



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 **COUNCIL MEMBER:** Christina Baron

STAFF:

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

CITY COUNCIL MEETING MINUTES

December 19, 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
KENT POOL
DEBRA CATES
JOEL PATTERSON
CHRISTINA BARON
JASON KNAPE*

COUNCIL MEMBERS ABSENT:

*SARAH B. JOHNSON
ABHIJEET UTTURKAR*

CITY STAFF PRESENT:

*MARIELA RODRIGUEZ
ZACH GOODLANDER*

JACK HARPER
BYRON BROWN
JOSH GREEN
SHARON VALIANTE
JESUS ESCOBAR
KENNY SEYMOUR
LANCE HALL
CLIFF BROUHARD
ERIN TUREAU
CASSIE LEAL

OTHERS PRESENT:

BRENDA SLOAN
H. ELMACHTAZ
RICK BARKER
PATRICK POWERS
MAYRA HERNANDEZ
TREY DEVILLIER
AND 4 OTHERS THAT DID NOT SIGN IN

III. INVOCATION- PASTOR STEVE LITTLEFIELD, SIMONTON COMMUNITY CHURCH

INVOCATION WAS GIVEN BY PASTOR STEVE LITTLEFIELD.

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 US AND TEXAS FLAG.

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 INFORMED COUNCIL AND THE CITIZENS THAT CITY OFFICES WILL BE CLOSED:

- MONDAY, DECEMBER 25TH FOR CHRISTMAS EVE
- TUESDAY, DECEMBER 26TH FOR CHRISTMAS DAY.
- MONDAY, JANUARY 1ST FOR NEW YEAR'S DAY
- MONDAY, JANUARY 15TH FOR MARTIN LUTHER KING JR. DAY.

THE POLICE DEPARTMENT WILL REMAIN OPEN

COUNCIL MEMBER KNAPE GAVE STAFF KUDOS FOR THE "DID YOU KNOW VIDEOS ON SOCIAL MEDIA.

COUNCIL MEMBER CATES GAVE KUDOS TO STAFF FOR PUTTING TOGETHER THE CHRISTMAS TREE LIGHTING.

B. H-GAC PARKS AND NATURAL AREAS AWARD (PRIMROSE PARK)

THE CITY OF FULSHEAR RECEIVED NOTIFICATION FROM H-GAC REGARDING ITS APPLICATION TO BE CONSIDERED TO RECEIVE RECOGNITION FOR: PLANNING - PRIMROSE PARK. THE PROJECT WAS SELECTED TO RECEIVE SPECIAL RECOGNITION FROM THE H-GAC PARKS AND NATURAL AREAS AWARDS IN THE PLANNING AND POLICY CATEGORY. THE PROJECT SERVES AS A MODEL FOR OTHER PROJECTS IN THE 13-COUNTY REGION, AND WE ARE TO BE COMMEND FOR THE LEADERSHIP EXHIBITED BY THE CITY OF FULSHEAR NOT ONLY IN THE PLANNING PHASE, BUT FOR THE CURRENT PROJECT DESIGN AND FUTURE PHASES. THE CITY OF FULSHEAR WILL RECEIVE RECOGNITION AT AN HGAC EVENT ON FRIDAY, FEBRUARY 9, 2024 AT 10 AM.

JACK INFORMED COUNCIL IF THEY ARE INTERESTED IN ATTENDING TO LET THE CITY SECRETARY KNOW SINCE THE EVENT REQUIRES REGISTRATION.

C. CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

JACK INFORMED COUNCIL THAT WE RECEIVED THE ANNUAL COMPREHENSIVE FINANCIAL REPORT AWARD FOR THE GFOA'S (GOVERNMENT FINANCE OFFICERS ASSOCIATION) CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING. THE GFOA ESTABLISHED THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING PROGRAM IN 1945 TO ENCOURAGE AND ASSIST STATE AND LOCAL GOVERNMENTS TO GO BEYOND THE MINIMUM REQUIREMENTS OF GENERALLY ACCEPTED ACCOUNTING PRINCIPLES TO PREPARE ANNUAL COMPREHENSIVE FINANCIAL REPORTS THAT EVIDENCE THE SPIRIT OF TRANSPARENCY AND FULL DISCLOSURE AND THEN TO RECOGNIZE INDIVIDUAL GOVERNMENTS THAT SUCCEED IN ACHIEVING THAT GOAL. THE CERTIFICATE OF ACHIEVEMENT IS THE HIGHEST FORM OF RECOGNITION IN GOVERNMENTAL ACCOUNTING AND

FINANCIAL REPORTING. CONGRATULATIONS, AGAIN, FOR HAVING SATISFIED THE HIGH STANDARDS OF THE PROGRAM

D. CITY HOLIDAYS - DECEMBER AND JANUARY

JACK INFORMED COUNCIL THAT SERGEANT ROGER THURMAN RETIRES THIS MONTH AFTER A 41 YEAR CAREER IN LAW ENFORCEMENT.

THE FOLLOWING ARE THE NEW HIRES:

- *STEPHANIE ALVAREZ-FOX – CSR I WITH UTILITIES*
- *JOSHUA SOTO – UMT II – UTILITIES*
- *MORGAN EARLY – CITIES FIRST PROJECT MANAGER WITH THE PUBLIC WORKS DEPARTMENT*

THE FOLLOWING ARE THE DEPARTURES:

- *JABBAR CAMERON- UMT I*

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 THE NOVEMBER 14, 2023 (REGULAR) AND NOVEMBER 28, 2023 (SPECIAL) CITY COUNCIL MEETINGS**
- B. CONSENT AND APPROVAL OF THE MONTHLY FINANCIAL REPORT FOR THE GENERAL & UTILITY FUNDS - OCTOBER 2023**
- C. CONSENT AND APPROVAL OF PURCHASING COOPERATIVE CONTRACTS**
- D. CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A 5-YEAR AGREEMENT WITH FLOCK GROUP, INC. FOR THE ACQUISITION, INSTALLATION, MAINTENANCE, AND MONITORING OF AUTOMATED LICENSE PLATE RECOGNITION (ALPR) CAMERAS WITHIN FULSHEAR**
- E. CONSENT AND APPROVAL FOR THE PURCHASE OF AXON TASERS AND BATTERY PACKS**
- F. CONSENT AND APPROVAL OF A DESIRED OWNERSHIP CHANGE REQUESTED BY EXXONMOBIL PIPELINE COMPANY, LLC TO ASSIGN ITS INTEREST IN AN ASSET TO DEAN PIPELINE COMPANY, LLC, AN INDIRECT SUBSIDIARY OF ENTERPRISE PRODUCTS OPERATING LLC**
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN EASEMENT**

AGREEMENT WITH ENTERPRISE CRUDE PIPELINE, LLC

- H. CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT FOR USE OF VERIZON WIRELESS SERVICES FOR \$70,000**
- I. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 50 PRELIMINARY PLAT**
- J. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 53 PRELIMINARY PLAT**
- K. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 54 PRELIMINARY PLAT**
- L. CONSENT AND APPROVAL OF THE JORDAN RANCH STREET DEDICATION 14 PRELIMINARY PLAT**
- M. CONSENT AND APPROVAL OF THE TAMARRON SECTION 72 FINAL PLAT**
- N. CONSENT AND APPROVAL OF THE TAMARRON SECTION 78 FINAL PLAT**
- O. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 15 PARTIAL REPLAT NO. 1**
- P. CONSENT AND APPROVAL OF THE CROSS CREEK WEST SECTION 7 PARTIAL REPLAT NO. 1**
- Q. CONSENT AND APPROVAL OF THE DEL WEBB FULSHEAR SECTION 4 FINAL PLAT**
- R. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR PECAN RIDGE, SECTION 8, FROM FBMUD NO.175**
- S. CONSENT AND APPROVAL OF RESOLUTION NO. 2023-1446, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 216 AND IMPOSING CONDITIONS ON SAME**

MAYOR PRO-TEM PATTERSON ASKED TO PULL CONSENT ITEM C AND G FOR DISCUSSION.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEMS A, B, D-F, AND H-S . IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

*AYES: CATES, BARON, KNAPE, PATTERSON, POOL,
NAYS:*

ABSTAIN:
ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

CONSENT ITEM C

CASSIE LEAL ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY MAYOR PRO-TEM PATTERSON TO APPROVE CONSENT ITEM C. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,
NAYS:
ABSTAIN:
ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

CONSENT ITEM G

SHARON EXPLAINED THIS AGREEMENT IS TO PROVIDE A WATER LINE EASEMENT FOR THE CONSTRUCTION OF AN EMERGENCY WATER LINE INTERCONNECT WITH THE CROSS CREEK RANCH SYSTEM AND THE CITY OF FULSHEAR.

SHARON ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY MAYOR PRO-TEM PATTERSON TO APPROVE CONSENT ITEM G. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,
NAYS:
ABSTAIN:
ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

IX. BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-609, APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

MAYOR PRO-TEM PATTERSON NOMINATED PATRICK POWERS.
COUNCIL MEMBER CATES NOMINATED PATRICK POWERS.

MAYOR GROFF RECOMMENDS PATRICK POWERS.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE
RESOLUTION NO.

2023-609, APPOINTING PATRICK POWERS AS DIRECTOR TO THE BOARD OF
THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A"
ECONOMIC DEVELOPMENT SALES TAX CORPORATION. IT WAS
SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY
THE FOLLOWING VOTE:

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,

NAYS:

ABSTAIN:

ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

**B. DISCUSSION REGARDING THE ADOPTION OF A FILING FEE PAID IN
CONNECTION WITH A CANDIDATE'S APPLICATION FOR A PLACE ON THE
BALLOT**

COUNCIL DISCUSSED AMONG THEMSELVES REGARDING A POSSIBLE
FEE.

BYRON ANSWERED QUESTIONS FROM COUNCIL.

THERE WAS NOT ACTION ON THIS ITEM.

**C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A MASTER
SERVICE AGREEMENT FOR METER OPERATIONS WITH AQUA-METRIC**

LANCE HALL PRESENTED THIS ITEM AND EXPLAINED THIS AGREEMENT
WILL BEGIN THE IMPLEMENTATION OF THE ADVANCED METERING
INFRASTRUCTURE AND SOFTWARE FOR THE METERING SYSTEM.

LANCE ANSWERED QUESTIONS FROM COUNCIL REGARDING THE
SYSTEM.

COUNCIL MEMBER KNAPE EXPRESSED HE WOULD LIKE STAFF TO
PRESENT WHAT IT WILL LOOK LIKE ONCE THE WHOLE CITY IS ON ONE
SYSTEM.

COUNCIL MEMBER CATES REQUESTED A REPORT ON THIS SYSTEM.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AND
AUTHORIZE THE CITY MANAGER TO EXECUTE THE MASTER SERVICE

AGREEMENT WITH AQUA-METRIC SALES COMPANY. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,

NAYS:

ABSTAIN:

ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT #2024-001 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE WATER AND WASTEWATER MASTER PLAN UPDATE

SHARON INTRODUCED RICHARD WEATHERLY WITH FREESE AND NICHOLS TO EXPLAIN AND ANSWER ANY QUESTION COUNCIL MAY HAVE.

RICHARD WEATHERLY EXPLAINED THE FIRST PART OF THIS PROJECT INCLUDES GETTING MORE ADVANCED IN THE HYDRAULIC MODELING FOR THE WATER SYSTEM SIDE. HE STATED THERE WILL BE PRESSURE TESTING IN BOTH DOWNTOWN AND CCR SYSTEMS AS WELL AS MODELING THE CONNECTION OF THEM. THE SECOND PART IS PUTTING WASTE WATER FLOW METERS IN THE COLLECTION SYSTEM. THIS WILL HELP WITH TRACKING FLOWS IN ABOUT A 5 MINUTE BASIS TO SEE HOW THE WASTE WATER FLOWS COME FROM VARIOUS PARTS OF THE CITY INTO OUR TREATMENT PLANTS.

RICHARD ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT #2024-001 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE WATER AND WASTEWATER MASTER PLAN UPDATE. IT WAS SECONDED BY COUNCIL MEMBER BARON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,

NAYS:

ABSTAIN:

ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

X. 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 ADJOURN INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,

NAYS:

ABSTAIN:

ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

MAYOR GROFF ADJOURNED TO EXECUTIVE SESSION AT 6:17PM

MAYOR GROFF RECONVIENED THE REGULAR MEETING AT 6:27PM

XI. ACTION FROM EXECUTIVE SESSION

THERE WAS NOT ACTION FROM EXECUTIVE SESSION.

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.

COUNCIL MEMBER BARON STATED SHE WILL BE ABSENT FOR THE JANUARY 16, 2024 MEETING.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO EXCUSE COUNCIL MEMBER BARON FROM THE JANUARY 16TH MEETING. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,

NAYS:

ABSTAIN:
ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

XIII. ADJOURNMENT

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

AYES: CATES, BARON, KNAPE, PATTERSON, POOL,

NAYS:

ABSTAIN:

ABSENT: JOHNSON, UTTURKAR

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 6:28 PM

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY