



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

SPECIAL CITY COUNCIL MEETING MINUTES

March 7, 2023

I. CALL TO ORDER

A SPECIAL 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 5:30 P.M.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

*AARON GROFF
JOEL PATTERSON
DEBRA CATES
KENT POOL
JASON KNAPE
LISA MARTIN
SARAH JOHNSON
KAYE KAHLICH*

CITY STAFF PRESENT:

*KATIE LEWIS
MARIELA RODRIGUEZ
BYRON BROWN
JOSH GREEN
JACK HARPER
JESUS ESCOBAR*

KENNY SEYMOUR
SHARON VALIANTE
ERIN TUREAU
ZACH GOODLANDER
KRISTI BRASHEAR
HEIDY TAYLOR
MEREDITH DUSEK
KERRY SIGLER
KIM KOPECKY
MIKE MCCOY
BILL HENRY
LINDSEY MILLER
MARIAH GALLEGOS @ 5:38 P.M.

OTHERS PRESENT:

1 PERSON THAT DID NOT SIGN IN

III. 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.

IV. 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.

V. BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1410 APPOINTING BYRON BROWN AS CITY ATTORNEY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE

BYRON BROWN WAS APPOINTED FROM ACTING CITY ATTORNEY TO CITY ATTORNEY EFFECTIVE MARCH 8, 2023 AT 12:01A.M.

BYRON'S CONTRACT WILL BE AMENDED AND BROUGHT BACK TO COUNCIL FOR APPROVAL ON MARCH 21, 2023.

BYRON ANSWERED QUESTIONS FROM COUNCIL

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE ORDINANCE NUMBER 2023-1410. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING ROLL CALL VOTE.

*KAHLICH-NAY
PATTERSON-AYE
KNAPE-AYE
CATES-NAY
MARTIN-AYE
POOL-AYE
JOHNSON-AYE*

MOTION APPROVED BY SUPER MAJORITY 5-2

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

VI. EXECUTIVE SESSION

- A. 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 MANAGER**

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

*AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL
NAYS:
ABSTAIN:
ABSENT:*

MOTION APPROVED

MAYOR GROFF ADJOURNED THE SPECIAL MEETING INTO EXECUTIVE SESSION AT 5:36 P.M.

MAYOR GROFF RECONVENED TO THE SPECIAL MEETING AT 6:05 P.M.

**** GO TO ITEM VI, LETTER A, "ACTION FROM EXECUTIVE SESSION" ****

- B. 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**

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

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE SPECIAL MEETING INTO EXECUTIVE SESSION AT 6:06 P.M.

MAYOR GROFF RECONVENED TO THE SPECIAL MEETING AT 6:55 P.M.

**** GO TO ITEM VI, LETTER A, "ACTION FROM EXECUTIVE SESSION" ****

- 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 MANAGER**

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

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE SPECIAL MEETING INTO EXECUTIVE SESSION AT 6:56 P.M.

MAYOR GROFF RECONVENED TO THE SPECIAL MEETING AT 7:52 P.M.

**** GO TO ITEM VI, LETTER A, "ACTION FROM EXECUTIVE SESSION" ****

VII. ACTION FROM EXECUTIVE SESSION

A. CONSIDERATION AND POSSIBLE ACTION REGARDING THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A CITY MANAGER

THERE WAS NO ACTION FROM EXECUTIVE SESSION.

****BACK TO ITEM V. EXECUTIVE SESSION LETTER A****

VIII. ADJOURNMENT

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

AYES: CATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 7:53 P.M.

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY