



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:** Lisa Martin                      **COUNCIL MEMBER:** Kent Pool  
**COUNCIL MEMBER:** Jason Knape                      **COUNCIL MEMBER:** Kaye Kahlich                      **COUNCIL MEMBER:** Debra Cates  
**COUNCIL MEMBER:** Joel Patterson                      **COUNCIL MEMBER:** Sarah B. Johnson

**STAFF:**

**CITY MANAGER:** Jack Harper                      **CITY SECRETARY:** Mariela Rodriguez                      **CITY ATTORNEY:** Byron Brown

## **CITY COUNCIL MEETING MINUTES**

### **February 21, 2023**

**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 7:00 P.M.*

**II. QUORUM AND ROLL CALL**

*A QUORUM WAS PRESENT.*

***COUNCIL MEMBERS PRESENT:***

*AARON GROFF  
JOEL PATTERSON  
DEBRA CATES  
JASON KNAPE  
LISA MARTIN  
KAYE KAHLICH*

***COUNCIL MEMBERS ABSENT:***

*SARAH JOHNSON  
KENT POOL*

***CITY STAFF PRESENT:***

*KATIE LEWIS  
MARIELA RODRIGUEZ  
BYRON BROWN*

JACK HARPER  
CASSIE LEAL  
JOSH GREEN  
BILL HENRY  
MARIO ALMANZA  
ALEX ROJAS  
SHARON VALIANTE  
ERIN TUREAU  
CLIFF BROUHARD  
LINDSEY MILLER  
TIFFANY STODDARD  
MARIAH GALLEGOS  
CARLOS BARCENAS  
HANNAH NESEVITCH

**OTHERS PRESENT:**

TARA DEAN  
KAYLEEN NELSON  
J.D MCCANN  
CHET NELSON  
AND 5 OTHERS THAT DIDN'T SIGN IN

**III. INVOCATION- REVEREND JACKIE GILMORE- FULSHEAR GREATER ZACHERY 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.*

*KAYLEEN NELSON RESIDENT OF JAMES LANE SPOKE ABOUT CONCERNS WITH THE BRAY TRACT AND THE DRAINAGE APPROVAL PROCESS WITH FORT BEND COUNTY DRAINAGE DISTRICT.*

**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. CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCE REPORTING**

*JACK HARPER ANNOUNCED THE GOVERNMENT FINANCE OFFICERS ASSOCIATION HAS AWARDED THE CITY THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE FOR FINANCIAL REPORTING FOR THE FISCAL YEAR 2021 AUDIT.*

**B. DISTINGUISHED BUDGET PRESENTATION AWARD**

*JACK HARPER ANNOUNCED THE CITY RECEIVED THE DISTINGUISHED BUDGET PRESENTATION AWARD FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION FOR THE FISCAL YEAR 2023 BUDGET. THIS IS THE 7TH YEAR THE CITY RECEIVED THIS AWARD.*

**C. CHANGES TO VARIOUS CITY STAFF MEMBERS**

*JACK HARPER INTRODUCED THE NEW HIRES AND GAVE A BRIEF BACKGROUND ON EACH:*

*NEW HIRES*

- *CARLOS BARCENAS-PLANS EXAMINER I*
- *TIFFANY STODDARD- ASSISTANT DIRECTOR OF PUBLIC WORKS*
- *HANNAH NESEVITCH- CUSTOMER SERVICE REPRESENTATIVE*
- *JAMIE ESCOBAR-CUSTOMER SERVICE REPRESENTATIVE*
- *MARIAH GALLEGOS-COMMUNICATIONS/PUBLIC INFORMATION OFFICER (PIO)*
- *MARIO ALMANZA- ENVIRONMENTAL HEALTH SPECIALIST*

**D. UPDATE ON BUILD OUT OF CITY HALL AND SELECTION OF AESTHETIC AND INCIDENTAL ITEMS**

*JACK GAVE AN UPDATE ON BOTH BUILDINGS:*

*BUILDINGS A AND B*

- *SMALL NUMBER OF INTERIOR DOORS TO BE INSTALLED*
- *INTERIOR CARD READERS ARE BEING INSTALLED*
- *MINOR COSMETIC PUNCH LIST ITEMS*

*GENERAL ITEMS RELATED TO PROPERTY*

- *REESTABLISH LANDSCAPE WITH PROPERTY MANAGEMENT*

- LOCATION OF FLAGPOLE
- PAVEMENT MARKINGS AND BOLLARDS HAVE BEEN INSTALLED
- CURB STOPS HAVE BEEN INSTALLED IN PARKING LOTS

TO DATE WE HAVE EXPENDED \$6,433,522.00, 99% OF THE TOTAL PROJECT. NO CHANGE FROM LAST MONTH.

## **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 JANUARY 17, 2023 (SPECIAL) AND JANUARY 17, 2023 (REGULAR)**
- B. CONSENT AND POSSIBLE ACTION APPROVING AND AUTHORIZING THE CITY OF FULSHEAR TO ENTER INTO AN AGREEMENT WITH MUD 173 FOR THE INSTALLATION, MAINTENANCE, AND MONITORING OF AUTOMATED LICENSE PLATE RECOGNITION (ALPR) CAMERAS IN MUD 173**
- C. CONSENT AND POSSIBLE ACTION APPROVING AND AUTHORIZING THE CITY OF FULSHEAR TO ENTER INTO AN AGREEMENT WITH MUD 169 FOR THE INSTALLATION, MAINTENANCE, AND MONITORING OF AUTOMATED LICENSE PLATE RECOGNITION (ALPR) CAMERAS IN MUD 169**
- D. CONSENT AND POSSIBLE ACTION TO APPROVE THE DECEMBER 2022 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- E. CONSENT AND APPROVAL OF FY23 1ST QUARTER INVESTMENT REPORT & FY2023 INVESTMENT POLICY**
- F. CONSENT AND APPROVAL OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR DEL WEBB FULSHEAR, SECTION TWO, THREE, AND LOU WATERS PARKWAY, FBCMUD 245**
- G. CONSENT AND APPROVAL OF THE JORDAN RANCH STREET DEDICATION NO. 12 FINAL PLAT**
- H. CONSENT AND APPROVAL OF THE JORDAN RANCH STREET DEDICATION NO. 13 FINAL PLAT**
- I. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 44 FINAL PLAT**
- J. CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 46 FINAL PLAT**

- K. **CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 47 FINAL PLAT**
- L. **CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 48 FINAL PLAT**
- M. **CONSENT AND APPROVAL OF THE JORDAN RANCH SECTION 49 FINAL PLAT**
- N. **CONSENT AND APPROVAL OF THE BRAY TRACT FINAL PLAT**

*COUNCIL MEMBER KAHLICH ASKED TO REMOVE CONSENT ITEM N FOR DISCUSSION.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEMS A THROUGH M. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: JOHNSON, POOL*

*MOTION APPROVED*

### **CONSENT ITEM N**

*ZACH GOODLANDER AND CLIFF BROUHARD ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEM N. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: JOHNSON, POOL*

*MOTION APPROVED*

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

## **IX. BUSINESS**

### **A. PRESENTATION REGARDING THE 2022 RACIAL PROFILING REPORT AND DEPARTMENT YEAR END REPORT**

*CHIEF KENNY SEYMOUR INTRODUCED THIS ITEM AND PRESENTED A SLIDE SHOW THAT CONSISTED OF THE FOLLOWING:*

- *STOP PERCENTAGE*
- *2022 CONTACTS*
- *SEARCH PERCENTAGES*
- *TIER 2 DATA*
- *RACIAL PROFILING STATISTICS*
- *RACIAL PROFILING CONCLUSION*
- *2021-2022 YEAR END STATISTICS*
- *5 YEAR TRAFFIC CONTACTS*
- *5 YEAR OFFENCES INVESTIGATED*
- *5 YEAR CALLS FOR SERVICE*
- *2022 DEPARTMENT STATISTICS*
- *PART ONE CRIMES*
- *2022 TOTALS*
- *RATES AND TRENDS*
- *INTERNAL REPORT*
- *DEPARTMENT PERSONNEL*
- *TPCA "RECOGNIZED LAW ENFORCEMENT AGENCY AWARD"*
- *ONGOING INITIATIVES*
- *PROJECTED INITIATIVES*
- *COMMUNITY ORIENTED PROJECTS*

*CHIEF SEYMOUR ANSWERED QUESTIONS FROM COUNCIL.*

*\*\* FOR THE FULL PRESENTATION/SLIDE SHOW AND DISCUSSION PLEASE REFER TO THE CITY'S WEBSITE TO VIEW THE VIDEO\*\**

## **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**

- **UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN**

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO ADJOURN INTO EXECUTIVE SESSION. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: JOHNSON, POOL*

*APPROVED*

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

*MAYOR GROFF RECONVENED THE REGULAR CITY COUNCIL MEETING AT 8:45 P.M.*

## **XI. ACTION FROM EXECUTIVE SESSION**

### **A. CONSIDERATION AND POSSIBLE ACTION REGARDING THE APPROVAL, APPROVAL WITH CONDITIONS, OR DISAPPROVAL OF THE UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN**

*A MOTION WAS MADE BY COUNCIL MEMBER CATES TO APPROVAL CROSS CREEK RANCH GENERAL PLAN UPDATE WITH THE CONDITIONS AS SET OUT IN THE ESTOPPAL LETTER. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

*NAYS:*

*ABSTAIN:*

*ABSENT: JOHNSON, POOL*

*MOTION APPROVED*

## **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.

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO EXCUSE THE ABSENCE OF COUNCIL MEMBER JOHNSON. IT WAS SECONDED BY MAYOR PRO-TEM MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON*

NAYS:  
ABSTAIN:  
ABSENT: JOHNSON, POOL

MOTION APPROVED

**XIII. ADJOURNMENT**

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

AYES: CATES, KAHLICH, KNAPE, MARTIN, PATTERSON

NAYS:

ABSTAIN:

ABSENT: JOHNSON, POOL

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 8:47 P.M.

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AARON GROFF, MAYOR

ATTEST:

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MARIELA RODRIGUEZ, CITY SECRETARY