



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: Joel Patterson	COUNCIL MEMBER: Kent Pool
COUNCIL MEMBER: Jason Knappe	COUNCIL MEMBER: Abhijeet Utturkar	COUNCIL MEMBER: Debra Cates
COUNCIL MEMBER: Sarah B. Johnson	COUNCIL MEMBER: Christina Baron	

STAFF:

ACTING CITY MANAGER: Zachary Goodlander	CITY SECRETARY: Mariela Rodriguez	CITY ATTORNEY: Byron Brown
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CITY COUNCIL MEETING MINUTES

May 21, 2024

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX, 6611 W. CROSS CREEK BEND LANE, FULSHEAR, TEXAS AT 5:31 P.M.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

*AARON GROFF
SARAH B. JOHNSON
ABHIJEET UTTURKAR
JOEL PATTERSON
CHRISTINA BARON
DEBRA CATES
KENT POOL*

COUNCIL MEMBERS ABSENT:

JASON KNAPE

CITY STAFF PRESENT:

*MARIELA RODRIGUEZ
ZACH GOODLANDER
BYRON BROWN*

JOSH GREEN
SHARON VALIANTE
KENNY SEYMOUR
JOSH BROTHERS
CLIFF BROUHARD
ERIN TUREAU
MORGAN EARLY
MARIAH GALLEGOS
HEIDY TAYLOR
TIFFANY STODDER

OTHERS PRESENT:

CAROL DILLON
NICHELLE NOBILE
TAJANA SURLAN
MIKE HALDE
HALA E.
JOHNNY KIM
RANDY CONNOR
AND 9 OTHERS THAT DID NOT SIGN IN

III. INVOCATION- PASTOR CHARLES WISDOM, FPD CHAPLAIN/ SECOND BAPTIST CHURCH

INVOCATION WAS GIVEN BY MAYOR GROFF.

IV. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

V. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

MAYOR GROFF LED THE PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS.

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.

THERE WERE NO CITIZEN COMMENTS.

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

- ZACH GOODLANDER INFORMED COUNCIL REGARDING THE FOLLOWING STAFF CHANGES:

NEW HIRES

- AMRYN JEFFREY- BUDGET AND MANAGEMENT ANALYST
- PETE LUNA- POLICE SERGEANT OVER CID
- GEORGE MOON- BUDGET AND MANAGEMENT ANALYST
- STACY POWELL- PART TIME ACCOUNTANT I

PROMOTIONS

- STEPHANIE ALVAREZ FOX - HUMAN RESOURCES ADMINISTRATIVE ASSISTANT
- TIFFANY FIELDS- PROJECT COORDINATOR

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

ZACH GOODLANDER GAVE A BRIEF UPDATE REGARDING THE PROJECT UPDATE:

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

- WELL WATER QUALITY SAMPLE RESULTS HAVE BEEN RECEIVED AND NO CONCERNS WITH WATER QUALITY.
- GROUND STORAGE TANK FOUNDATION BACKFILL HAS BEEN COMPLETED AND CONSTRUCTION WILL BEGIN ONCE THE WELL IS COMPLETE.
- FOUNDATION FOR CHEMICAL AND ELECTRICAL BUILDING HAS BEEN POURED AND WALLS AND CONTAINMENT STRUCTURE BEING FORMED.
- MOTOR STARTERS FOR THE BOOSTER PUMPS HAVE BEEN RELEASED FOR FABRICATION, AND GENERATOR SHOP DRAWINGS HAVE BEEN APPROVED.
- CONSTRUCTION PROJECT IS CURRENTLY 21% COMPLETE BASED ON DAYS. (119/577)
- CONSTRUCTION PROJECT IS CURRENTLY 14% COMPLETE. (BASED ON DOLLARS SPENT)
- TO DATE WE HAVE BEEN INVOICED FOR \$2,072,330.00 FOR THE PROJECT. (\$14,434,000.00 BUDGET

ELEVATED STORAGE TANK (EST):

- SUBMITTAL FOR TANK CONSTRUCTION HAS BEEN APPROVED AND TANK SECTIONS BEING FABRICATED OFF-SITE.
- TANK STILL ON SCHEDULE TO BE RAISED IN JULY.
- CONSTRUCTION PROJECT IS CURRENTLY 47% COMPLETE BASED ON DAYS. (187/400)
- CONSTRUCTION PROJECT IS CURRENTLY 33% COMPLETE. (BASED ON DOLLARS SPENT)
- TO DATE WE HAVE PAID \$1,407,328.20 FOR THE PROJECT.

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 APRIL 02, 2024 (SPECIAL) AND APRIL 16, 2024 (REGULAR)**
- B. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT TO SERVE BRAY TRACT FROM FBMUD NO.175**
- C. CONSENT AND APPROVAL OF THE MARCH 2024 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- D. CONSENT AND APPROVAL OF THE FY2024 2ND QUARTER INVESTMENT REPORT**
- E. CONSENT AND APPROVAL OF THE TAMARRON SECTION 71 PRELIMINARY PLAT**
- F. CONSENT AND APPROVAL OF THE TAMARRON SECTION 79 PRELIMINARY PLAT**
- G. CONSENT AND APPROVAL OF THE JORDAN RANCH WALLER COUNTY FINAL PLAT**
- H. CONSENT AND APPROVAL OF THE SUMMERVIEW SECTION 5 FINAL PLAT**
- I. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 22B FINAL PLAT**
- J. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 25 FINAL PLAT**
- K. CONSENT AND APPROVAL OF THE RAYMOND FRANZ PARKWAY STREET DEDICATION FINAL PLAT**
- L. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET DEDICATION SECTION 1-A TAMARRON WEST FINAL PLAT**
- M. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET**

DEDICATION SECTION 1-B TAMARRON WEST FINAL PLAT

- N. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET DEDICATION SECTION 2 IN TAMARRON WEST FINAL PLAT**
- O. CONSENT AND APPROVAL OF THE TAMARRON CROSSING STREET DEDICATION SECTION 3 TAMARRON WEST FINAL PLAT**
- P. CONSENT AND APPROVAL OF THE FULSHEAR MARKETPLACE PRELIMINARY PLAT EXTENSION**
- Q. CONSENT AND APPROVAL OF RESOLUTION NO. 2024-623, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 188 AND IMPOSING CONDITION ON SAME**
- R. CONSENT AND APPROVAL OF RESOLUTION NO. 2024-622, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 182 AND IMPOSING CONDITIONS ON SAME**
- S. CONSENT AND APPROVAL OF RESOLUTION NO. 2024-624, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 222 AND IMPOSING CONDITIONS ON SAME**

MAYOR PRO-TEM REQUESTED TO PULL CONSENT ITEMS Q, R, AND S.

A MOTION WAS MADE BY COUNCIL MEMBER UTTURKAR TO APPROVE CONSENT ITEMS A-P. IT WAS SECONDED BY COUNCIL MEMBER BARON THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

MAYOR PRO-TERM ASKED TO TAKE CONSENT ITEMS Q, R, AND S, TOGETHER. THERE WERE NO OBJECTIONS. HE REQUESTED A MAP OF WHERE THE LAND ACREAGE IS LOCATED.

ZACH GOODLANDER ANSWERED QUESTIONS FROM COUNCIL AND STATED STAFF WILL BE SENDING OUT A MAP.

A MOTION WAS MADE BY MAYOR PRO-TEM PATTERSON TO APPROVE CONSENT ITEMS Q, R, AND S. IT WAS SECONDED BY COUNCIL MEMBER POOL THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION APPROVED

IX. BUSINESS

A. PRESENTATION REGARDING FULSHEAR POLICE DEPARTMENT RECEIVING ITS THIRD RECOGNITION AS AN “ACCREDITED LAW ENFORCEMENT AGENCY”

MAYOR GROFF INVITED JEFF CRAIG, CHIEF OF POLICE FOR THE CITY OF RICHMOND, TO PRESENT THE AWARD TO THE FULSHEAR POLICE DEPARTMENT.

CHIEF CRAIG PRESENTED THE FULSHEAR POLICE DEPARTMENT WITH A CERTIFICATE OF REACCREDITATION FOR CONTINUING TO MAINTAIN COMPLIANCE WITH THE TEXAS LAW ENFORCEMENT BEST PRACTICES PROGRAM FOR THE PAST 4 YEARS.

CHIEF CRAIG SPOKE ON THE BACKGROUND OF THE AWARD.

CHIEF CRAIG CONGRATULATED CHIEF SEYMOUR AND THE ENTIRE POLICE DEPARTMENT AND PROVIDED HIM WITH THE CERTIFICATE AWARD.

CHIEF SEYMOUR ACKNOWLEDGED CAPTAIN MILLER, THE PROGRAM MANAGER FOR THIS ACCREDITATION, AND THANKED HER FOR ALL OF HER HARDWORK AND DEDICATION. HE ALSO THANKED THE WHOLE POLICE DEPARTMENT FOR THE WORK THEY PUT IN DAY IN AND DAY OUT.

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-621, A RESOLUTION SUPPORTING THE CITY'S PARTICIPATION IN THE NORTH FORT BEND WATER AUTHORITY WATER PROVIDER CONSERVATION PROGRAM, AND ESTABLISHING A LEADERSHIP WATER CONSERVATION COMMITTEE, APPOINTING MEMBERS TO THE LEADERSHIP WATER CONSERVATION COMMITTEE

SHARON VALIANTE EXPLAINED THIS RESOLUTION OUTLINES THE SUPPORT IN PARTICIPATING IN THE PROGRAM AND NAMES THE MEMBERS OF COUNCIL THAT ARE PART OF THE BOARD. SHE STATED THAT THE RESOLUTION IS MISSING THE COMMUNITY LIAISON AND ASKED FOR COUNCIL TO APPOINT.

COUNCIL CAME TO A CONSENSUS TO HAVE ANY RECOMMENDATIONS FOR THE COMMUNITY LIAISON BE SENT TO MAYOR GROFF.

MAYOR GROFF ASKED THAT ANY INTERESTED RESIDENTS MAY REACH OUT TO HIM OR THE CITY SECRETARYS OFFICE.

A MOTION WAS MADE BY MAYOR PRO-TEM PATTERSON TO APPROVE RESOLUTION NO. 2024-621A RESOLUTION SUPPORTING THE CITY'S PARTICIPATION IN THE NORTH FORT BEND WATER AUTHORITY WATER PROVIDER CONSERVATION PROGRAM WITH THE APPOINTEE MEMBERS BEING COUNCIL MEMBER JASON KNAPE, COUNCIL MEMBER PATRICK POWERS AND COUNCIL MEMBER ABHIJEET UTTURKAR AND DELEGATING THE AUTHORITY FOR THE MAYOR TO APPOINT THE COMMUNITY LIAISON TO COMPLETE THE MEMBERSHIP. IT WAS SECONDED BY COUNCIL MEMBER BARON THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A PURCHASE FOR HYDRO-PNEUMATIC TANK RENTALS FROM I.K.STOLTZFUS SERVICE CORPORATION WITH A PROJECT BUDGET OF \$200,000

SHARON VALIANTE INFORMED COUNCIL ABOUT LAST SUMMERS PRESSURE FLUCTUATION. STAFF CONTACTED FREESE AND NICHOLS TO PLACE PRESSURE MONITORS THROUGHOUT THE SYSTEM IN THE WEST SIDE OF DOWNTOWN. FREESE AND NICHOLS ANALYZED THE INFORMATION AND RECOMMENDED THE CITY BRING IN AN INTERIM HYDRO-PNEUMATIC TANK TO HELP STABILIZED PRESSURE IN THE SYSTEM IF NEEDED.

SHARON INTRODUCED ERIN ENGELSKIRCHEN WITH FREESE AND NICHOLS TO ANSWER QUESTIONS REGARDING THE SYSTEM.

ERIC ANSWERED QUESTIONS FROM COUNCIL AND EXPLAINED HOW THE TANK WORKS. PER ERIC, THIS CAN BE PUT IN PLACE WITHIN 2-3 WEEKS FROM APPROVAL.

PER SHARON THERE IS AN UPDATED VERSION OF THE CONTRACT FROM WHAT IS IN THE PACKET AND LEGAL REVIEW IS COMPLETE.

RICHARD WEATHERLY INFORMED COUNCIL THAT THIS TANK SHOULD COVER ALL OF WEST OF FM 359.

A MOTION WAS MADE BY COUNCIL MEMBER JOHNSON TO APPROVE A PURCHASE FOR HYDRO-PNEUMATIC TANK RENTALS FROM I.K.STOLTZFUS SERVICE CORPORATION WITH A PROJECT BUDGET OF

\$200,000. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

D. PRESENTATION OF THE FY2025 PRELIMINARY 5 YEAR CAPITAL IMPROVEMENT PLAN

ERIN TUREAU PRESENTED A SLIDE SHOW PRESENTATION ABOUT THE FOLLOWING:

- FY2025 PRELIMINARY 5-YEAR CAPITAL IMPROVEMENT PLAN*
- TOTAL PROJECT SUMMARY*
- FY2025 DRAINAGE PROJECT COST*
- FY2025 FACILITY AND PARKS PROJECT COST*
- FY2025 STREET PROJECT COST*
- FY2025 PROJECT FUNDING SOURCES*
- FY2025 WATER PROJECTS COST*
- FY2025 WASTE WATER PROJECT COST*
- WATER AND WASTEWATER FUNDING*
- DEBT ISSUANCE TIMELINE, NET REVENUE CALCULATIONS & GROWTH PROJECTIONS*

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

TIFFANY STODDER ANSWERED QUESTIONS FROM COUNCIL ON SLIDE PAGE 7. (FY2025 FACILITY AND PARKS PROJECT COST)

RICHARD WEATHERLY AND ERIN ENGELSKIRCHEN WITH FREESE AND NICHOLS ANSWERED QUESTIONS FROM COUNCIL ON SLIDE PAGE 15. (FY2025 WATER PROJECTS AND WATERBEDS NO. 2)

MAYOR GROFF ENCOURAGED COUNCIL TO CONTINUE TO WORK THROUGH THE CIP PROJECT WORKSHEET THAT WERE PROVIDED BY STAFF. MAYOR ADVISED COUNCIL TO PROVIDE FEEDBACK AND ASK QUESTIONS.

*** FOR THE SLIDE SHOW PRESENTATION AND FOR THE FULL DISCUSSION REFER TO THE CITY'S WEBSITE***

E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2024-625, APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC

DEVELOPMENT SALES TAX CORPORATION

CLIFF BROUHARD INFORMED COUNCIL THIS AGREEMENT IS A REQUIREMENT IN ORDER TO CROSS THROUGH THE FORT BEND COUNTY TOLL ROAD AUTHORITY FOR THE WATERLINE CROSSING FROM FM 1093 TO THE NORTH SIDE OF ROAD TO MAKE THE CONNECTION WITH JAMES LANE .

A MOTION WAS MADE BY COUNCIL MEMBER UTTURKAR TO AUTHORIZE THE CITY MANAGER TO EXECUTE A RIGHT-OF-WAY PERMIT FROM FORT BEND COUNTY TOLL ROAD AUTHORITY FOR THE JAMES LANE WATERLINE PROJECT. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

F. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A RIGHT-OF-WAY PERMIT FROM FORT BEND COUNTY TOLL ROAD AUTHORITY FOR THE JAMES LANE WATERLINE PROJECT

MAYOR EXPLAINED THE REASON FOR APPOINTING IS DUE TO QUORUM ISSUES IN JUNE FOR THIS BOARD.

HE EXPLAINED THE NEXT MAYOR ELECTED WILL APPOINT FOR THE OTHER BOARDS.

MAYOR WOULD LIKE TO APPOINT BRYAN WHITE, KAYE KAHLICH AND NICHELLE NOBILE TO THE EDC A BOARD.

COUNCIL MEMBER UTTURKAR PROPOSED KAYE KAHLICH BE APPOINTED FOR THE FULL TERM.

A MOTION WAS MADE BY COUNCIL MEMBER UTTURKAR TO APPROVE RESOLUTION NO. 2024-625, APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION WITH THE APPOINTEES BEING MR.WHITE, MS. NOBILE AND MS. KAHLICH. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

X. EXECUTIVE SESSION

- A. EXECUTIVE SESSION- 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**

- DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC**
- UTILITY AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC ON BEHALF OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 174**
- DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, POSITIVE DEVELOPMENTS LLC, AND GRANDES RICOS, LLC**

A PRESENTATION WAS GIVEN BY REPRESENTATIVES FROM CENTURY AND LAND HOLDINGS OF TX LLC, POSITIVE DEVELOPMENTS, LLC AND GRANDES RICOS, LLC REGARDING THE DEVELOPMENT AND UTILITY AGREEMENTS BEING DISCUSSED DURING EXECUTIVE SESSION.

TAJANA SURLAN INTRODUCED THE TEAM

JEFF, WITH CENTURY COMMUNITYS, THANKED STAFF FOR THEIR EFFORTS AND GUIDANCE ON THIS PROJECT AND SPOKE ABOUT THE IMPACT FEES THAT WILL BE GENERATED FROM THIS PROJECT

CHRIS EXPLAINED THAT CENTURY IS BRINGING 11+ MILLION IN HORIZONTAL INFRASTRUCTURE AND 251 SINGLE FAMILY UNITS. PART OF THE INFRASTRUCTURE WILL INCLUDE ROADS, REGIONAL DETENTION EXTENSION OF UTILITIES TO THE COMMERCIAL MIXED USED PIECES.

THE DEVELOPMENT TEAM AND CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

**** FOR THE FULL PRESENTATION GO TO THE CITYS WEBSITE TO VIEW THE**

VIDEO**

A MOTION WAS MADE BY COUNCIL MEMBER UTTURKAR TO ADJOURN INTO EXECUTIVE SESSION IN ACCORDANCE WITH SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

MAYOR GROFF ADJOURN INTO EXECUTIVE SESSION AT 8:13 PM.

MAYOR GROFF RECONVENED THE REGULAR MEETING AT 8:58 PM.

BYRON BROWN EXPLAINED THAT THE VERSION OF THE AGREEMENT THAT IS BEING CONSIDERED TONIGHT, IS THE VERSION THAT INCLUDES THE DEVELOPER RETAINING THE 5.41 ACRE TRAC.

CHRIS JOHNS AND CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

**** GO TO ACTION FROM EXECUTIVE SESSION ITEM A ****

- B. 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**
- ACTING CITY MANAGER**

A MOTION WAS MADE BY COUNCIL MEMBER BARON TO ADJOURN INTO EXECUTIVE SESSION PURSUANT TO SECTION 551.074. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING INTO EXECUTIVE SESSION AT 9:06 PM.

MAYOR GROFF RECONVENED THE REGULAR MEETING AT 9:23 PM.

**** GO TO ACTION FROM EXECUTIVE SESSION ITEM B****

- C. 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**

A MOTION WAS MADE BY COUNCIL MEMBER JOHNSON TO ADJOURN INTO EXECUTIVE SESSION PURSUANT TO SECTION 551.074 OF THE TEXAS OPEN MEETING ACT. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT: KNAPE

MOTION APPROVED

MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 9:24 PM.

MAYOR GROFF RECONVENED THE REGULAR MEETING AT 10:04 PM.

- D. PURSUANT TO SECTION 551.072 OF THE TEXAS OPEN MEETINGS ACT, DISCUSSING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (RFP FOR EDC-OWNED PROPERTY 30603 FM 1093 & 30619 FM 1093, FULSHEAR, TX 77441)**

- **RFP FOR EDC-OWNED PROPERTY 30603 FM 1093 & 30619 FM 1093, FULSHEAR, TX 77441**

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO ADJOURN INTO EXECUTIVE SESSION PURSUANT TO SECTION 551.072 OF THE TEXAS OPEN MEETING ACT. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO AMEND THE ORIGINAL MOTION TO INCLUDE SECTION 551.087. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION APPROVED

BACK TO ORIGINAL MOTION:

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO ADJOURN INTO EXECUTIVE SESSION PURSUANT TO SECTION 551.072 OF THE TEXAS OPEN MEETING ACT. IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION APPROVED

MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 10:07 PM.

MAYOR GROFF RECONVENED THE REGULAR MEETING AT 10:19 PM..

XI. ACTION FROM EXECUTIVE SESSION

- A. DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC**
- B. UTILITY AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC ON BEHALF OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 174**
- C. DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, POSITIVE DEVELOPMENTS LLC, AND GRANDES RICOS, LLC**

A MOTION WAS MADE BY MAYOR PRO-TEM PATTERSON TO APPROVE THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC, THE UTILITY AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, AND CENTURY LAND HOLDINGS OF TEXAS, LLC ON BEHALF OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 174 AND THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FULSHEAR, TEXAS, POSITIVE

DEVELOPMENTS LLC, AND GRANDES RICOS, LLC. IT WAS SECONDED BY COUNCIL MEMBER BARON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

D. ACTING CITY MANAGER

A MOTION WAS MADE BY COUNCIL MEMBER JOHNSON TO APPROVE ASSIGNMENT PAY TO THE ACTING CITY MANAGER OF \$2500.00 PER MONTH UNTIL THE CITY MANAGER POSITION IS FILLED. IT WAS SECONDED BY COUNCIL MEMBER BARON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:KNAPE

MOTION APPROVED

E. CITY ATTORNEY

THERE WAS NO ACTION ON THIS ITEM.

F. RFP FOR EDC-OWNED PROPERTY 30603 FM 1093 & 30619 FM 1093, FULSHEAR, TX 77441

THERE WAS NO ACTION ON THIS ITEM.

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.

THERE WAS NO ACTION ON THIS ITEM.

XIII. ADJOURNMENT

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

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

NAYS:

ABSTAIN:
ABSENT:KNAPE

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 10:20 PM.

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY