



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

March 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
SARAH JOHNSON
KENT POOL*

CITY STAFF PRESENT:

*KATIE LEWIS
MARIELA RODRIGUEZ
BYRON BROWN
JACK HARPER
CASSIE LEAL*

JOSH GREEN
BILL HENRY
KENNY SEYMOUR
SHARON VALIANTE
ERIN TUREAU
ZACH GOODLANDER

OTHERS PRESENT:

REV. JACKIE L. GILMORE
AMEN O'NEILL
DEVIN ESPINOSA
CHANTELLE JAMNIK
MAYRA HERNANDEZ
ABHI UTTURKAR
BONNIE TYLER

4 OTHER PEOPLE THAT DIDN'T SIGN IN

III. INVOCATION-ROBERT VAUGHN, FULSHEAR CHURCH OF CHRIST ELDER

INVOCATION WAS GIVEN BY REV. JACKIE GILMORE.

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.

REV. JACKIE GILMORE RESIDENT OF WILSON ST. SPOKE ABOUT THE LAWSUIT AGAINST THE GREATER ZACHARY CHURCH.

AMEN O'NEILL RESIDENT OF NEW GRASS LANE IN KATY SPOKE OF THE EXPANSION OF FULSHEAR.

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

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

NEW HIRES

- DEBRA CAESAR-POLICE OFFICER
- CORRIE GHAFARI- FINANCE SPECIALIST II
- TIFFANY FIELDS-UTILITY SERVICE SPECIALIST
- ANNEL GUADALUPE-ECONOMIC DEVELOPMENT DIRECTOR

B. UPDATE ON APPLICATION PROCESS FOR BOARDS & COMMISSIONS VACANCIES

JACK HARPER GAVE INFORMATION REGARDING VACANCIES AND ACCEPTING APPLICATIONS

CITY COUNCIL WILL APPOINT NEW BOARDS AND COMMISSIONS MEMBERS ON MAY 16, 2023.

DEADLINE FOR APPLICATIONS IS APRIL 24, 2023 BY 5 PM TO THE CITY SECRETARIES OFFICE.

C. POLICE DEPARTMENT GRANTS

JACK HARPER STATED THE POLICE DEPARTMENT RECEIVED GRANTS.

GRANTS

1. WALMART SEALY DISTRIBUTION CENTER- \$2,500.00
THIS IS A COMMUNITY GRANT TO FUND YOUTH EDUCATION AND SAFETY PROGRAMS. THIS WILL BE USED FOR THE RADKIDS PROGRAM.
2. OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE- \$23,877.87
THIS GRANT IS FOR RIFLE RESISTANT BODY ARMOR. THE CITY WAS ABLE TO PURCHASE TWENTY-FOUR (24) TYPE 4 BODY ARMOR PLATES.
3. OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE-\$22,992.36
THIS GRANT IS FOR BULLET RESISTANT SHIELDS. THE CITY WAS ABLE TO PURCHASE THREE (3) LEVEL 3 SHIELDS.

CHIEF SEYMOUR ANSWERED QUESTIONS FROM COUNCIL.

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 FEBRUARY 7, 2023 (SPECIAL), FEBRUARY 21, 2023 (SPECIAL) AND FEBRUARY 21, 2023 (REGULAR)**
- B. CONSENT AND APPROVAL OF THE CERTIFICATION OF UNOPPOSED CANDIDATES AND ORDINANCE NO. 2023-1412, AN ORDINANCE DECLARING THAT THE UNOPPOSED CANDIDATES ARE DULY ELECTED; CANCELLING THE MAY 6, 2023 GENERAL MUNICIPAL ELECTION**
- C. CONSENT AND POSSIBLE ACTION TO APPROVE THE JANUARY 2023 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**
- D. CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXPENSE THE AMOUNT OF \$135,000 WITH TYLER TECHNOLOGIES, INC.**
- E. CONSENT AND APPROVAL OF ORDINANCE NO. 2023-1413, AMENDING CITY COUNCIL'S RULES OF PROCEDURE TO ADOPT THE CURRENT EDITION OF "ROBERT'S RULES OF ORDER NEWLY REVISED"**
- F. CONSENT AND APPROVAL OF THE FIRST AMENDMENT TO ACTING CITY ATTORNEY AGREEMENT**
- G. CONSENT AND APPROVAL OF STREET DEDICATION FOR DEL WEBB FULSHEAR, SECTIONS TWO, THREE AND LOU WATERS PARKWAY FOR FBCMUD 245.**
- H. CONSENT AND APPROVAL OF THE DEL WEBB FULSHEAR SECTION 5 FINAL PLAT**
- I. CONSENT AND APPROVAL OF THE FULSHEAR LAKES CREEKSIDE SECTION 5 FINAL PLAT**
- J. CONSENT AND APPROVAL OF THE MARCEL SQUARE FINAL PLAT**
- K. CONSENT AND APPROVAL OF THE TAMARRON SECTION 37 PRELIMINARY PLAT**
- L. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 8 FINAL PLAT**

- M. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 9 FINAL PLAT**
- N. CONSENT AND APPROVAL OF THE TAMARRON WEST SECTION 16 FINAL PLAT**
- O. CONSENT AND DISAPPROVAL OF THE FULSHEAR MAIN STREET FINAL PLAT FOR FAILURE TO COMPLY WITH SECTION 28-7-36 (E) (3) OF THE CITY'S CODE OF ORDINANCES**

COUNCIL MEMBER KAHLICH ASKED TO REMOVE CONSENT ITEM D FOR DISCUSSION.

COUNCIL MEMBER POOL ASKED TO REMOVE CONSENT ITEM O FOR DISCUSSION.

MAYOR GROFF ASKED TO REMOVE CONSENT ITEMS K-N FOR DISCUSSION.

A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO APPROVE CONSENT ITEMS A-C, E-J. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

CONSENT ITEM D

JESUS ESCOBAR ANSWERED QUESTIONS FROM COUNCIL

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

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

CONSENT ITEMS K-N

MAYOR GROFF STATED HE REMOVED THIS ITEM BECAUSE HE RECEIVED A LETTER OF OBJECTION FROM THE SCHOOL. THEY STATED THEY'RE OBJECTING TO NEW HOMES BEING BUILT IN TAMARRON DUE TO NO NEW SCHOOL SITE HAS NOT BEEN DETERMINED.

CITY STAFF ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE CONSENT ITEMS K-N. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

CONSENT ITEM O

BYRON BROWN ANSWERED QUESTIONS FROM COUNCIL

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO DISAPPROVE CONSENT ITEM O. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

IX. BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE FY2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT

ERIN TUREAU INTRODUCED DANIEL HEBERT FROM BELT HARRIS PECHACEK TO PRESENT THE FISCAL YEAR 2022 ANNUAL

COMPREHENSIVE FINANCIAL REPORT.

DANIEL WENT THROUGH THE CITY OF FULSHEAR, TEXAS ANNUAL COMPREHENSIVE FINANCIAL REPORT YEAR ENDED SEPTEMBER 30, 2022 THAT WAS HANDED OUT.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE FY2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT. IT WAS SECONDED BY MAYOR PRO-TEM MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

B. REVIEW AND APPROVAL OF ORDINANCE 2023-1414 - FY2023 BUDGET AMENDMENT #1

ERIN TUREAU EXPLAINED BUDGET AMENDMENT NUMBER ONE IS TO INCREASE VEHICLE EXPENDITURES IN THE AMOUNT OF \$150,000.

THE OTHER BUDGET AMENDMENT IS FOR THE UTILITY FUND (FUND 500) TO INCREASE THE SANITATION REVENUES IN THE AMOUNT OF \$315,000 AND INCREASE THE SANITATION SERVICES IN THE AMOUNT OF \$741,000.

ERIN ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE ORDINANCE 2023-1414 FOR AMENDMENT NO.1 FY2023 BUDGET. IT WAS SECONDED BY COUNCILMEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-591, A RESOLUTION REPEALING RESOLUTION NO. 2022-579, BEING A

RESOLUTION DIRECTING THE CITY MANAGER AND THE CITY ATTORNEY TO PROVIDE THE CITY COUNCIL WITH NOTICE OF LEAVE

THIS ITEM WAS BROUGHT FORWARD AT THE REQUEST OF COUNCIL.

MAYOR EXPLAINED THE RESOLUTION BEING CONSIDERED FOR REPEAL PREVIOUSLY REQUIRED THE CITY MANAGER AND CITY ATTORNEY TO NOTIFY ALL OF COUNCIL OF ANY AND ALL LEAVE.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2023-591. THE MOTION WAS SECONDED BY COUNCIL MEMBER POOL.

COUNCIL MEMBER CATES THEN INDICATED SHE WISHED TO MAKE FURTHER COMMENTS. DURING HER COMMENTS, A MOTION WAS MADE BY COUNCIL MEMBER JOHNSON TO CALL THE QUESTION. MOTION WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION TO CALL THE QUESTION WAS CARRIED BY THE FOLLOWING VOTE.

AYES: JOHNSON, KNAPE, MARTIN, PATTERSON, POOL

NAYS: CATES, KAHLICH

ABSTAIN:

ABSENT:

MOTION TO CALL THE QUESTION WAS APPROVED

THE MOTION MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2023-591 AND SECONDED BY COUNCIL MEMBER POOL WAS THEN TAKEN TO VOTE.

THE MOTION TO APPROVE THE RESOLUTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: JOHNSON, KNAPE, MARTIN, PATTERSON, POOL

NAYS: CATES, KAHLICH

ABSTAIN:

ABSENT:

MOTION APPROVED

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

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE SPECIAL MEETING INTO EXECUTIVE SESSION AT 7:50 P.M.

MAYOR GROFF RECONVIENED THE SPECIAL MEETING AT 8:27 P.M.

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

XI. 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

*** GO BACK TO ITEM X, LETTER A "EXECUTIVE SESSION" ***

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.

NO ACTION WAS TAKEN ON THIS ITEM

XIII. 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: GATES, JOHNSON, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL

NAYS:
ABSTAIN:
ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 8:28 PM

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY