



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:

ACTING CITY MANAGER: Zachary Goodlander **CITY SECRETARY:** Mariela Rodriguez **CITY ATTORNEY:** Byron Brown

CITY COUNCIL MEETING

May 21, 2024

NOTICE IS HEREBY GIVEN OF A CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, May 21, 2024 AT 5:30 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- PASTOR CHARLES WISDOM, FPD CHAPLAIN/ SECOND BAPTIST CHURCH

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. 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 MEETINGS HELD ON APRIL 02, 2024 (SPECIAL) AND APRIL 16, 2024 (REGULAR)

- B. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT TO SERVE BRAY TRACT FROM FBMUD NO.175
- C. CONSENT AND APPROVAL OF THE MARCH 2024 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS
- D. CONSENT AND APPROVAL OF THE FY2024 2ND QUARTER INVESTMENT REPORT
- E. CONSENT AND APPROVAL OF THE TAMARRON SECTION 71 PRELIMINARY PLAT
- F. CONSENT AND APPROVAL OF THE TAMARRON SECTION 79 PRELIMINARY PLAT
- G. CONSENT AND APPROVAL OF THE JORDAN RANCH WALLER COUNTY FINAL PLAT
- H. CONSENT AND APPROVAL OF THE SUMMERVIEW SECTION 5 FINAL PLAT
- I. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 22B FINAL PLAT
- J. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 25 FINAL PLAT
- K. CONSENT AND APPROVAL OF THE RAYMOND FRANZ PARKWAY STREET DEDICATION FINAL PLAT
- L. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET DEDICATION SECTION 1-A TAMARRON WEST FINAL PLAT
- M. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET DEDICATION SECTION 1-B TAMARRON WEST FINAL PLAT
- N. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET DEDICATION SECTION 2 IN TAMARRON WEST FINAL PLAT
- O. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET DEDICATION SECTION 3 TAMARRON WEST FINAL PLAT
- P. CONSENT AND APPROVAL OF THE FULSHEAR MARKETPLACE PRELIMINARY PLAT EXTENSION
- Q. CONSENT AND APPROVAL OF RESOLUTION NO. 2024-623, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 188 AND IMPOSING CONDITION ON SAME
- R. CONSENT AND APPROVAL OF RESOLUTION NO. 2024-622, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 182 AND IMPOSING CONDITIONS ON SAME
- S. CONSENT AND APPROVAL OF RESOLUTION NO. 2024-624, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 222 AND IMPOSING CONDITIONS ON SAME

IX. BUSINESS

- A. PRESENTATION REGARDING FULSHEAR POLICE DEPARTMENT RECEIVING ITS THIRD RECOGNITION AS AN “ACCREDITED LAW ENFORCEMENT AGENCY”
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-621, A RESOLUTION SUPPORTING THE CITY'S PARTICIPATION IN THE NORTH FORT BEND WATER AUTHORITY WATER PROVIDER CONSERVATION PROGRAM, AND ESTABLISHING A LEADERSHIP WATER CONSERVATION COMMITTEE, APPOINTING MEMBERS TO THE LEADERSHIP WATER CONSERVATION COMMITTEE
- 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 OF THE FY2025 PRELIMINARY 5 YEAR CAPITAL IMPROVEMENT PLAN
- E. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A RIGHT-OF-WAY PERMIT FROM FORT BEND COUNTY TOLL ROAD AUTHORITY FOR THE JAMES LANE WATERLINE PROJECT
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-625, APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

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
 - 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
- B. 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
 - ACTING CITY MANAGER

- C. 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 ATTORNEY
- D. PURSUANT TO SECTION 551.072 OF THE TEXAS OPEN MEETINGS ACT, DISCUSSING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (RFP FOR EDC-OWNED PROPERTY 30603 FM 1093 & 30619 FM 1093, FULSHEAR, TX 77441)
 - RFP FOR EDC-OWNED PROPERTY 30603 FM 1093 & 30619 FM 1093, FULSHEAR, TX 77441

XI. ACTION FROM EXECUTIVE SESSION

- A. DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC
- B. 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
- C. DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, POSITIVE DEVELOPMENTS LLC, AND GRANDES RICOS, LLC
- D. ACTING CITY MANAGER
- E. CITY ATTORNEY
- F. RFP FOR EDC-OWNED PROPERTY 30603 FM 1093 & 30619 FM 1093, FULSHEAR, TX 77441

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, MAY 17, 2024 BY 5:00P.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