



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

CITY COUNCIL:

MAYOR: Aaron Groff

MAYOR PRO-TEM: Kaye Kahlich

COUNCIL MEMBER: Kent Pool

COUNCIL MEMBER: Dana Hollingsworth

COUNCIL MEMBER: Debra Cates

COUNCIL MEMBER: Lisa Martin

COUNCIL MEMBER: Joel Patterson

COUNCIL MEMBER: John Kelly

STAFF:

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

CITY COUNCIL MEETING MINUTES NOVEMBER 20, 2018

I. CALL TO ORDER

A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR AARON GROFF AT IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:04 P.M. A QUORUM WAS PRESENT.

II. QUORUM & ROLL CALL

COUNCIL MEMBERS PRESENT:

AARON GROFF, MAYOR
KAYE KAHLICH, MAYOR PRO-TEM
DEBRA CATES
LISA MARTIN
KENT POOL
DANA HOLLINGSWORTH
JOEL PATTERSON

COUNCIL MEMBERS ABSENT:

JOHN KELLY (*EXCUSED*)

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO EXCUSE THE ABSENCE OF JOHN KELLY. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON AND POOL

NAYS: NONE

CITY STAFF PRESENT:

JACK HARPER, CITY MANAGER
KIMBERLY KOPECKY, CITY SECRETARY
BRANT GARY, ASSISTANT CITY MANAGER
SHARON VALIANTE, PUBLIC WORKS DIRECTOR
GRADY RANDLE, CITY ATTORNEY
DAVID LEYENDECKER, CITY ENGINEER
ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR
KENNY SEYMOUR, CHIEF OF POLICE
WES VELA, CHIEF FINANCIAL OFFICER

OTHERS PRESENT:

CHRIS SAULNIER
ROB FONDREN
WES WAUSEN
BRYAN THOMAS
TREY DEVILLIER
DAVE SKRIPOL
DAVID SKRIPOL
AARON WEISS
AND ABOUT 17 OTHERS THAT DID NOT SIGN IN

III. INVOCATION- CHRIS SAULNIER, ASSOCIATE PASTOR, SIMONTON COMMUNITY CHURCH

THE INVOCATION WAS GIVEN BY CHRIS SAULNIER, ASSOCIATE PASTOR AT SIMONTON COMMUNITY CHURCH.

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

BOTH THE PLEDGE OF ALLEGIANCE TO THE U.S. FLAG AND PLEDGE TO 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.

AARON WEIS MADE A BRIEF STATEMENT REGARDING DEVELOPMENT

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. POSSIBLE WORKSHOP IN DECEMBER FOR PARKS-RELATED ITEMS (MASTER PLAN & STATION HOUSE)
- B. STATUS OF LIVABLE CENTERS STUDY (JAN PUBLIC INPUT/FEB ADOPTION)
- C. UPCOMING LEGISLATIVE SESSION (POSSIBLE LIST OF PRIORITIES)

JACK HARPER BRIEFLY DISCUSSED THESE ITEMS.

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 ARGONNE DRIVE STREET DEDICATION/FINAL PLAT (PREVIOUSLY SUNSET DRIVE-STD)
- B. CONSENT AND APPROVAL OF SHOPPES AT CREEK CROSSING/FINAL PLAT
- C. CONSENT AND APPROVAL OF CREEK COVE AT CROSS CREEK RANCH SECTION 16 (2ND REVIEW)/FINAL PLAT
- D. CONSENT AND APPROVAL OF TAMARRON SECTION 57/FINAL PLAT
- E. CONSENT AND APPROVAL OF CITY COUNCIL MINUTES FROM CITY COUNCIL MEETING HELD OCTOBER 16, 2018
- F. CONSENT AND APPROVAL OF THE QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING SEPTEMBER 30, 2018
- G. CONSENT AND APPROVAL OF FY2018-2019 INVESTMENT POLICY
- H. CONSENT AND APPROVAL OF THE MONTHLY GENERAL AND UTILITY FUND FINANCIALS

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

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

IX. **BUSINESS**

- A. PROCLAMATION HONORING LILA SMITH

A PROCLAMATION HONORING LILA SMITH WAS READ BY MAYOR GROFF.

B. PRESENTATION AND POSSIBLE ACTION ON THE FULBROOK ON FULSHEAR CREEK REVISED GENERAL LAND USE PLAN

BILL SWEITZER AND ROB FONDREN GAVE A BRIEF PRESENTATION ON FULBROOK ON FULSHEAR CREEK REVISED GENERAL LAND USE PLAN.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO ACCEPT THE REVISED PLAN. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-408 APPOINTING MEMBERS TO THE HISTORIC PRESERVATION AND MUSEUM COMMISSION (2 VACANCIES)

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO APPROVE RESOLUTION NO. 2018-408. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

D. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE/AWARD A PROFESSIONAL SERVICES CONTRACT FOR CITY ENGINEER

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO AUTHORIZE/AWARD A PROFESSIONAL SERVICES CONTRACT FOR CITY ENGINEER TO CLAY & LEYENDECKER. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

E. CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION NO. 2018-411 REGARDING CITY OF FULSHEAR PARTICIPATION AND ENROLLMENT IN THE LARRY'S TOOL BOX PROGRAM FOR 2019 AS ESTABLISHED BY NORTH FORT BEND WATER AUTHORITY

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE RESOLUTION NO. 2018-411. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

F. CONSIDERATION OF RESOLUTION NO. 2018-409, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (FIRST READING)

THIS WAS A FIRST READING ONLY. NO ACTION WAS TAKEN.

G. CONSIDERATION OF RESOLUTION NO. 2018-410, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE “B” ECONOMIC DEVELOPMENT SALES TAX CORPORATION (FIRST READING)

THIS WAS A FIRST READING ONLY. NO ACTION WAS TAKEN.

H. CONSIDERATION AND ACTION ON RESOLUTION NO. 2018-409, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE “A” ECONOMIC DEVELOPMENT SALES TAX CORPORATION (SECOND READING)

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE RESOLUTION NO. 2018-409. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

I. CONSIDERATION AND ACTION ON RESOLUTION NO. 2018-410, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE “B” ECONOMIC DEVELOPMENT SALES TAX CORPORATION (SECOND READING)

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO APPROVE RESOLUTION NO. 2018-410. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

J. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE CONTRACT WITH A CONSULTANT TO COMPLETE ECONOMIC DEVELOPMENT STRATEGIC PLAN

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO AUTHORIZE A CONTRACT WITH TIP STRATEGIES INC. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

X. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SEC. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.

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 THIS CHAPTER.

UPDATE ON THREATENED LITIGATION:

(1) 4TH STREET LITIGATION

(2) EEOC CLAIM

A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO ENTER INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

MAYOR GROFF CONVENED INTO EXECUTIVE SESSION AT 7:56 P.M.

MAYOR GROFF RECONVENED INTO REGULAR SESSION AT 8:38 P.M.

XI. ACTION FROM EXECUTIVE SESSION

THERE WAS NO ACTION TO BE TAKEN FROM EXECUTIVE SESSION.

XII. ADJOURNMENT

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

AYES: COUNCIL MEMBERS CATES, HOLLINGSWORTH, KAHLICH, MARTIN, PATTERSON, AND POOL

NAYS: NONE

MAYOR GROFF ADJOURNED THE MEETING AT 8:30 P.M.



ATTEST:

KIMBERLY KOPECKY, CITY SECRETARY

AARON GROFF, MAYOR