



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:** Don McCoy

**MAYOR PRO-TEM/DISTRICT 4:**  
Joel Patterson

**COUNCIL MEMBER AT-LARGE:**  
Kent Pool

**COUNCIL MEMBER AT-LARGE:**  
Jason Knape

**COUNCIL MEMBER DISTRICT 1:**  
Sarah B Johnson

**COUNCIL MEMBER DISTRICT 2:**  
Patrick Powers

**COUNCIL MEMBER DISTRICT 3:**  
Christina Baron

**COUNCIL MEMBER DISTRICT 5:**  
Abhijeet Utturkar

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## REGULAR CITY COUNCIL MEETING AGENDA

### Tuesday, October 15, 2024

### 5:30 PM

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NOTICE IS HEREBY GIVEN OF A CITY COUNCIL REGULAR MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, October 15, 2024** IN THE City of Fulshear Municipal Complex, Council Chambers 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 OF THESE, MAY BE IN ATTENDANCE AT THE MEETING SPECIFIED IN THE FORGOING 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 FORGOING 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 FORGOING NOTICE.

**I. CALL TO ORDER**

**II. QUORUM AND ROLL CALL**

**III. INVOCATION**

**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. CITIZEN 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 MANAGER**

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**

**C. UPDATE ON KEEP FULSHEAR BEAUTIFUL EVENT**

**D. UPDATE REGARDING PARKS AND PATHWAYS SURVEY RESULTS**

**VIII. PUBLIC HEARING**

**A. THE CITY OF FULSHEAR WILL HOLD TWO PUBLIC HEARINGS REGARDING PROPOSED AMENDMENTS TO THE FULSHEAR CODE FOR THE PURPOSE OF DISSOLVING THE HISTORIC PRESERVATION AND MUSEUM COMMISSION AND MAKING CONFORMING CHANGES, INCLUDING VARIOUS AMENDMENTS TO CHAPTER 28 OF THE FULSHEAR CODE, THE COORDINATED DEVELOPMENT ORDINANCE (THE "CDO"). SECTIONS OF THE CDO AFFECTED BY THE PROPOSED AMENDMENTS INCLUDE BUT ARE NOT LIMITED TO: SEC. 28-6-5, 28-7-3, 28-7-10, 28-7-22 & 28-7-23. THE FIRST PUBLIC HEARING WILL BE HELD BY THE PLANNING AND ZONING COMMISSION ON OCTOBER 4, 2024, AT 8:30 A.M. THE SECOND PUBLIC HEARING WILL BE HELD BY THE CITY COUNCIL ON OCTOBER 15, 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.**

**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 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 SEPTMEBER 03, 2024 (SPECIAL) AND SEPTEMBER 17, 2024 (REGULAR)**
- B. CONSENT AND APPROVAL OF THE AUGUST 2024 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- C. CONSENT AND APPROVAL FOR THE PURCHASE OF CUSTODIAL SUPPLIES**
- D. CONSENT AND APPROVAL OF RESOLUTION NO. 2024-641 DECLARING CERTAIN STREET SIGNS TO BE SALVAGE PROPERTY AND AUTHORIZE DISPOSAL OF SIGNS BY CONVEYANCE TO MEMBERS OF THE PUBLIC**
- E. CONSENT AND APPROVAL OF THE ENCLAVE AT FULSHEAR FINAL PLAT**
- F. CONSENT AND APPROVAL OF THE TAMARRON III MIXED USE PRELIMINARY PLAT**
- G. CONSENT AND APPROVAL OF THE TAMARRON SECTION 19 FINAL PLAT**
- H. CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXPEND THE AMOUNT OF \$115,000.00 WITH TYLER TECHNOLOGIES, INC.**
- I. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 20 FINAL PLAT**
- J. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 22A FINAL PLAT**
- K. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 23 FINAL PLAT**
- L. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 24A FINAL PLAT**
- M. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 32 FINAL PLAT**
- N. CONSENT AND APPROVAL OF ORDINANCE NO. 2024-1468 FOR THE PURPOSE OF DISSOLVING THE HISTORIC PRESERVATION AND MUSEUM COMMISSION AND MAKING CONFORMING CHANGES, INCLUDING VARIOUS AMENDMENTS TO CHAPTER 28 OF THE FULSHEAR CODE, THE COORDINATED DEVELOPMENT ORDINANCE**
- O.**

