



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:**

**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

**STAFF:**

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

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**SPECIAL CITY COUNCIL MEETING MINUTES**  
September 5, 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  
JOEL PATTERSON  
DEBRA CATES  
JASON KNAPE  
ABHIJEET UTTURKAR  
SARAH JOHNSON*

***COUNCIL MEMBERS ABSENT:***

*KENT POOL*

***CITY STAFF PRESENT:***

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

JOSH GREEN  
SHARON VALIANTE  
JESUS ESCOBAR  
ERIN TUREAU  
CLIFF BROUHARD  
BILL HENRY  
JESSICA VILLARREAL  
LANCE HALL  
MARIAH GALLEGOS  
SUEANNE LARSON  
KENNY SEYMOUR  
CASSIE LEAL

### 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.*

*JOHN BASTAWRAS, RESIDENT OF FULSHEAR LAKES, SPOKE REGARDING THE WATER ISSUES INCLUDING ODOR.*

*RANDY CONNOR, RESIDENT OF DEL WEBB, SPOKE REGARDING THE WATER PRESSURE IN DEL WEBB.*

### IV PUBLIC HEARING

**A THE CITY OF FULSHEAR WILL HOLD A PUBLIC HEARING TO BE HELD BY THE CITY COUNCIL ON SEPTEMBER 5, 2023, AT 5:30 P.M., THE HEARING WILL BE HELD IN THE FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TX 77441. THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$994,014 OR 22.59% AND OF THAT AMOUNT, \$676,703 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR. THE PROPOSED BUDGET MAY BE INSPECTED BY APPOINTMENT ONLY IN THE OFFICE OF THE CITY SECRETARY, CITY OF FULSHEAR MUNICIPAL COMPLEX. 6611 W. CROSS CREEK BEND LN., FULSHEAR, TX 77441, BETWEEN THE HOURS OF 8:00 AM AND 5:00 PM. CALL 281-346-1796 TO SCHEDULE AN APPOINTMENT. THE BUDGET IS AVAILABLE AT [WWW.FULSHEARTEXAS.GOV](http://WWW.FULSHEARTEXAS.GOV). THE PUBLIC MAY COMMENT IN PERSON AT THE PUBLIC HEARING, PROVIDE WRITTEN COMMENTS EITHER THROUGH THE MAIL AT THE CITY MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TX 77441, OR EMAIL TO [MRODRIGUEZ@FULSHEARTEXAS.GOV](mailto:MRODRIGUEZ@FULSHEARTEXAS.GOV). ANY WRITTEN COMMENTS WILL BE INCLUDED WITH INFORMATION PROVIDED TO THE CITY COUNCIL FOR THEIR CONSIDERATION. MEMBERS OF THE PUBLIC ARE ENCOURAGED TO**

**PROVIDE INPUT THROUGH ANY MEANS AVAILABLE AND/OR TO ATTEND THE PUBLIC HEARING.**

*MAYOR GROFF OPENED THE PUBLIC HEARING AT 5:36 P.M.*

*THERE WERE NOT COMMENTS*

*MAYOR GROFF CLOSED THE PUBLIC HEARING AT 5:37 P.M.*

**V. BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION TO APPOINT CHRISTINA BARON TO FILL THE VACANT DISTRICT NO. 3 SINGLE-MEMBER DISTRICT CITY COUNCIL SEAT**

*CHRISTINA BARON EXPLAINED THAT SHE IS STILL WILLING TO SERVE.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE THE APPOINTMENT OF CHRISTINA BARON TO FILL THE VACANT DISTRICT NO. 3 SINGLE-MEMBER DISTRICT CITY COUNCIL SEAT. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: POOL, DISTRICT 3 VACANCY*

*MOTION APPROVED*

**B. QUALIFICATION FOR OFFICE OF CHRISTINA BARON, APPOINTEE TO FILL THE UNEXPIRED TERM OF THE VACANT DISTRICT NO. 3 SINGLE-MEMBER DISTRICT CITY COUNCIL SEAT**

- **ISSUE ANTIBRIBERY STATEMENT**
- **ISSUE OATH OF OFFICE**

*MARIELA RODRIGUEZ, THE CITY SECRETARY, ISSUED THE STATEMENT OF OFFICER AND THE OATH OF OFFICE.*

*MAYOR GROFF INVITED MS. BARON TO JOIN COUNCIL ON THE DAIS.*

**C. DISCUSSION REGARDING THE BOIL WATER NOTICE ISSUED AUGUST 21, 2023, THE CURRENT CONDITIONS AND FUTURE PLANS FOR THE CITY'S**

**WATER PLANTS, SERVICE TO THE WATER PLANTS PROVIDED BY INFRAMARK AND CENTERPOINT ENERGY, AND THE CITY'S DROUGHT CONTINGENCY PLAN**

*SHARON INTRODUCED THE PROGRAM GENERAL OVERVIEW OF THE WATER*

*SHARON DID THE INTRODUCTION OF A SLIDE SHOW PRESENTATION. SHE WENT OVER THE FOLLOWING SLIDES:*

- *WATER SYSTEM OVERVIEW*
- *TOPICS BEING DESIGNED*
- *INTRODUCTION OF SPEAKERS*

*SHARON PASSED IT ON TO RICHARD WEATHERLY TO CONTINUE THE FOLLOWING TOPICS ON THE PRESENTATION:*

- *WATER SYSTEM VOCABULARY*
- *WATER SYSTEM SERVICE AREAS*
- *DOWN TOWN WATER SYSTEM CAPACITY*
- *WATER SYSTEM DEMAND VS CAPACITY*

