



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:** Lisa Martin **COUNCIL MEMBER:** Kent Pool
COUNCIL MEMBER: Jason Knape **COUNCIL MEMBER:** Kaye Kahlich **COUNCIL MEMBER:** Debra Cates
COUNCIL MEMBER: Joel Patterson **COUNCIL MEMBER:** Sarah B. Johnson

STAFF:

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

CITY COUNCIL MEETING

January 17, 2023

NOTICE IS HEREBY GIVEN OF A CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, January 17, 2023 AT 7:00 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, CHAPLAIN, FULSHEAR POLICE DEPARTMENT

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. APA COMMUNITY OF THE YEAR

B. CHANGES TO VARIOUS CITY STAFF MEMBERS

C. UPDATE ON BUILD OUT OF CITY HALL AND SELECTION OF AESTHETIC AND INCIDENTAL ITEMS

VIII PUBLIC HEARING

A NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE CITY OF FULSHEAR, TEXAS, PROPOSES TO INSTITUTE ANNEXATION PROCEEDINGS TO ENLARGE AND EXTEND THE BOUNDARY LIMITS OF THE CITY TO INCLUDE THE FOLLOWING DESCRIBED TERRITORY, TO-WIT: BEING 4.39 ACRES OF LAND SITUATED IN R. WRIGHT SURVEY, ABSTRACT NUMBER 344, FORT BEND COUNTY, AND GENERALLY SITUATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF FARM-TO-MARKET 359

AND N. FULSHEAR DRIVE. A PUBLIC HEARING WILL BE HELD BY AND BEFORE THE CITY COUNCIL OF THE CITY OF FULSHEAR AT 7:00 P.M. ON TUESDAY, JANUARY 17, 2023, AT THE FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441, FOR ALL PERSONS INTERESTED IN THE ABOVE PROPOSED ANNEXATION. AT SAID TIME AND PLACE, ALL SUCH PERSONS SHALL HAVE THE RIGHT TO APPEAR AND BE HEARD. A MORE DETAILED DESCRIPTION AND MAP OF THE PROPERTY PROPOSED FOR ANNEXATION IS ON FILE AT THE OFFICE OF THE CITY SECRETARY OF THE CITY OF FULSHEAR, TEXAS. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CALL THE CITY SECRETARY'S OFFICE AT 281-346-1796.

B NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT THE CITY OF FULSHEAR, TEXAS, PROPOSES TO INSTITUTE ANNEXATION PROCEEDINGS TO ENLARGE AND EXTEND THE BOUNDARY LIMITS OF THE CITY TO INCLUDE THE FOLLOWING DESCRIBED TERRITORY, TO-WIT: BEING A 70.681 ACRE PARCEL OF LAND BEING THE FRED E. BRAY TRACT OF LAND (FBC NO. 19999099289), AND BEING IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS. A PUBLIC HEARING WILL BE HELD BY AND BEFORE THE CITY COUNCIL OF THE CITY OF FULSHEAR AT 7:00 P.M. ON TUESDAY, JANUARY 17, 2023, AT THE FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS 77441, FOR ALL PERSONS INTERESTED IN THE ABOVE PROPOSED ANNEXATION. AT SAID TIME AND PLACE, ALL SUCH PERSONS SHALL HAVE THE RIGHT TO APPEAR AND BE HEARD. A MORE DETAILED DESCRIPTION AND MAP OF THE PROPERTY PROPOSED FOR ANNEXATION IS ON FILE AT THE OFFICE OF THE CITY SECRETARY OF THE CITY OF FULSHEAR, TEXAS. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CALL THE CITY SECRETARY'S OFFICE AT 281-346-1796.

C 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 70.681 ACRE TRACT OF LAND LOCATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, AND AT THE SOUTHERN TERMINUS OF JAMES LANE. THE TRACT OF LAND, CURRENTLY VACANT, AND NOT ZONED, REQUESTS TO BE ZONED INTO THE SUBURBAN RESIDENTIAL (SR) DISTRICT UPON ANNEXATION INTO THE CITY. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON JANUARY 6, 2023 AT 8:30 A.M. THE SECOND HEARING WILL BE HELD BY THE CITY COUNCIL ON JANUARY 17, 2023 AT 7:00 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 RODRIGO RODRIGUEZ, CITY OF FULSHEAR, 281-346-8860.

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 MINUTES FROM CITY COUNCIL MEETINGS HELD ON DECEMBER 13, 2022 (SPECIAL) AND DECEMBER 15, 2022 (SPECIAL)**
- B. CONSENT AND APPROVAL FOR AN UPDATE TO EXHIBIT C FOR THE TXDOT UTILITY AGREEMENT FOR FM 1463 AND TO AUTHORIZE THE MAYOR TO EXECUTE THE EXHIBIT**
- C. CONSENT AND APPROVAL OF THE NOVEMBER 2022 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- D. CONSENT AND APPROVAL OF AGREEMENT 2023-011 FOR MOWING AND RELATED SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE**
- E. CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO APPROVE AN AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FUNCTION 4 FOR PRINTER LEASE AND SERVICES**

X. BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AND ADOPT ORDINANCE NO. 2023-1408, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS ORDERING A GENERAL ELECTION TO BE HELD ON SATURDAY, THE 6TH DAY OF MAY, 2023**
- B. PRESENTATION AND DISCUSSION OF GFL CONTRACT RENEWAL AND DIRECTION FOR SETTING RATES**
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1400, ANNEXING THE HEREINAFTER DESCRIBED PROPERTY (APPROX. 11.666 ACRES) TO THE CITY OF FULSHEAR, TEXAS**
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1401, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 7.893 ACRES) TO THE CITY OF FULSHEAR, TEXAS**
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1402, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 3.511 ACRES) TO THE CITY OF FULSHEAR, TEXAS**
- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1403, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 22.081 ACRES) TO THE CITY OF FULSHEAR, TEXAS**
- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A WRITTEN SERVICES AGREEMENT WITH TRI POINTE HOMES, TEXAS INC. FOR THE ANNEXATION OF A 70.681 ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR**
- H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1404, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 70.681 ACRES) TO THE CITY OF FULSHEAR, TEXAS**

- I. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1405, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, GRANTING A ZONING MAP AMENDMENT FOR THE PURPOSES OF ZONING AN UNZONED PARCEL INTO THE SUBURBAN RESIDENTIAL DISTRICT, FOR A 70.681 ACRE TRACT OR PARCEL OF LAND**
- J. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE A WRITTEN SERVICES AGREEMENT WITH STEPHEN F. DAVIS, DONALD R. DAVIS, RONALD F. DAVIS, KATHRYN A. DAVIS AND KAREN A. DAVIS EFRON FOR THE ANNEXATION OF A 4.3901 ACRE TRACT OF LAND LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF FULSHEAR**
- K. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1406, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY (APPROX. 4.39 ACRES) TO THE CITY OF FULSHEAR, TEXAS**
- L. **DISCUSSION, WITH NO ACTION, REGARDING POSSIBLE UPDATES TO THE CITY'S CONSOLIDATED DEVELOPMENT ORDINANCE**

XI. 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.

XII. 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, ACTING 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, JANUARY 12, 2023 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.

MARIELA RODRIGUEZ, ACTING CITY SECRETARY