



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 Knape	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
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CITY COUNCIL MEETING MINUTES

January 23, 2024

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

CITY STAFF PRESENT:

*MARIELA RODRIGUEZ
KATIE LEWIS
ZACH GOODLANDER
JACK HARPER
BYRON BROWN*

JOSH GREEN
SHARON VALIANTE
JESUS ESCOBAR
KENNY SEYMOUR
JOSH BROTHERS
CLIFF BROUHARD
ERIN TUREAU
KRISTI BRASHEAR
JESSIKA VILLARREAL
CASSIE LEAL
MORGAN EARLY

OTHERS PRESENT:

DON ELDER
RAMONA RIDGE
PAUL S.
BILL CLIFFORD
ELLEN COULTER
JEFF COULTER
CAININ KING
BETTY S.
LEE S.
TREY DEVILLIER
TAJANA SURLAN
KAYE KAHLICH
JASON BURDINE
AND 6 OTHERS THAT DID NOT SIGN IN

III. INVOCATION- MINISTER PAUL CARTWRIGHT, FULSHEAR CHURCH OF CHRIST

INVOCATION WAS GIVEN BY MINISTER PAUL CARTWRIGHT.

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.

DON ELDER SPOKE REGARDING HIS BUSINESS PCA PURCHASES COOPERATIVE OF AMERICA.

TEJANA SURLAN THANK COUNCIL AND STAFF FOR DOING A GOOD JOB IN THE

CITY OF FULSHEAR.

KAYE KAHLICH, RESIDENT OF CCR, ASKED IF COUNCIL COULD SHARE A LITTLE BIT ABOUT WHAT CONSENT ITEM K IS ABOUT.

MAYOR GROFF READ AND PRESENTED A PROCLAMATION FOR FORT BEND COUNTY DISTRICT ATTORNEY'S COMMUNITY AWARENESS TEAM NATIONAL HUMAN TRAFFICKING PREVENTION MONTH.

RHONDA KUYKENDALL PRESENTED THE CITY OF FULSHEAR WITH A GIFT.

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 HARPER INFORMED COUNCIL OF THE FOLLOWING STAFF CHANGES:

***NEW HIRES** – JULIE WATTS – COMES TO US FROM THE CITY OF SIMONTON AND HAS JOINED THE FINANCE DEPARTMENT AS A FINANCE SPECIALIST II.*

***PROMOTIONS** – CORRIE GHAFARI – HAS BEEN PROMOTED TO THE ACCOUNTANT II WITH THE FINANCE DEPARTMENT.*

***DEPARTURES** – JEREMIAH KIRK RESIGNED FROM THE POLICE DEPARTMENT EFFECTIVE 1/19/24.*

B. UPDATE ON CONSTRUCTION ACTIVITY RELATED TO WATER PLANT #2

WATER PLANT NO. 2 – PUMP STATION AND GROUND STORAGE TANK (GST):

- PRE-CONSTRUCTION MEETING WITH CITY STAFF, CONTRACTOR (WHARTON SMITH) AND DESIGN TEAM (FREESE AND NICHOLS) WAS HELD ON DECEMBER 20TH, 2023.*
- COORDINATION MEETING WITH PECAN RIDGE DEVELOPER, ELEVATED STORAGE TANK (EST) ENGINEER (BLEYL), EST CONTRACTOR (CALDWELL TANKS), WATER PLANT DESIGN ENGINEER, AND WATER PLANT CONTRACTOR WAS HELD ON*

DECEMBER 20TH, 2023.

- *CONSTRUCTION NOTICE-TO-PROCEED IS JANUARY 22ND, 2024.*
- *CONTRACTOR HAS BEGUN ISSUING SUBMITTALS FOR REVIEW BY THE DESIGN ENGINEER.*
- *CONSTRUCTION PROJECT IS CURRENTLY 0% COMPLETE.*
- *TO DATE WE HAVE EXPENDED \$0.00*
- *STAFF IS CURRENTLY MEETING MONTHLY WITH THE WATER PLANT #2 CONTRACTOR AND DESIGN TEAM (FNI).*
- *STAFF IS CURRENTLY HOLDING A MONTHLY COORDINATION MEETING WITH THE WATER PLANT #2 CONTRACTOR AND DESIGN TEAM (FNI), ELEVATED STORAGE TANK CONTRACTOR AND DESIGN TEAM (BLEYL ENGINEERING), AND PECAN RIDGE DEVELOPER (TRIPPOINT).*

C. BICENTENNIAL UPDATE

JACK EXPLAINED THE BICENTENNIAL EVENT PLANNING IS MOVING ALONG WITH THE EFFORT OFF ALL DEPARTMENTS. VENDOR REGISTRATIONS HAVE BEEN STEADILY COMING IN. THE EVENT WILL HAVE A LARGE FAMILY-FRIENDLY ACTIVITY AREA COMPLETELY FREE OF COST TO ATTENDEES AS WELL AS A WIDE RANGE OF FOOD OPTIONS AVAILABLE FOR PURCHASE. WE ARE EXCITED TO SAY THAT THE EVENT WILL CONCLUDE WITH A DRONE SHOW FEATURING 200 DRONES IN HONOR OF THE BICENTENNIAL.

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 CITY COUNCIL MEETING HELD ON DECEMBER 19, 2023**
- B. CONSENT AND APPROVAL OF THE NOVEMBER 2023 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- C. CONSENT AND APPROVAL FOR PARTICIPATION IN THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION, BULLET-RESISTANT SHIELD GRANT PROGRAM, FY25; GRANT #4940501**
- D. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 51 PRELIMINARY PLAT**

- E. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 52 PRELIMINARY PLAT**
- F. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 55 PRELIMINARY PLAT**
- G. CONSENT AND APPROVAL OF THE JORDAN RANCH STREET DEDICATION NO. 15 PRELIMINARY PLAT**
- H. CONSENT AND APPROVAL OF THE SHOPS AT JORDAN RANCH CROSSING PRELIMINARY PLAT**
- I. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 20 FINAL PLAT**
- J. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 21 FINAL PLAT**
- K. CONSENT AND APPROVAL OF U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION NEGOTIATED SETTLEMENT AGREEMENT**

COUNCIL MEMBER KNAPE ASKED TO PULL CONSENT ITEM K FOR DISCUSSION.

COUNCIL MEMBER UTTURKAR ASKED TO PULL CONSENT ITEM A FOR DISCUSSION.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE COSENT ITEMS B-J. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

ITEM A

COUNCIL MEMBER UTTURKAR WOULD LIKE TO ABSTAIN FROM THE VOTE SINCE HE WAS NOT PRESENT AT THAT MEETING.

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

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

NAYS:

*ABSTAIN:UTTURKAR
ABSENT:*

MOTION APPROVED

ITEM K

JOSH GREEN EXPLAINED THAT EVERYTHING DISCUSSED IN EXECUTIVE SESSION NEEDS TO REMAIN CONFIDENTIAL IN NATURE UNTIL THEY ARE APPROVED BY THE DIRECTOR OF THE EEOC.

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

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

MOTION APPROVED

IX. BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2024-1448, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, THE 4TH DAY OF MAY, 2024

MARIELA RODRIGUEZ INFORMED CITY COUNCIL THAT THE CITY SECRETARYS OFFICE BEGAN ACCEPTING APPLICATIONS ON JANUARY 17TH AND THE LAST DAY TO FILE IS FEBRUARY 16, 2024 5:00PM.

THE CITY IS ACCEPTING APPLICATION FOR THE FOLLOWING POSITIONS:

- MAYOR*
- AT-LARGE*
- DISTRICT 2*
- DISTRICT 3*

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2024-1448. IT WAS SECONDED BY COUNCIL MEMBER

POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT #2022-002 FOR THE PRIMROSE PARK PROJECT

TIFFANY STODDER INTRODUCED THIS ITEM AND EXPLAINED THIS AGREEMENT CONTRACT IS TO BE ABLE TO MOVE FORWARD WITH THE DESIGN OF PHASE 3. SHE INFORMED COUNCIL THAT THE TIMELINE FOR COMPLETION IS FROM 9-12 MONTHS.

TIFFANY ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT 2022-002 WITH HALFF, INC. FOR THE DESIGN SERVICES IN THE AMOUNT OF \$559,388 FOR A TOTAL NOT TO EXCEED OF \$990,088 FOR PRIMROSE PARK. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

C. PRESENTATION AND DISCUSSION WITH CONSIDERATION AND POSSIBLE ACTION REGARDING A PARKS AND RECREATION GENERAL OBLIGATION BOND

KIMBERLY BOW REPRESENTATIVE OF THE PARKS AND RECREATIONS BOARD PRESENTED COUNCIL WITH A SLIDE SHOW OF THE FOLLOWING:

- PROPOSED PARKS AND RECREATION BOND*
- OVERVIEW*
- PARKS & RECREATION COMMISSIONS*
- PARKS & RECREATION COMMISSIONS PRIORITY RANKING*

KIM STATED SHE WOULD RECOMMEND A BOND BE PUT OUT TO VOTE ON

AND SEE WHAT THE COMMUNITY WOULD LIKE TO SEE IN OUR PARKS.

TIFFANY STODDER CONTINUED THE PRESENTATION:

- PRIMROSE PARK
- IRENE STERN COMMUNITY CENTER
- IRENE STERN COMMUNITY CENTER (PARK IMPROVEMENTS)
- PARK & FACILITIES LAND ACQUISITION
- 5 ACRE PROTOTYPE PARK
- FRANCES SMART PARK
- OVERVIEW OF PROPOSED PROJECTS
- PROPOSED BONDS PACKAGES

ZACH GOODLANDER UPDATED COUNCIL ON THE SECTION HOUSE.

