



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: Don McCoy

MAYOR PRO-TEM/DISTRICT 4:

COUNCIL MEMBER AT-LARGE:

Joel Patterson

Kent Pool

COUNCIL MEMBER AT-LARGE:

COUNCIL MEMBER DISTRICT 1:

COUNCIL MEMBER DISTRICT 2:

Jason Knappe

Sarah B Johnson

Patrick Powers

COUNCIL MEMBER DISTRICT 3:

COUNCIL MEMBER DISTRICT 5:

Christina Baron

Abhijeet Utturkar

REGULAR CITY COUNCIL MEETING MINUTES October 15, 2024

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR MCCOY AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX 6611 WEST CROSS CREEK BEND LANE, FULSHEAR, TEXAS AT 5:30 PM

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

DON MCCOY

KENT POOL

CHRISTINA BARON

JOEL PATTERSON

ABHIJEET UTTURKAR

JASON KNAPE

PATRICK POWERS

COUNCIL MEMBERS ABSENT:

SARAH B. JOHNSON

STAFF PRESENT:

KATIE LEWIS

MARIELA RODRIGUEZ

ZACH GOODLANDER

BYRON BROWN

AMRYN JEFFREY

GEORGE MOON

ERIN TUREAU

JOSH GREEN

SHARON VALIANTE

CLIFF BROUHARD

TIFFANY STODDER

JESUS ESCOBAR

KIMBERLY KOPECKY

JOSH BROTHERS

JESSIKA VILLARREAL

NIMRA ZUBAIR

YANERI FIGUEROA

OTHERS PRESENT:

MRS. GILMORE

KATHY WARD

AND 13 OTHER PEOPLE THAT DID NOT SIGN IN

III. INVOCATION

PASTOR CHARLES WISDOM GAVE 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

THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND THE TEXAS FLAG WERE LED BY MAYOR MCCOY.

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.

MRS. GILMORE, RESIDENT OF DOWNTOWN FULSHEAR, REQUESTED SPEED LIMIT SIGNS ON 5TH ST., WILSON ST., SYMS ST. AND HOUSTON ST. DUE TO PEOPLE CONSTANTLY SPEEDING AND RUNNING THE STOP SIGN.

KATHY WARD, RESIDENT OF BOIS D' ARC, EXPRESSED HER CONCERNS REGARDING BUILD UP DUE TO BELMOUNT ESTATES.

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

NEW HIRES:

- *DALIA CAMPOS- UTILITY BILLING SPECIALIST*
- *YANERI FIGUEROA – UTILITIES CUSTOMER REP II*
- *CONOR CASKEY- PD OFFICER*
- *NIMRA ZUBAIR – GRANTS AND PLANNING ADMINISTRATOR*

DEPARTURES:

- *SARAH LASKER- PERMIT CUSTOMER SERVICE REP*
- *MARK MORRIS- TRAFFIC CONTROL MAINTENANCE TECH*
- *BOBBY VILLA- PD DETECTIVE*
- *MICHAEL SIRUNAL- PD OFFICER*

ZACH ANNOUNCED SHARON VALIANTE'S RETIREMENT

B. UPDATE ON CONSTRUCTION ACTIVITY RELATED TO WATER PLANT #2/EST

WATER PLANT NO. 2 – PUMP STATION AND GROUND STORAGE TANK (GST):

- DN TANKS HAS ERECTED WALL AND DOME PANELS FOR THE GROUND STORAGE TANK. PRE-STRESSING AND APPLICATION OF SHOTCRETE TO THE TANK BEGAN LAST WEEK.
- ALSAY TESTED THE WELL PUMP UP TO 1500 GPM DURING THE WELL DEVELOPMENT TESTING ON 10/6/2024 AND BEGAN THE 36-HOUR TEST STARTING ON 10/13/2024.
- THE CMU MOCKUP WALL FOR THE CHEMICAL/ELECTRICAL BUILDING WAS COMPLETED AND INSPECTED ON 10/10. THE MOCKUP WAS APPROVED.
- THE 16" YARD PIPING FOR THE PUMP STATION DISCHARGE PIPE FROM THE BOOSTER PUMPS TO THE EST HAS BEEN COMPLETED, HYDROSTATIC TESTED, AND BACKFILLED.
- PLACEMENT OF THE STORM SEWER LINE AND MANHOLES HAS BEGUN.
- PROJECT REMAINS APPROXIMATELY 3 WEEKS BEHIND.
- CONSTRUCTION PROJECT IS CURRENTLY 46% COMPLETE BASED ON DAYS (238/577).
- CONSTRUCTION PROJECT IS CURRENTLY 56% COMPLETE BASED ON DOLLARS SPENT.
- TO DATE WE HAVE BEEN INVOICED FOR \$8,068,145.00 FOR THE PROJECT (\$14,434,000.00 BUDGET).