*RICHARD ANSWERED QUESTIONS FROM CITY COUNCIL.*

*MARK YENTZEN WITH INFRAMARK CONTINUED PRESENTING THE FOLLOWING SLIDES:*

- *DOWN TOWN WATER SYSTEM (CONNECTIONS)*
- *DOWN TOWN WATER SYSTEM*
- *CCR WATER SYSTEM (CONNECTIONS)*
- *CROSS CREEK RANCH WATER SYSTEMS*
- *CURRENT CONDITIONS*
- *WATER SYSTEM PRESSURES*
- *INVESTIGATION- TCEQ*
- *WHAT WE FOUND*
- *DOWNTOWN WATER SYSTEM TIMELINE OF EVENTS- 08/20, 08/21, 08/22*
- *BOIL WATER NOTICE*
- *HOW WE'RE ADDRESSING THE FINDINGS:*

*JOHN GILROY FROM BAIRD GILROY & DIXON, LLC, SPOKE REGARDING THE INCIDENT OF THE WATER PLANT GOING DOWN.*

*SHARON AND MARK YENTZEN ANSWERED QUESTIONS FROM CITY COUNCIL.*

*RICHARD WEATHERLY TOOK OVER AND PRESENTED THE FOLLOWING SLIDES:*

- *PLANNED WATER SYSTEM IMPROVEMENTS*
- *MAP OF PLANNED WATER SYSTEM IMPROVEMENTS*

*SHARON, RICHARD, AND MARK ALL ANSWERED QUESTIONS FROM COUNCIL.*

*AARON CORONIS, SERVICE DELIVERY MANAGER AT CENTER POINT, EXPRESSED THAT CENTER POINT IS ALWAYS READY TO PARTNER WITH THE CITY.*

*A MOTION WAS MADE BY MAYOR PRO-TEM PATTERSON TO TAKE A 5 MINUTE RECESS. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: POOL*

*MAYOR GROFF ADJOURNED INTO A RECESS AT 7:40 PM*

*MAYOR GROFF RECONVENED THE MEETING AT 7:46 PM*

*SHARON, RICHARD, AND MARK ALL ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER CATES TO ADD A DISCUSSION OF CITY GROWTH TO A FUTURE AGENDA. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: POOL*

*CITY COUNCIL CONTINUED THE DISCUSSION.*

*SHARON ANSWERED COUNCIL'S QUESTIONS.*

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

**D. CONSIDERATION AND ACTION TO ADOPT ORDINANCE 2023-1438 FOR THE**

## **SI ENERGY SETTLEMENT AGREEMENT**

*BYRON BROWN GAVE SOME BACKGROUND AND WENT OVER THE CHANGES.*

*THIS AGREEMENT INCLUDES THE FOLLOWING :*

- *CUTS THE REQUESTED REVENUE AMOUNT BY ABOUT HALF*
- *LIMITS THE INCREASE TO CUSTOMER RATES*
- *DOESN'T ALLOW SI ENERGY TO NOT USE AN INTERIM RATE INCREASE STRUCTURE IN THE FUTURE.*

*BYRON ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO ADOPT ORDINANCE 2023-1438 FOR THE SI ENERGY SETTLEMENT AGREEMENT. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

### **E. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO APPROVE AN AGREEMENT BETWEEN THE CITY OF FULSHEAR AND PAYMENTUS GROUP, INC FOR ELECTRONIC BILL PAY SERVICES**

*ERIN TUREAU INTRODUCED THIS ITEM, SHE EXPLAINED PAYMENTUS WILL REPLACE ELAVON WHICH IS THE CURRENT MERCHANT SERVICE COMPANY FOR THE CITY.*

*AS OF DECEMBER 31 TYLER TECHNOLOGIES WILL NOT BE SUPPORTING ELAVON.  
ELAVON OFFERS A VARIETY OF PAYMENT SOLUTIONS THAT WILL GRADUALLY BE IMPLEMENTED.*

*ERIN ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR ELECTRONIC BILL PAY SERVICES WITH PAYMENTUS GROUP, INC. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

NAYS:  
ABSTAIN:  
ABSENT:POOL

**F. DISCUSSION OF FY2024 PROPOSED BUDGET**

*STAFF WILL GET COUNCIL THE COST OF AN AERATOR FOR WATER PLANT 1 TO POSSIBLY ADD TO THE BUDGET.*

*STAFF ANSWERED QUESTIONS FROM COUNCIL.*

*THERE IS NO ACTION ON THIS ITEM.*

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

**G. CONSIDERATION AND POSSIBLE ACTION TO POSTPONE FINAL ADOPTION OF THE BUDGET UNTIL SEPTEMBER 19, 2023**

*BYRON ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO POSTPONE THE FINAL ACTION TO ADOPT THE BUDGET UNTIL SEPTEMBER 19, 2023 . IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

**VI. ADJOURNMENT**

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

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

*MAYOR GROFF ADJOURNED THE SPECIAL COUNCIL MEETING AT 8:25 P.M.*

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AARON GROFF, MAYOR

ATTEST:

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MARIELA RODRIGUEZ, CITY SECRETARY