ERIN TUREAU CONTINUED THE PRESENTATION:

- GENERAL OBLIGATIONS BONDS
- FY2024 CURRENT PROPERTY TAX RATE (TAX YEAR)
- TAX RATE IMPACT BY PARK
- ANNUAL MUD PAYMENTS
- PROPERTY TAX RATE ANALYSIS

CITY COUNCIL EXPRESSED THEIR OPINIONS AND ASKED QUESTIONS.

CASEY COLLINS AND KRISTIN LEBLANC WITH HALFF ENGINEERING ANSWERED QUESTIONS FROM COUNCIL AND EXPLAINED WHAT THE 6.1 MILLION GETS THE PARK.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

THERE IS A CONSENSUS TO GET THE PRIMROSE DETAIL OUT TO COUNCIL.

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

- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO.2024-610, EXHIBITS A & B, RELATED TO THE NOMINATION OF A CANDIDATE TO SERVE AS A DIRECTOR ON THE BOARD OF DIRECTORS OF THE NORTH FORT BEND WATER AUTHORITY DIRECTOR PRECINCT NO. 7**

MAYOR GROFF NOMINATED DANA HOLLINGSWORTH.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION 2024-610 NOMINATING DANA HOLLINGSWORTH FOR THE

BOARD OF DIRECTORS OF THE NORTH AND AUTHORIZE THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST TO EXHIBIT A CERTIFICATION OF RESOLUTION NOMINATING A CANDIDATE FOR THE BOARD OF DIRECTORS OF THE NORTH FORT BEND WATER AUTHORITY AND DIRECT STAFF TO COMPLETE EXHIBIT B 2023 PUMPAGE REPORT. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

E. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE EXECUTION OF A PERMIT TRANSFER APPLICATION AND AN APPLICATION FOR A TPDES PERMIT MAJOR AMENDMENT FOR THE CROSS CREEK RANCH WASTEWATER TREATMENT PLANT WQ001475001

SHARON VALIANTE EXPLAINED THE UPDATES THAT WERE MADE TO THE AGREEMENT.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO COUNCIL AUTHORIZE THE MAYOR TO SIGN THE APPLICATIONS IN THE APPROPRIATE PLACES TO COMPLETE THE PERMIT TRANSFER APPLICATION AND THE TPDES MAJOR AMENDMENT APPLICATION FOR THE CROSS CREEK RANCH WASTEWATER TREATMENT PLANT. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

F. DISCUSSION REGARDING A TREE PRESERVATION ORDINANCE

COUNCIL MEMBER JOHNSON INVITED RAMONA RIDGE OR MR. MCCAIN TO SPEAK ON THIS ITEM.

RAMONA RIDGE EXPRESSED THAT THIS NEEDED TO BE DONE 10-15 YEARS AGO. SHE EXPLAINED THAT THE TREES GIVE CHARACTER AND CHARM TO FULSHEAR.

JD MCCAIN EXPLAINED HE WANTS TO PRESERVE 200 YEAR OLD TREES,

NATIVE PECAN TREES. HE EXPLAINED WHY THE TREES ARE SO IMPORTANT TO HIM. HE WOULD LIKE TO SEE THE CITY REQUIRE A PERMIT BEFORE THEY CAN DESTROY A TREE.

COUNCIL MEMBER JOHNSON PRESENTED PICTURES OF SOME OF THE LARGE PECAN TREES THAT WERE CLEAR CUT. SHE EXPLAINED THESE LARGER TREES SHOULD BE PRESERVES AS LONG AS THEY ARE HEALTHY OR AT RISK TO PUBLIC DESTRUCTION.

ONE EXAMPLE TO PRESERVE THESE TREES IS THE ROAD ON SHADY LANE WITH A TREE IN THE MIDDLE OF THE ROAD.

COUNCIL MEMBER KNAPE IS IN SUPPORT OF AN ORDINANCE BUT WOULD LIKE SOME MORE TIME TO REVIEW THE MATERIAL.

COUNCIL MEMBER BARON GAVE THE IDEA OF A TREE REGISTRY FOR THE SIGNIFICANT TREES.

COUNCIL MEMBER CATES STATED SHE IS IN SUPPORT OF TREE PRESERVATION AND WOULD ALSO LIKE MORE TIME TO LOOK OVER AND REVIEW THE MATERIAL.

MAYOR PRO-TEM PATTERSON EXPLAINED HE DID SOME RESEARCH AND WANTS TO MAKE SURE WE ARE THOUGHTFUL AND CONSIDERATE OF HOW WE GO FORWARD.

*** FOR THE FULLL DISCUSSION PLEASE REFER TO THE CITYS WEBSITE TO VIEW THE VIDEO***

G. DISCUSSION REGARDING CITY COUNCIL RE-DISTRICTING

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO TABLE THIS ITEM UNTIL THE NEXT REGULAR MEETING. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

X. 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.

THERE WAS NOT ACTION ON THIS ITEM.

XI. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO TABLE THIS ITEM UNTIL THE NEXT REGULAR MEETING. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 7:52PM





AARON GROFF, MAYOR

ATTEST:



MARIELA RODRIGUEZ, CITY SECRETARY