ELEVATED STORAGE TANK (EST):

- SHROUD FOR ELEVATED TANK HAS BEEN INSTALLED IN PREPARATION FOR THE TANK TO BE PAINTED
- PAINTING OF TANK SHOULD BEGIN SOON AND IS ANTICIPATED TO BE COMPLETE LATE OCTOBER
- CURRENT ESTIMATED COMPLETION IS THE END OF 2024
- CONSTRUCTION PROJECT IS CURRENTLY 84% COMPLETE BASED ON DAYS (334/400)
- CONSTRUCTION PROJECT IS CURRENT 82% COMPLETE BASED ON DOLLARS SPENT
- TO DATE WE HAVE PAID \$3,529,145.00 FOR THE PROJECT. (\$4,285,000.00 BUDGET)

COORDINATION MEETING WITH PECAN RIDGE DEVELOPER, ELEVATED STORAGE TANK (EST) ENGINEER (BLEYL), EST CONTRACTOR (CALDWELL TANKS), WATER PLANT DESIGN ENGINEER, AND WATER PLANT CONTRACTOR ARE SCHEDULED FOR THE LAST WEDNESDAY OF EVERY MONTH.

C. UPDATE ON KEEP FULSHEAR BEAUTIFUL EVENT

KEEP FULSHEAR BEAUTIFUL WILL TAKE PLACE NOV. 16 AT IRENE STERN. THERE IS A REQUIRED SIGN-UP SHEET ON OUR WEBSITE FOR VOLUNTEERS. RAMONA HAS BOOKED DOZIER'S TO SERVE THE VOLUNTEERS. MO CITY REPTILES WILL HAVE A HANDS-ON REPTILE BOOTH. THE NFBWA INTERACTIVE TRUCK WILL ALSO BE THERE AGAIN AS IT WAS IN THE SPRING.

D. UPDATE REGARDING PARKS AND PATHWAYS SURVEY RESULTS

THE PARKS & RECREATION SURVEY WAS LIVE FOR APPROXIMATELY 8 WEEKS, CLOSING ON SUNDAY, OCTOBER 13TH. WE RECEIVED APPROXIMATELY 950 RESPONSES THAT WE WILL UTILIZE TO UPDATE THE PARKS & PATHWAYS MASTERPLAN.

TIFFANY STODDER ANSWERED QUESTIONS FROM COUNCIL.

ZACH UPDATED COUNCIL ON THE BID FOR THE CITY HALL REPAIRS FROM THE DAMAGED CAUSED BY HURRICANE BERYL. THE CITY RECEIVED ONE BID BUT THE CONTRACTOR DOES NOT WARRANTY HIS WORK. CITY STAFF DECIDED TO TAKE A STEP BACK AND WORK WITH A STRUCTURAL ENGINEER FIRM.

MAYOR MCCOY ALLOWED A LATE CITIZEN COMMENT, THERE WERE NO OBJECTIONS FROM COUNCIL

MCKENNA, A STUDENT FROM LEAMAN JR HIGH, SPOKE ABOUT THE FULSHEAR JUNIOR CITY COUNCIL. SHE EXPLAINED THIS PROGRAM WILL HELP STUDENTS LEARN HOW GOVERNMENT WORKS AND HOW DECISIONS ARE MADE. MCKENNA EXPLAINED HOW THIS PROGRAM WILL WORK AND THE PROCESSES THEY WANT TO TAKE TO MAKE THE PROGRAM SUCCESSFUL.

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.**

MAYOR MCCOY OPENED THE PUBLIC HEARING AT 6:00PM

THERE WERE NO COMMENTS

MAYOR MCCOY CLOSED THE PUBLIC HEARING AT 6:01PM

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 SEPTEMBER 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.C 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

COUNCIL MEMBER UTTURKAR REQUESTED TO PULL CONSENT ITEM C FOR DISCUSSION.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEMS A-B AND D-P. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

CONSENT ITEM C

TIFFANY STODDER ANSWERED QUESTIONS FROM COUNCIL MEMBER UTTURKAR.