**CONSENT AND APPROVAL OF RESOLUTION NO. 2024-644, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH TEXAS HEALTH BENEFITS POOL ALLOWING THE CITY TO PARTICIPATE IN THE RISK POOL FOR THE PURPOSE OF PROVIDING CERTAIN HEALTH BENEFITS AND RELATED SERVICES AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO COMPLETE AND EXECUTE ANY AND ALL RELATED AND NECESSARY AGREEMENTS, DOCUMENTS, AND INSTRUMENTS.**

- P. CONSENT AND APPROVAL TO ADOPT ORDINANCE NO. 2024-1470, CORRECTING A CLERICAL ERROR IN ORDINANCE NO. 2024-1456, ADOPTING A DROUGHT CONTINGENCY PLAN**

**X. BUSINESS**

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-640; A RESOLUTION APPOINTING A CITY REPRESENTATIVE AND AN ALTERNATE TO THE HGAC 2025 GENERAL ASSEMBLY**
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE OF ORDINANCE 2024-1469 AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF \$\_\_\_\_\_ IN AGGREGATE PRINCIPAL AMOUNT OF "CITY OF FULSHEAR, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX AND A PLEDGE OF CERTAIN SURPLUS REVENUES OF THE CITY'S WATER AND WASTEWATER SYSTEM; AND APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING AN OFFICIAL STATEMENT, AND ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO.**
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A BLANKET EASEMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC.**
- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT # 2025-007 FOR THE DESIGN OF THE KATY-FULSHEAR LIFT STATION EXPANSION PROJECT**
- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-642, A RESOLUTION OF THE CITY COUNCIL OF FULSHEAR, TEXAS, APPOINTING ALTERNATE MEMBERS TO THE ZONING BOARD OF ADJUSTMENT**
- F. DISCUSSION REGARDING REDISTRICTING**
- G. DISCUSSION REGARDING CITY COUNCIL MEETING START TIME**

**XI. EXECUTIVE SESSION**

- A. 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**

- **LETTER AGREEMENT FROM HORTON TO CITY NOT TO REMOVE 42-ACRE "HUNT ROAD PROPERTY" FROM ETJ**
- **DRAFT RESOLUTION CONSENTING TO ADDITION OF THE HUNT ROAD PROPERTY TO MUD 222, CONDITIONED MUD 222'S APPROVAL OF THE AMENDED AND RESTATED SECOND AMENDMENT**
- **DRAFT RESOLUTION CONSENTING TO CREATION OF MUD 270 OVER HORTON'S ALLEN TRACT, CONDITIONED MUD 222'S APPROVAL OF THE AMENDED AND RESTATED SECOND AMENDMENT**
- **AMENDED AND RESTATED SECOND AMENDMENT TO UTILITY AGREEMENT, SUBJECT TO TERMINATION IF CITY CHALLENGES THE ALLEN TRACT DISCHARGE PERMIT**

**XII. ACTION FROM EXECUTIVE SESSION**

- A.**
- **LETTER AGREEMENT FROM HORTON TO CITY NOT TO REMOVE 42-ACRE "HUNT ROAD PROPERTY" FROM ETJ**
  - **DRAFT RESOLUTION CONSENTING TO ADDITION OF THE HUNT ROAD PROPERTY TO MUD 222, CONDITIONED MUD 222'S APPROVAL OF THE AMENDED AND RESTATED SECOND AMENDMENT**
  - **DRAFT RESOLUTION CONSENTING TO CREATION OF MUD 270 OVER HORTON'S ALLEN TRACT, CONDITIONED MUD 222'S APPROVAL OF THE AMENDED AND RESTATED SECOND AMENDMENT**
  - **AMENDED AND RESTATED SECOND AMENDMENT TO UTILITY AGREEMENT, SUBJECT TO TERMINATION IF CITY CHALLENGES THE ALLEN TRACT DISCHARGE PERMIT**

**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 TO 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 218-346-1796 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 FULSHEAR, TEXAS WAS POSTED ON BY IN A 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