



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- REV. WINSTON RUSHIN JR., GREATER ZACHARY MBC**

**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 CONSTRUCTION ACTIVITY RELATED TO WATER PLANT #2/EST**

**VIII PUBLIC HEARING**

**A THE CITY OF FULSHEAR WILL HOLD TWO PUBLIC HEARINGS REGARDING PROPOSED ZONING REGULATION TEXT AMENDMENTS SPECIFICALLY AMENDMENTS TO ARTICLE II AND ARTICLE III OF THE COORDINATED DEVELOPMENT ORDINANCE (CDO), AND ARTICLE VI OF CHAPTER 8 OF THE CODE OF ORDINANCES. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON APRIL 12, 2024, AT 8:30 A.M. THE SECOND PUBLIC HEARING WILL BE HELD BY THE CITY COUNCIL ON APRIL 16, 2024, AT 5:30 P.M. EACH HEARING WILL BE HELD AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX, LOCATED AT 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441. INTERESTED PARTIES MAY APPEAR**

**AT THE PUBLIC HEARINGS AND BE HEARD WITH RESPECT TO THE PROPOSED AMENDMENTS. A COPY OF THE PROPOSED AMENDMENTS IS ON FILE AT THE CITY SECRETARY'S OFFICE LOCATED IN THE CITY OF FULSHEAR MUNICIPAL COMPLEX AND MAY BE INSPECTED ON MONDAY THROUGH THURSDAYS FROM 8:00 A.M. TO 5:00 P.M. AND FRIDAYS FROM 8:00 A.M. TO 3:00 P.M. FOR QUESTIONS REGARDING THE PROPOSED AMENDMENTS, PLEASE CALL JOSHUA BROTHERS, CITY OF FULSHEAR, 281-346-1796**

- B IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE AND CHAPTER 211 OF THE LOCAL GOVERNMENT CODE, THE CITY WILL HOLD TWO PUBLIC HEARINGS REGARDING A PROPOSED ZONING MAP AMENDMENT FOR AN APPROXIMATELY 3.21 ACRE TRACT OF LAND, NEAR THE INTERSECTION OF BOIS D'ARC RD. AND FULSHEAR RUN TRACE, AND LOCATED IN THE 0050 E LATHAM, TRACT 28, FORT BEND COUNTY, TX. THE TRACT OF LAND, CURRENTLY VACANT, AND ZONED IN THE GENERAL COMMERCIAL DISTRICT, REQUESTS TO BE ZONED INTO THE DOWNTOWN DISTRICT. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON APRIL 5, 2024, AT 8:30 A.M. THE SECOND HEARING WILL BE HELD BY THE CITY COUNCIL ON APRIL 16, 2024, AT 5:30 P.M. THE HEARINGS WILL BE HELD AT FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441. INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE APPLICATION. A COPY OF THE ZONING CHANGE IS ON FILE AT THE CITY SECRETARY'S OFFICE LOCATED AT 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 8:00 A.M. TO 5:00 P.M. AND FRIDAYS FROM 8:00 A.M. TO 3 P.M. FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST PLEASE CALL JOSHUA BROTHERS, CITY OF FULSHEAR, 281-346-1796**
- C THE CITY OF FULSHEAR WILL HOLD A PUBLIC HEARING REGARDING THE PROPOSED UPDATES TO THE DROUGHT CONTINGENCY PLAN TO BE ADOPTED BY ORDINANCE IN ACCORDANCE WITH SECTION 11.1272 OF THE TEXAS WATER CODE; AND 30 TAC CHAPTER 288, SUBCHAPTER B. THE PUBLIC HEARING WILL BE HELD BY THE CITY COUNCIL ON APRIL 16, 2024, AT 5:30 P.M. THE PUBLIC HEARING WILL BE HELD AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX, LOCATED AT 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441. INTERESTED PARTIES MAY APPEAR AT THE PUBLIC HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED UPDATES. A COPY OF THE PROPOSED UPDATES IS ON FILE AT THE CITY SECRETARY'S OFFICE LOCATED IN THE CITY OF FULSHEAR MUNICIPAL COMPLEX AND MAY BE INSPECTED ON MONDAY THROUGH THURSDAY FROM 8:00 A.M. TO 5:00 P.M. AND FRIDAYS FROM 8:00 A.M. TO 3:00P.M.FOR QUESTIONS REGARDING THE PROPOSED UPDATES, PLEASE CALL SHARON VALIANTE, CITY OF FULSHEAR, 281-346-1796**

## **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 THE MINUTES FROM THE CITY COUNCIL MEETING HELD ON MARCH 19, 2024
- B. CONSENT AND APPROVAL OF THE FEBRUARY 2024 MONTHLY FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS
- C. CONSENT AND APPROVAL OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR BONTERRA SECTION 10 FROM FBMUD NO.170
- D. CONSENT AND APPROVAL OF THE CROSS CREEK WEST SECTION 8 FINAL PLAT
- E. CONSENT AND APPROVAL OF THE CROSS CREEK WEST SECTION 10 FINAL PLAT
- F. CONSENT AND APPROVAL OF THE SUMMERVIEW SECTION 4 FINAL PLAT
- G. CONSENT AND APPROVAL OF THE TAMARRON SECTION 73 FINAL PLAT
- H. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 14 FINAL PLAT
- I. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 17 FINAL PLAT
- J. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 18 FINAL PLAT
- K. CONSENT AND APPROVAL OF THE FULBROOK ON FULSHEAR CREEK SECTION 11 PRELIMINARY PLAT
- L. CONSENT AND APPROVAL OF THE JORDAN RANCH WALLER COUNTY PRELIMINARY PLAT
- M. CONSENT AND APPROVAL OF THE JORDAN RANCH STREET DEDICATION NO. 15 FINAL PLAT
- N. CONSENT AND APPROVAL OF THE EXTENSION TO THE FULSHEAR BEND DRIVE STREET DEDICATION NO. 1 IN CROSS CREEK WEST FINAL PLAT
- O. CONSENT AND APPROVAL OF THE PURCHASE OF MOTOROLA PORTABLE RADIOS FOR USE BY FULSHEAR POLICE DEPARTMENT

**X. BUSINESS**

- A. STATE OF THE CITY
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE FY2023 ANNUAL COMPREHENSIVE FINANCIAL REPORT
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A PURCHASE FOR HYDRO-PNEUMATIC TANK RENTALS FROM I.K.STOLTZFUS SERVICE CORPORATION WITH A PROJECT BUDGET OF \$200,000
- D. PRESENTATION AND DISCUSSION REGARDING THE UPDATES TO THE CITY'S DROUGHT CONTINGENCY PLAN
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2024-1453, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING CHAPTER 28, "COORDINATED DEVELOPMENT ORDINANCE (CDO)", ARTICLE II AND ARTICLE III OF THE FULSHEAR CODE, FOR THE AMENDMENT, REPEAL, OR OTHER CHANGE OF VARIOUS ZONING

**REGULATIONS APPLICABLE TO ONE OR MORE ZONING DISTRICTS;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND  
PROVIDING FOR AN EFFECTIVE DATE**

- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-619 APPROVING AN AGREEMENT WITH LINEBARGER GOGGAN BLAIR & SAMPSON, LLP AS BEING FULLY QUALIFIED AS SPECIAL COUNSEL TO PERFORM ALL LEGAL SERVICES NECESSARY TO COLLECT UNPAID DELINQUENT AD VALOREM TAXES AS PROVIDED IN THE SECTION 6.30 OF THE TEXAS TAX CODE**
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT FOR TAX COLLECTION SERVICES WITH LINEBARGER GOGGAN BLAIR & SAMPSON, LLP AFTER HAVING PROVIDED ADEQUATE NOTICE AS REQUIRED BY SECTION 2254.1036 OF THE TEXAS GOVERNMENT CODE, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT**
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE THIRD AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND PULTE HOMES OF TEXAS, L.P.**
- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2024-1455 AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, GRANTING A ZONING MAP AMENDMENT FOR THE PURPOSES OF REZONING A PARCEL FROM GENERAL COMMERCIAL (GC) INTO THE DOWNTOWN DISTRICT (DD), FOR A 4.95-ACRE TRACT OR PARCEL OF LAND SITUATED IN THE ENOCH LATHAM SURVEY, ABSTRACT NO. 50, CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS**
- J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2024-1453 AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING CHAPTER 8, ARTICLE VI OF THE FULSHEAR CODE, GOVERNING TELECOMMUNICATION ANTENNAS AND TOWERS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**
- K. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A VERIZON CELL TOWER LAND LEASE AGREEMENT WITH GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS**
- L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE COOPERATIVE AGREEMENT FOR WATER SYSTEM REHABILITATION PROJECT IN CROSS CREEK RANCH**

**XI. EXECUTIVE SESSION**

- A. 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 ATTORNEY**
- B. 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**

- **AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND THOMAS BLACKBURN**
- **AMENDED AND RESTATED CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND THOMAS BLACKBURN**
- **DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC**
- **UTILITY AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC ON BEHALF OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 174**
- **DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, POSITIVE DEVELOPMENTS LLC, AND GRANDES RICOS, LLC**
- **DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND D.R. HORTON**

**XII. ACTION FROM EXECUTIVE SESSION**

**XIII. 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.

**XIV. 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, APRIL 12, 2024 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.

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MARIELA RODRIGUEZ, CITY SECRETARY