



CITY OF FULSHEAR

"FIND YOUR FUTURE IN FULSHEAR"

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

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

CITY COUNCIL:

MAYOR: Aaron Groff

COUNCIL MEMBER: Kevin White

COUNCIL MEMBER: Joel Patterson

MAYOR PRO-TEM: Kaye Kahlich

COUNCIL MEMBER: Debra Cates

COUNCIL MEMBER: John Kelly

COUNCIL MEMBER: Kent Pool

COUNCIL MEMBER: Lisa Martin

STAFF:

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

SPECIAL CITY COUNCIL MEETING MINUTES JULY 16, 2019

I. CALL TO ORDER

A SPECIAL CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 5:30 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

LISA MARTIN

CITY STAFF PRESENT:

JACK HARPER

BRANT GARY

KIMBERLY KOPECKY

KAYLA VILLAGOMEZ

SHARON VALIANTE

ANGELA FRITZ

JOHN MICHAEL PENA

WES VELA
GRADY RANDLE
ZACH GOODLANDER
KENNY SEYMOUR
MIKE MCCOY

OTHERS PRESENT:

ANDY MEYERS
MICHAEL SHELTON
DON MCCOY
ABOUT 5 PEOPLE THAT DID NOT SIGN IN

PLEASE MOVE TO ITEM VI. FOR CITIZEN COMMENTS

III. EXECUTIVE SESSION - CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SEC. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING.

THIS CHAPTER DOES NOT REQUIRE A GOVERNMENTAL BODY TO CONDUCT AN OPEN MEETING:

- 1) TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR
- 2) TO DELIBERATE THE OFFER OF FINANCIAL OR OTHER INCENTIVE TO A BUSINESS PROSPECT DESCRIBED BY SUBDIVISION (1).

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) LITIGATION- DIANA OFFORD
- (2) LITIGATION- ATTIPG, LLC

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO ENTER INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MAYOR GROFF ADJOURNED TO EXECUTIVE SESSION AT 5:35 P.M.

MAYOR GROFF RECONVENED BACK FROM EXECUTIVE SESSION AT 6:02 P.M. AND STATED COUNCIL WILL GO BACK INTO EXECUTIVE SESSION AFTER THE PUBLIC HEARING & BUSINESS ITEMS ARE HEARD.

IV. **ACTION FROM EXECUTIVE SESSION**

NOT AT THIS TIME

V. **PUBLIC HEARING**

A public hearing on Land Use Assumptions and Capital Improvements Plan relating to possible adoption of Impact Fees

This public hearing will be held on July 16, 2019 at 6:00 p.m. at the Irene Stern Community Center at 6920 Katy Fulshear Road, Fulshear, TX 77441.

Any member of the public has the right to appear at the public hearing and present evidence for or against the plan and assumptions.

Posted: 6-14-2019

MAYOR GROFF OPENED THE PUBLIC HEARING AT 6:03 P.M.

THERE WERE NO CITIZEN'S THAT WISHED TO SPEAK.

MAYOR GROFF CLOSED THE PUBLIC HEARING AT 6:04 P.M.

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.

ANDY MEYERS- SPOKE REGARDING SECURED ACREAGE FOR A NEW LIBRARY

VII. BUSINESS

A. DISCUSSION AND POSSIBLE ACTION TO PROVIDE AND ACCEPT COMMENTS ON THE DRAFT LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENT PLAN FOR WATER AND WASTEWATER IMPACT FEES

BRANT GARY EXPLAINED TO COUNCIL THAT THE PURPOSE OF THIS ITEM IS TO RECEIVE COMMENTS. MIKE SHELTON FROM KIMLEY HORN SPOKE TO COUNCIL AND EXPLAINED THAT HE HAS RECEIVED SOME WRITTEN COMMENTS FROM THE PLANNING & ZONING COMMISSION, STAFF, AND 1 COUNCIL MEMBER. (FOR FULL DISCUSSION, PLEASE REQUEST AUDIO)

THERE WAS NO ADDITIONAL ACTION FOR THIS ITEM.

B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2019-1301, PROVIDING FOR AUTHORIZATION OF CITY STAFF TO INSTALL CERTAIN TRAFFIC CONTROL DEVICES

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO APPROVE ORDINANCE NO. 2019-1301, PROVIDING FOR AUTHORIZATION OF CITY STAFF TO INSTALL CERTAIN TRAFFIC CONTROL DEVICES. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

C. CONSIDERATION AND POSSIBLE ACTION ON AWARDING OF PROFESSIONAL AUDIT SERVICES

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO APPROVE THE ENGAGEMENT LETTER WITH BELT HARRIS PECHACEK, LLP. IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO CONVENE BACK INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

MAYOR GROFF CALLED COUNCIL BACK INTO EXECUTIVE SESSION AT 6:19 P.M.

MAYOR GROFF AND COUNCIL RECONVENED BACK TO THE SPECIAL CITY COUNCIL MEETING AT 6:57 P.M.

THERE WAS NO ACTION TO BE TAKEN FROM EXECUTIVE SESSION.

VIII. 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, KAHLICH, KELLY, MARTIN, PATTERSON, POOL, AND WHITE
NAYS: NONE

MAYOR GROFF ADJOURNED THE MEETING AT 6:58 P.M.

ATTEST:




AARON GROFF, MAYOR


KIMBERLY KOPECKY, CITY SECRETARY