHARON VALIANTE  
ALEX ROJAS  
KENNY SEYMOUR  
CLIFF BROUHARD  
CASSIE LEAL  
TIFFANY STODDER  
LANCE HALL  
MARIAH GALLEGOS

**OTHERS PRESENT:**

4 OTHERS THAT DID NOT SIGN IN

**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.*

*THERE WERE NO CITIZEN COMMENTS*

*MAYOR ASKED TO TAKE EXECUTIVE SESSION BEFORE BUSINESS, THERE WERE NO OBJECTIONS.*

*\*\* GO TO ITEM V. EXECUTIVE SESSION\*\**

**IV. BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OFFER #2024-009  
CONSTRUCTION OF WATER PLANT NO. 2**

*SHARON INTRODUCED THIS ITEM AND WENT OVER THE PROCESS THAT THE CITY GOES THROUGH TO RECOMMEND APPROVAL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE A STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR PECAN RIDGE, SECTION 7 AND PECAN KNOLL DRIVE, STREET DEDICATION, SECTION 1- PHASE 2 FROM FBMUD NO.175. IT WAS SECONDED BY COUNCIL MEMBER BARON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: POOL*

*MOTION APPROVED*

**B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR PECAN RIDGE, SECTION 7 AND PECAN KNOLL DRIVE , STREET DEDICATION, SECTION 1- PHASE 2 FROM FBMUD NO.175**

*SHARON INTRODUCED THIS ITEM AND INTRODUCED THE DESIGN TEAM FROM FREESE AND NICHOLS, THE CONTRACTOR BEING CONSIDERED TONIGHT, WHARTON-SMITH INC. AND THE STAFF TEAM.*

*RICHARD WEATHERLY WENT OVER THE PROCESS OF HOW THEY GOT TODAY'S COST OF \$14,434,000.00. HE EXPLAINED THEY WORKED WITH THE CONTRACTOR TO FIGURE OUT HOW TO GET THE COST DOWN AS WELL AS THE PROJECT ITSELF. RICHARD AND NATHAN ANSWERED COUNCIL'S QUESTIONS.*

*COUNCIL MEMBER CATES REQUESTED TO GET A STATUS UPDATE ON THE WATER PLANT PROJECT UNTIL IT IS COMPLETED.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO AWARD OFFER #2024-009 CONSTRUCTION OF WATER PLANT NO. 2 TO WHARTON SMITH INC. IN THE TOTAL AMOUNT OF \$14,434,000.00. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: POOL*

*MOTION APPROVED*

*STAFF ANSWERED QUESTIONS FROM COUNCIL.*

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

**V. 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**

• **EEOC CHARGE**

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO MOVE INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER BARON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: POOL*

*MOTION APPROVED*

*MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 5:32 PM*

*MAYOR GROFF RECONVENED TO SPECIAL MEETING AT 6:10 PM*

**VI. ACTION FROM EXECUTIVE SESSION**

*THERE WAS NO ACTION FROM EXECUTIVE SESSION.*

*\*\* GO BACK TO ITEM IV. BUSINESS \*\**

**VII. ADJOURNMENT**

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

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

*NAYS:*

*ABSTAIN:*

*ABSENT: POOL*

*MOTION APPROVED*

*MAYOR GROFF ADJOURNED THE MEETING AT 7:12 PM*

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AARON GROFF, MAYOR

ATTEST:

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MARIELA RODRIGUEZ, CITY SECRETARY