



CITY OF FULSHEAR

"FIND YOUR FUTURE IN FULSHEAR"

30603 FM 1093 WEST/ PO BOX 279 ~ FULSHEAR, TEXAS 77441

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WWW.FULSHEARTEXAS.GOV

MAYOR: Aaron Groff

COUNCIL MEMBER: Kevin White

COUNCIL MEMBER: Joel Patterson

CITY MANAGER: Jack Harper

CITY COUNCIL:

MAYOR PRO-TEM: Kaye Kahlich

COUNCIL MEMBER: Debra Cates

COUNCIL MEMBER: John Kelly

STAFF:

CITY SECRETARY: Kimberly Kopecky

COUNCIL MEMBER: Kent Pool

COUNCIL MEMBER: Lisa Martin

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MEETING MINUTES JUNE 16, 2020

I. **CALL TO ORDER**

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:00 P.M. A QUORUM WAS PRESENT.

II. **QUORUM & ROLL CALL**

COUNCIL MEMBERS PRESENT:

AARON GROFF, MAYOR

KAYE KAHLICH, MAYOR PRO-TEM

JOEL PATTERSON

DEBRA CATES

KENT POOL

JOHN KELLY

KEVIN WHITE

COUNCIL MEMBERS ABSENT:

LISA MARTIN (*EXCUSED*)

CITY STAFF PRESENT:

ZACH GOODLANDER

KIMBERLY KOPECKY

SHARON VALIANTE

BYRON BROWN

JACK HARPER
KENNY SEYMOUR
WES VELA
ANGELA FRITZ

OTHERS PRESENT:

BRYAN THOMAS
KRISTINA STEWARD
HARRY THOMPSON
AND APPROXIMATELY 8 OTHERS THAT DID NOT SIGN IN.

III. INVOCATION- STEVE LITTLEFIELD, SR. PASTOR – SIMONTON COMMUNITY CHURCH

INVOCATION WAS GIVEN BY COUNCIL MEMBER KENT POOL.

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 GROFF.

VI. 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.

THERE WERE NO CITIZEN COMMENTS.

VII. CITY'S MANAGER'S 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. UPDATE ON CITY RESPONSE TO COVID-19

JACK HARPER GAVE A BRIEF UPDATE REGARDING COVID-19. MONDAY, JUNE 15, 2020 ALL STAFF BEGAN WORKING IN OFFICE. THE CITY BUILDINGS ARE OPEN.

KENNY SEYMOUR GAVE AN UPDATE ON THE FREEDOM FEST PLAN DUE TO COVID-19. HE EXPLAINED THE LOCATION, WHERE TO PARK, THERE ARE NO BATHROOMS, AND THAT THERE WOULD BE SIGNS TO SOCIAL DISTANCE. THE EVENT SHOULD TAKE APPROXIMATELY 20 MINUTES.

B. DISCUSS POTENTIAL GRAND OPENING DATES FOR PRIMROSE PARK

JACK HARPER EXPLAINED THE POTENTIAL FOR A GRAND OPENING AND RIBBON CUTTING. THE PARKS BOARD REQUESTED NOT HAVING A LARGE-SCALE GRAND OPENING. THE CITY WOULD PLAN A SOFT OPENING IN EARLY JULY (DEPENDING ON THE FEEDBACK FROM COUNCIL). THE GENERAL CONSENSUS OF COUNCIL WAS TO GO AHEAD AND OPEN THE PARK AND ANNOUNCE ON THE CITY'S WEBSITE AND SOCIAL MEDIA.

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 MINUTES FROM CITY COUNCIL MEETINGS HELD ON MAY 19, 2020 (SPECIAL) AND MAY 19, 2020 (REGULAR)**
- B. CONSIDERATION & POSSIBLE ACTION TO ACCEPT THE MONTHLY FINANCIAL STATEMENTS FOR THE GENERAL & UTILITIES FUNDS**
- C. CONSENT AND APPROVAL OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR MARKET AT CROSS CREEK UTILITY EXTENSIONS PHASE III FOR MUD 173**
- D. CONSENT AND APPROVAL OF STREET DEDICATION UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR BONTERRA AT CROSS CREEK RANCH, SECTION SEVEN FROM MUD 170**
- E. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENTS FOR BONTERRA AT CROSS CREEK RANCH, SECTION EIGHT FROM MUD 170**
- F. CONSENT AND APPROVAL OF THE FLETCHER MORGAN ELEMENTARY SCHOOL FINAL PLAT.**
- G. CONSENT AND APPROVAL OF THE FULSHEAR SCHOOL ROAD AND SCHOOL HILL ROAD FINAL PLAT.**
- H. CONSENT AND APPROVAL OF THE POLO RANCH SECTION 6 NO. 1 REPLAT FINAL PLAT.**
- I. CONSENT AND APPROVAL OF THE POLO RANCH SECTION 11 PRELIMINARY PLAT**
- J. CONSENT AND APPROVAL OF AN UPDATE TO THE JORDAN RANCH GENERAL PLAN**
- K. CONSENT AND APPROVAL OF THE ACADEMIX VILLAGE FINAL PLAT**
- L. CONSENT AND APPROVAL TO AMEND LIST OF AUTHORIZED PURCHASING COOPERATIVES**