A MOTION WAS MADE BY COUNCIL MEMBER UTTURKAR TO APPROVE CONSENT AGENDA ITEM C. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

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

COUNCIL MEMBER UTTURKAR NOMINATED MAYOR PRO-TEM PATTERSON AS REPRESENTATIVE AND COUNCIL MEMBER POWERS AS ALTERNATE REPRESENTATIVE.

COUNCIL MEMBERS POWERS RESPECTFULLY DECLINED AND NOMINATED COUNCIL MEMBER UTTURKAR AS ALTERNATE REPRESENTATIVE.

COUNCIL MEMBER UTTURKAR ACCEPTED.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO DESIGNATE MAYOR PRO-TEM PATTERSON AS THE REPRESENTATIVE AND COUNCIL MEMBER UTTURKAR AS THE ALTERNATE TO THE H-GAC GENERAL ASSEMBLY. IT WAS SECONDED BY COUNCIL MEMBER POWERS. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

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.

PER ERIN THE DOLLAR AMOUNT IS \$43,225,000.00

KRISTEN BLOMQUIST WITH MASTERSON ADVISORS INFORMED COUNCIL THAT THERE WERE 10 PARTICIPANTS AND RECOMMENDS THE AWARD OF THE SALE TO JANNEY MONTGOMERY SCOTT LLC AT A RATE OF 3.972186% TIC (TRUE INTEREST COST).

KRISTEN ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2024-1469 IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

MOTION APPROVED

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

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A BLANKET EASEMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC.

CLIFF BROUHARD EXPLAINED THAT AS PART OF THE WATER PLANT 2 CONSTRUCTION PROJECT, CENTER POINT HAS TO DESIGN AND CONSTRUCT AN OVERHEAD SERVICE TO OUR WATER PLANT TRANSFORMER.

IN ORDER FOR CENTER POINT TO BEGIN THEIR DESIGN AND CONSTRUCTION, THEY REQUESTED A BLANKET EASEMENT. ONCE THE OVERHEAD IS DESIGNED AND INSTALLED, CENTER POINT WILL DEFINE THE EASEMENT THAT THEY ACTUALLY NEED.

CLIFF ANSWERED QUESTIONS FROM COUNCIL.

ERIK WITH FREESE AND NICHOLS ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE A BLANKET EASEMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR AND CENTER POINT ENERGY HOUSTON ELECTRIC, LLC; IT WAS SECONDED BY COUNCIL MEMBER BARON. THE MOTION WAS APPROVED BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AGREEMENT # 2025-007 FOR THE DESIGN OF THE KATY-FULSHEAR LIFT STATION EXPANSION PROJECT

TIFFANY STODDER EXPLAINED THIS ITEM IS FOR THE KATY-FULSHEAR LIFT STATION EXPANSION PROJECT THAT WAS IDENTIFIED IN THE WASTEWATER MASTERPLAN. THIS PROJECT WILL CONSIST OF EXPANDING THE EXISTING LIFT STATION PUMPING CAPACITY TO 1.1 MILLION GALLONS PER DAY (MDG). ADDITIONALLY, A NEW 8" FORCE MAIN WILL BE DESIGNED AND CONSTRUCTED FROM THE KATY-FULSHEAR LIFT STATION TO THE CROSS CREEK RANCH REGIONAL LIFT STATION.

THE GOAL OF THE PROJECT IS NOT ONLY TO HELP INCREASE THE CAPACITY BUT ALSO TO DIVERT THE FLOWS FORM THE DOWNTOWN WATER RECLAMATION FACILITY AND RE-ROUTE IT TO THE CROSS CREEK RANCH WATER RECLAMATION FACILITY.

PER BYRON, OUR LEGAL COMMENTS HAVE GONE TO THE VENDOR BUT WE HAVE NOT RECEIVED THEIR COMMENTS OR AN EXECUTED COPY BACK. THIS ITEM IS PENDING LEGAL REVIEW.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AGREEMENT # 2025-007. IT WAS SECONDED BY COUNCIL MEMBER POOL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO AMEND AND ADD PENDING LEGAL REVIEW TO THE ORIGINAL MOTION. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

BACK TO ORIGINAL MOTION:

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AGREEMENT # 2025-007. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

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

JOSH BROTHERS EXPLAINED THE REASON BEHIND THIS RESOLUTION.

JOSH ANSWERED QUESTIONS FROM COUNCIL.

SOME COUNCIL MEMBERS DID NOT WANT TO MOVE FORWARD DUE TO STAFF NOT SENDING THE APPLICATION TO ALL OF COUNCIL FOR REVIEW.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO TABLE THIS ITEM UNTIL THE NEXT GENERAL MEETING AND REQUEST TO GET THE INFORMATION OF THE CANDIDATES SENT TO COUNCIL. IT WAS SECONDED BY MAYOR PRO-TEM PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

F. DISCUSSION REGARDING REDISTRICTING

ZACH EXPLAINED THIS WAS REQUESTED PER A SECTION OF THE CITY CHARTER.

ZACH STATED SOME OF THE OPINIONS THAT WERE EXPRESSED TO HIM FROM COUNCIL MEMBERS. HE EXPLAINED THERE IS A COST FACTOR AND A CONCERN OF DISTRICTS BEING MISREPRESENTED. (DISTRICT 1 AND DISTRICT 4)

ZACH WENT OVER ALL THE NEW DEVELOPMENTS THAT HAVE STARTED BUILDING AND ARE COMING SOON.

THE QUESTION IS IF WE MOVE FORWARD WITH REDISTRICTING NOW, WE WILL HAVE TO REDISTRICIT AGAIN THE FOLLOWING YEAR?

SOME OF THE COUNCIL MEMBERS EXPRESSED THEIR OPINIONS.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER UTTURKAR FOR STAFF TO BRING THIS ITEM BACK AT THE NEXT SPECIAL OR REGULAR MEETING.IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

FOR THE FULL DISCUSSION REFER TO THE CITYS WEBSITE TO VIEW THE VIDEO

G.D DISCUSSION REGARDING CITY COUNCIL MEETING START TIME

MAYOR EXPLAINED HE REQUESTED THIS ITEM DUE TO CONCERNS HE RECEIVED FROM CITIZENS NOT BEING ABLE TO ATTEND OR VIEW THE MEETING ONLINE DUE TO THE START TIME.

MAYOR PRO-TEM PATTERSON EXPLAINED THE HISTORY OF MEETINGS TIMES SINCE HE HAS BEEN IN OFFICE.

COUNCIL MEMBER POOL WOULD LIKE TO LEAVE THE MEETING START TIME AT 5:30PM.

COUNCIL MEMBER KNAPE WOULD LIKE TO SEE THE MEETINGS START AT 6:30PM OR 7:00PM.

COUNCIL MEMBER UTTURKAR IS OPEN TO CHANGING THE MEETING START TIMES TO 6:00PM OR 6:30PM.

COUNCIL MEMBER BARON IS OPEN TO CHANGING THE MEETING START TIMES TO 6:00PM OR 6:30PM.

THE COUNCIL MEMBERS DISCUSSED AMONG THEMSELVES.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO INSTRUCT STAFF TO PREPARE AN ORDINANCE TO CHANGE THE MEETING TIME TO 6PM IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS DENIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, POOL, POWERS, BARON, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

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**

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO MOVE INTO EXECUTIVE SESSION ACCORDING TO SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS DENIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, POOL, KNAPE, POWERS, BARON, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

MAYOR MCCOY ADJOURNED THE MEETING INTO EXECUTIVE SESSION AT 7:21PM

MAYOR MCCOY RECONVENED THE REGULAR MEETING AT 7:41PM

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**

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ALL ITEMS FROM SECTION 12 ITEM A PENDING LEGAL REVIEW IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS DENIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, POOL, KNAPE, POWERS, BARON, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

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.

COUNCIL MEMBER KNAPE INFORMED COUNCIL HE WILL BE ABSENT ON NOVEMBER 19TH DUE TO A WORK CONFLICT.

A MOTION WAS MADE BY COUNCIL MEMBER BARON TO APPROVE COUNCIL MEMBER KNAPE'S ABSENCE ON NOVEMBER 19TH. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS DENIED BY THE FOLLOWING VOTE:

AYES: PATTERSON, POOL, KNAPE, POWERS, BARON, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

XIV. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, KNAPE, PATTERSON, POOL, POWERS, UTTURKAR

NAYS:

ABSTAIN:

ABSENT: JOHNSON

MOTION APPROVED

MAYOR MCCOY ADJOURNED THE MEETING AT 7:43PM.

DONALD MCCOY, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY