



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: Donald McCoy **MAYOR PRO-TEM:** Joel Patterson **COUNCIL MEMBER:** Kent Pool
COUNCIL MEMBER: Jason Knape **COUNCIL MEMBER:** Abhijeet **COUNCIL MEMBER:** Patrick
Utturkar Powers
COUNCIL MEMBER: Sarah B. **COUNCIL MEMBER:** Christina
Johnson Baron

STAFF:

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

CITY COUNCIL MEETING

July 16, 2024

NOTICE IS HEREBY GIVEN OF A CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, July 16, 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- FULSHEAR POLICE CHAPLAIN, PASTOR CHARLES WISDOM

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 JUNE 11, 2024 (SPECIAL), JUNE 18, 2024 (REGULAR), AND JUNE 26, 2024 (SPECIAL)

B. CONSENT AND APPROVAL OF THE MAY 2024 FINANCIAL REPORT FOR THE

GENERAL AND UTILITY FUNDS

- C. CONSENT AND APPROVAL TO ALLOW THE CITY MANAGER TO EXPENSE \$72,219.94 WITH SHI GOVERNMENT SOLUTIONS INC**
- D. CONSENT AND APPROVAL TO ALLOW THE CITY MANAGER TO EXPENSE \$52,122.00 WITH CDW**
- E. CONSENT AND APPROVAL TO AMEND AGREEMENT #2022-038 WITH K AND E GROUP, INC**
- F. CONSENT AND APPROVAL OF THE COMMONS AT JORDAN RANCH FINAL PLAT**
- G. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 54 FINAL PLAT**
- H. CONSENT AND APPROVAL OF THE FULBROOK ON FULSHEAR CREEK SECTION 11 FINAL PLAT**
- I. CONSENT AND APPROVAL OF THE TAMARRON JORDAN RANCH BLVD. SECTION 12 STREET DEDICATION FINAL PLAT**
- J. CONSENT AND APPROVAL OF THE TAMARRON JORDAN RANCH BLVD. SECTION 13 STREET DEDICATION FINAL PLAT**
- K. CONSENT AND APPROVAL OF THE TAMARRON SECTION 79 FINAL PLAT**
- L. CONSENT AND APPROVAL OF THE TAMARRON F.M. 1463 COMMERCIAL RESERVE SECTION 2 PRELIMINARY PLAT**

IX. BUSINESS

- A. DISCUSSION REGARDING RULES OF PROCEDURE GOVERNING MEETINGS OF THE CITY COUNCIL**
- B. PRESENTATION AND DISCUSSION REGARDING WATER AND PFAS (PER- AND-POLYFLUOROLKYL SUBSTANCES)**
- C. PRESENTATION AND DISCUSSION OF UPDATES TO THE DROUGHT CONTINGENCY PLAN**
- D. CONSIDERATION AND POSSIBLE ACTION TO ISSUE THE CITY OF FULSHEAR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024, TO FINANCE CERTAIN IMPROVEMENTS TO THE CITY'S WATER AND WASTEWATER SYSTEM. REVIEW AND DISCUSS PLAN OF FINANCE TO ISSUE THE CERTIFICATES**
- E. DISCUSSION OF FY2025 PROPOSED OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM**
- F. UPDATE AND DISCUSSION ON PRIMROSE PARK PHASES 2 AND 3**
- G. PRESENTATION AND DISCUSSION WITH CONSIDERATION AND POSSIBLE ACTION REGARDING A GENERAL OBLIGATION BOND**
- H. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE AN ENCROACHMENT AGREEMENT WITH KINDER MORGAN PIPELINE**
- I. PRESENTATION AND DISCUSSION REGARDING PAINTING/WRAPPING OF THE TRAFFIC SIGNAL CONTROLLER CABINETS**

- J. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT BETWEEN TEXAS DEPARTMENT OF TRANSPORTATION AND THE CITY OF FULSHEAR, THE FULSHEAR ARTS ALLIANCE, AND ARTIST AGREEMENT FOR PAINTING/WRAPPING OF THE TRAFFIC SIGNAL CONTROLLER CABINETS**
- K. **DISCUSSION AND POSSIBLE ACTION REGARDING REDISTRICTING OF THE SINGLE-MEMBER DISTRICTS FROM WHICH COUNCIL MEMBERS ARE ELECTED**
- L. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND DR HORTON REGARDING AN APPROXIMATELY 139.81 ACRE AREA OF LAND**
- M. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND DR HORTON REGARDING AN APPROXIMATELY 283.2 ACRE AREA OF LAND**
- N. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE A SECOND AMENDMENT TO THE WATER AND WASTEWATER FACILITIES AGREEMENT BETWEEN THE CITY OF FULSHEAR AND FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 222**
- O. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-633, CONSENTING TO THE ADDITION OF LAND TO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 220**
- P. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-632, CONSENTING TO THE CREATION OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 270**
- Q. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-631, A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S HISTORIC PRESERVATION AND MUSEUM COMMISSION**

X. EXECUTIVE SESSION

- A. **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**

XI. ACTION FROM EXECUTIVE SESSION

- A. **CITY ATTORNEY**

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, JULY 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.

MARIELA RODRIGUEZ, CITY SECRETARY