MAYOR PRO-TEM KAHLICH ASKED TO REMOVE CONSENT ITEMS G AND L FOR DISCUSSION.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEMS A-F AND H-K. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

*AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE
NAYS: NONE*

ABSENT: COUNCIL MEMBER MARTIN

CONSENT ITEM G

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEM G. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

CONSENT ITEM L

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE CONSENT ITEM L. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

IX. BUSINESS

A. UPDATE AND POSSIBLE ACTION ON THE PROGRESS OF THE SECTION HOUSE PROJECT

REBECCA PATTERSON AND HEATHER RAPHAEL GAVE A BRIEF PRESENTATION AND ANSWERED QUESTIONS FROM COUNCIL. DUE TO COVID-19, THEY HAVE NOT COMPLETED ALL ACTION STEPS PREVIOUSLY REQUESTED BY COUNCIL. SOME OF THE PROGRESS THEY HAVE MADE, 1) VISITED LEAGUE CITY SECTION HOUSE, 2) VISITED SAN FELIPE DE AUSTIN, AND 3) FORMED A 501(c)3 AS A MEANS FOR FUNDRAISING. THEIR NEXT STEPS WILL BE TO GET AN ARCHITECTURAL PLAN AND ESTABLISH A BUSINESS PLAN. THEY ARE REQUESTING A 5 MONTH EXTENSION AND WILL COME BACK AND PRESENT THE PROGRESS TO COUNCIL AT THE NOVEMBER CITY COUNCIL MEETING.

A MOTION WAS MADE BY COUNCIL MEMBER WHITE TO ALLOW A 5 MONTH EXTENSION TO THE HISTORIC PRESERVATION AND MUSEUM COMMISSION FOR THE SECTION HOUSE PROJECT. THERE WAS NO SECOND. (MOTION DIES FOR LACK OF A SECOND.)

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO ALLOW A 2 MONTH EXTENSION TO THE HISTORIC PRESERVATION AND MUSEUM COMMISSION TO GATHER WRITTEN PLEDGES (SIGNED), AND BRINGING BACK TO COUNCIL OF THE AMOUNT (OF PLEDGES) EQUAL TO 50% OF THE PRIOR BID PACKAGE (AVERAGE AMOUNT OF 3 BIDS). IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH.

A MOTION TO AMEND WAS MADE BY MAYOR PRO-TEM KAHLICH TO ALLOW 3 MONTHS. THERE WAS NO SECOND. (MOTION DIES FOR LACK OF A SECOND.)

DEBRA CATES WITHDRAWS HER MOTION TO ALLOW A 2 MONTH EXTENSION TO THE HISTORIC PRESERVATION AND MUSEUM COMMISSION TO GATHER WRITTEN PLEDGES (SIGNED) AND BRINGING BACK TO COUNCIL OF THE AMOUNT (OF PLEDGES) EQUAL TO 50% OF THE PRIOR BID PACKAGE (AVERAGE AMOUNT OF 3 BIDS).

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO ALLOW A 5 MONTH EXTENSION TO THE HISTORIC PRESERVATION AND MUSEUM COMMISSION TO GATHER SIGNED PLEDGES (PHYSICALLY SIGNED) IN THE AMOUNT OF 50% OF THE AVERAGE COST OF THE 3 BIDS. IT WAS SECONDED BY COUNCIL MEMBER KELLY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

B. CONSIDERATION AND POSSIBLE ACTION TO AWARD BANK DEPOSITORY SERVICES CONTRACT

WES VELA GAVE A BRIEF EXPLANATION OF THIS ITEM. STAFF IS RECOMMENDING JP MORGAN CHASE BANK AS BANK DEPOSITORY HAVING A 3 YEAR TERM WITH 2 RENEWABLE YEARS AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO DESIGNATE JP MORGAN CHASE BANK AS THE CITY'S DEPOSITORY AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

C. CONSIDERATION AND POSSIBLE ACTION TO A COST SHARE AGREEMENT WITH FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT 169 FOR THE REHAB OF THE PACKAGE PLANT AT THE CCR WWTP

SHARON VALIANTE, KEVIN GILLIGAN (WITH BGE), AND HARRY THOMPSON (WITH ABHR) DISCUSSED THIS ITEM WITH COUNCIL AND ANSWERED QUESTIONS. SHARON EXPLAINED THE COST SHARE AGREEMENT WOULD BE FULFILLED IN 2 PAYMENTS.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE A COST SHARE AGREEMENT WITH FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT 169 FOR THE REHAB OF THE PACKAGE PLANT AT THE CCR WWTP WITH ADDITIONAL PROVISIONS ALLOWING THE CITY TO AUDIT RECEIPTS OF INVOICES SHOULD IT BE NECESSARY. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-473 A RESOLUTION ADOPTING GENERAL LAND OFFICE POLICIES AND PROCEDURE REGARDING CIVIL RIGHTS

SHARON VALIANTE EXPLAINED THIS ITEM TO COUNCIL AND CHIEF SEYMOUR ANSWERED QUESTIONS.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2020-473 ADOPTING GENERAL LAND OFFICE POLICIES AND PROCEDURES REGARDING CIVIL RIGHTS. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: COUNCIL MEMBER CATES

ABSENT: COUNCIL MEMBER MARTIN

~~**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2020-464, A RESOLUTION APPOINTING A REPRESENTATIVE FROM THE ETJ AS AN AD HOC VOTING MEMBER OF THE PLANNING AND ZONING COMMISSION WHEN IT ACTS AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE**~~

THE CITY HAS NOT RECEIVED ANY APPLICATIONS FOR THIS ITEM. THERE WAS NO ACTION/ITEM PULLED FROM AGENDA.

F. CONSIDERATION AND ACTION ON RESOLUTION NO. 2020-474, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, ESTABLISHING AND PROVIDING FOR THE ADMINISTRATION OF AN ECONOMIC DEVELOPMENT PROGRAM TO PROMOTE STATE OR LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY BY PROVIDING GRANTS TO CERTAIN LOCAL BUSINESSES AFFECTED BY COVID-19

PER MAYOR GROFF, THIS ITEM IS IN ADDITION TO THE GRANT CYCLE THAT WAS LOOKED AT LAST MONTH. EDC HAS NOT HAD THE OPPORTUNITY TO ACT ON THIS, SO THE DECISION MADE WILL BE PENDING THE DECISION OF THE EDC TO MOVE FORWARD.

ANGELA FRITZ GAVE AN EXPLANATION OF THIS ITEM. FROM LAST MONTH, EDC WILL BE AWARDING \$38,750 TO EIGHT (8) BUSINESSES THAT WERE DEEMED ELIGIBLE.

THE FIRST PROGRAM HAS BEEN CLOSED OUT AND THIS IS THE RECOMMENDATION FOR THE 2ND PROGRAM.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2020-474, ESTABLISHING AND PROVIDING FOR THE ADMINISTRATION OF AN ECONOMIC DEVELOPMENT PROGRAM TO PROMOTE STATE OR LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY BY PROVIDING GRANTS TO CERTAIN LOCAL BUSINESSES AFFECTED BY COVID-19 AND MAKE THIS APPROVAL SUBJECT TO THE EDC'S APPROVING THE SAME RESOLUTION, AND ON SECTION THREE (3) THE BLANK BE FILLED IN WITH THE AMOUNT OF

\$161,250. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

- X. 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.**

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ABSENCE FOR MAYOR PRO-TEM KAHLICH FOR CITY COUNCIL MEETING HELD ON MAY 19, 2020**

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO APPROVE THE ABSENCE FOR MAYOR PRO-TEM KAHLICH FOR CITY COUNCIL MEETING HELD ON MAY 19, 2020. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

LISA MARTIN LET US KNOW IN ADVANCE SHE WOULD BE ABSENT AND HAS REQUESTED AN APPROVAL FOR HER ABSENCE.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE THE ABSENCE OF LISA MARTIN FOR TODAY'S MEETING (6-16-2020). IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

- XI. ADJOURNMENT**

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO ADJOURN. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, KAHLICH, KELLY, PATTERSON, POOL, AND WHITE

NAYS: NONE

ABSENT: COUNCIL MEMBER MARTIN

MAYOR GROFF ADJOURNED THE MEETING AT 9:59 P.M.




AARON GROFF, MAYOR

ATTEST:


KIMBERLY KOPECKY, CITY SECRETARY