



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**

### **April 18, 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 7:01 P.M.*

**II. QUORUM AND ROLL CALL**

*A QUORUM WAS PRESENT.*

***COUNCIL MEMBERS PRESENT:***

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

***COUNCIL MEMBERS ABSENT:***

*KAYE KAHLICH*

***CITY STAFF PRESENT:***

*KATIE LEWIS  
BILL HENRY  
KENNY SEYMOUR*

BYRON BROWN  
JOSH GREEN  
JESUS ESCOBAR  
SHARON VALIANTE  
ERIN TUREAU  
CASSIE LEAL  
HEIDY TAYLOR  
LANCE HALL  
MEREDITH DUSEK  
KRISTI BRASHEAR  
CLIFF BROUHARD  
MARIAH GALLEGOS  
CORRIE GHAFARI  
SARAH LASKER  
MISSY ORTIZ

**\*\* ZACH GOODLANDER ACTED AS THE CITY MANAGER ON BEHALF OF JACK HARPER'S ABSENCE\*\***

**OTHERS PRESENT:**

BONNIE TYLER  
ANDREW LANG  
DENNIS SHELTON  
REV. J. GILMORE SR.  
DEC ALVIN CLAY  
TYRON GILMORE  
ZERLEAN JAMES  
RAYMOUND RODGERS  
KAREN MARESH  
MS. CLAY  
TREY DEVILLIER

AND 8 OTHERS THAT DID NOT SIGN IN

**III. INVOCATION-PASTOR JOSH CULLEN, THRIVE CHURCH**

INVOCATION WAS GIVEN BY PASTOR JOSH CULLEN FROM THRIVE CHURCH.

**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 FULSHEAR SPOKE ABOUT THE LAWSUIT AGAINST THE GREATER ZACHARY CHURCH.

DEACON ALVIN CLAY SPOKE OF THE LAWSUIT REGARDING THE RIGHT OF WAY AT GREATER ZACHARY CHURCH.

TYRON GILMORE MEMBER OF GREATER ZACHARY CHURCH IS ASKING FOR SUPPORT FROM THE CITY.

ZERLEAN JONES MEMBER OF GREATER ZACHARY CHURCH SPOKE OF THE RIGHT OF WAY IN FRONT OF THE CHURCH.

KAREN MARESH FRIEND OF THE MEMBERS OF GREATER ZACHARY CHURCH SPOKE OF THE LAWSUIT.

RAYMOUND RODGERS OFFICER OF THE GREATER ZACHARY CHURCH MENTIONED IT'S WRONG WHAT'S GOING ON WITH THE RIGHT OF WAY.

## **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**

ZACH GOODLANDER INTRODUCED THE NEW HIRE LANCE HALL THE ASSISTANT PUBLIC WORKS DIRECTOR AND GAVE A BRIEF BACKGROUND.

### **B. UPDATE ON BOARDS AND COMMISSIONS**

ZACH GOODLANDER MENTIONED THE CITY SECRETARY'S OFFICE WILL RECEIVE APPLICATIONS UNTIL APRIL 24, 2023 AT 5PM.

THEY HAVE ONLY RECEIVED THREE (3) APPLICATIONS FOR BOARDS AND COMMISSIONS.

NOW HAVE 2 OPENINGS ON THE ZONING BOARD OF ADJUSTMENT

MAYOR GROFF STATED HE WOULD EXTEND THE DEADLINE UNTIL FRIDAY, APRIL 28, 2023 AT 5PM, FOR RESIDENTS TO APPLY FOR BOARDS AND

COMMISSIONS.

**VIII PUBLIC HEARING**

- A THE CITY OF FULSHEAR, TEXAS WILL CONDUCT TWO PUBLIC HEARINGS FOR THE PURPOSE OF ALLOWING PUBLIC COMMENT ON A PROPOSED UPDATE TO THE CITY'S MAJOR THOROUGHFARE PLAN. THE FIRST WILL BE HELD AT 8:30 A.M. ON THURSDAY, APRIL 6, 2023 DURING THE CITY'S PLANNING AND ZONING COMMISSION MEETING. THE SECOND PUBLIC HEARING WILL BE CONDUCTED AT 7:00 P.M. ON TUESDAY, APRIL 18, 2023 DURING THE CITY COUNCIL MEETING. COPIES OF THE PROPOSED PLAN ARE ON FILE WITH THE CITY SECRETARY AT THE CITY OF FULSHEAR CITY HALL LOCATED AT 6611 W. CROSS CREEK BEND LN. FULSHEAR, TEXAS 77441 FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING. ALL INTERESTED PARTIES MAY APPEAR AND SPEAK DURING THE PUBLIC HEARINGS AND BE HEARD WITH RESPECT TO THE ABOVE REFERENCED PLAN.**

*MAYOR GROFF OPENED THE PUBLIC HEARING AT 7:17 PM*

*ZACH GOODLANDER SPOKE OF 4 PARTS THAT HAVE CHANGED TO THE MAJOR THOROUGHFARE PLAN:*

- 1. SOUTHERN PART OF ETJ- DOWNGRADE & RECLASSIFICATION OF MUCH OF WINNER-FOSTER TO A "RURAL BYWAY"*
- 2. BOIS 'D ARC TO TIKI EXTENSION-PROPOSE TO DOWNGRADE TO "FUTURE DESIRED CONNECTIVITY"*
- 3. ADDITION/EXTENSION OF DIXON RD. TO JORDAN RANCH BLVD.*
- 4. OMISSION OF HIDDEN TRAILS/PATTERSON EASTWARD CONNECTION TO KATY-FULSHEAR*

*NO CITIZEN COMMENTS*

*MAYOR GROFF CLOSED THE PUBLIC HEARING AT 7:23 PM*

**IX. 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 MARCH 7, 2023 (SPECIAL), MARCH 21, 2023 (SPECIAL) AND MARCH 21, 2023 (REGULAR)**
- B. CONSENT AND POSSIBLE ACTION TO APPROVE THE FEBRUARY 2023 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**

- C. **CONSENT AND APPROVAL TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE 2023 PRICE INDEX ADJUSTMENT TO MUNICIPAL TELECOMMUNICATIONS RIGHT OF WAY ACCESS LINE RATES DECLINING THE DEFAULT RATE INCREASE**
- D. **CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR PECAN RIDGE, SECTION ONE FOR FBCMUD NO. 175**
- E. **CONSENT AND APPROVAL OF CONVEYANCE AND BILL OF SALE OF WATER TRUNK LINE, WATER METER AND WASTEWATER TRUNK LINE FACILITIES CONSTRUCTED ALONG FM1093 TO SERVE FULSHEAR SCHOOL ROAD AND SCHOOL HILL ROAD FOR FBCMUD 216**
- F. **CONSENT AND APPROVAL OF ASSIGNMENT OF 1.287 ACRES OF WATER LINE AND SANITARY SEWER LINE EASEMENT CONSTRUCTED ALONG FM1093 TO SERVE FULSHEAR SCHOOL ROAD AND SCHOOL HILL ROAD FOR FBCMUD 216**
- G. **CONSENT AND APPROVAL OF UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR PECAN RIDGE LIFT STATION FOR FBCMUD 175**
- H. **CONSENT AND APPROVAL OF THE CROSS CREEK WEST BOULEVARD EXTENSION NO. 1 STREET DEDICATION FINAL PLAT**
- I. **CONSENT AND APPROVAL OF THE FULSHEAR BEND DRIVE STREET DEDICATION NO. 1 IN CROSS CREEK WEST FINAL PLAT**
- J. **CONSENT AND APPROVAL OF THE CROSS CREEK WEST SECTION 7 FINAL PLAT**
- K. **CONSENT AND APPROVAL OF THE TAMARRON SECTION 37 FINAL PLAT**

*A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE CONSENT ITEMS A-K. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

**X. BUSINESS**

- A. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ACKNOWLEDGEMENT FEE CREDIT AMONG THE CITY OF FULSHEAR AND FBCMUD NO. 216 AND FULSHEAR LAKES, LTD**

SHARON VALIANTE STATED FULSHEAR LAKES COMMUNITY HAS A DEVELOPMENT AGREEMENT WITH THE CITY OF FULSHEAR. IN THE DEVELOPMENT AGREEMENT, THE CITY WILL CREDIT FEES TO THE DEVELOPER FOR THE COST TO EXTEND WATER AND WASTE WATER FACILITIES AND CONNECT TO THE CITY'S UTILITY SYSTEM.

THE CALCULATED INFRASTRUCTURE FEE CREDIT IS: \$572,550.60.

THE ESTIMATED CAPITOL RECOVERY FEE FOR THE DEVELOPMENT IS:\$7,930,800.00.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AN ACKNOWLEDGEMENT FEE CREDIT AMONG THE CITY OF FULSHEAR AND FORT BEND COUNTY MUD NO. 216 IN FULSHEAR LAKES. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT: KAHLICH

MOTION APPROVED

- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1418. AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, ESTABLISHING THE REGULAR BUSINESS DAYS AND OFFICE HOURS OF THE CITY OF FULSHEAR FOR THE PURPOSE OF CONDUCTING A PILOT PROGRAM FOR A COMPRESSED, FOUR DAY WORKWEEK; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

KRISTI BRASHEAR INTRODUCED A PILOT PROGRAM FOR A FOUR (4) DAY WORK WEEK TO COUNCIL. THE PROGRAM IS TO GIVE THE EMPLOYEES A WORK LIFE BALANCE.

DETAILS OF PILOT PROGRAM:

- MAY 22, 2023- AUGUST 25, 2023
- BUSINESS/WORK HOURS FROM 7:30AM-5:30PM
- 10 HOUR WORK DAYS WITH A 30 MINUTE LUNCH
- CLOSED ON FRIDAYS

KRISTI GAVE AN EXAMPLE OF THE CITY OF KELLER AND HOW THEY ARE CURRENTLY USING A 4 DAY WORK WEEK.

KRISTI ANSWERED QUESTIONS FROM COUNCIL.

**\*\*FOR THE FULL DISCUSSION, VISIT THE CITY WEBSITE TO VIEW THE VIDEO\*\***

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE OF ORDINANCE NO. 2023-1418 WITH THE AMENDMENT TO START ON MAY 22ND AND FINISH THE PILOT THROUGH JUNE 30. IT WAS SECONDED BY COUNCILMEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KNAPE, MARTIN, POOL*

*NAYS: PATTERSON*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1415 AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, REPEALING AND REPLACING APPENDIX B OF THE FULSHEAR CODE, BEING A MAJOR THOROUGHFARE MAP CONSTITUTING AND DEPICTING THE CITY'S MAJOR THOROUGHFARE PLAN; AMENDING THE CITY'S COMPREHENSIVE PLAN BY REPEALING AND REPLACING THE MAJOR THOROUGHFARE PLAN SET FORTH THEREIN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE**

**\*\*GO TO ITEM VIII., "PUBLIC HEARING" FOR DISCUSSION\*\***

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1415. IT WAS SECONDED BY COUNCILMEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-593, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, DETERMINING THE TIME AND PLACE FOR REGULAR CITY COUNCIL MEETINGS IN ACCORDANCE WITH SECTION 3.09(a) OF THE CITY OF FULSHEAR HOME-RULE CHARTER**

*BYRON BROWN STATED THIS RESOLUTION IS TO ADJUST THE REGULAR MEETING TIME FROM 7:00PM TO 5:30PM. THIS WILL ELIMINATE HAVING*

*TWO MEETING TIMES AND LESS BURDEN ON CITY STAFF.*

*BYRON ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2023-593. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2023-1421, AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE II, CITY COUNCIL, DIVISION 2, RULES OF PROCEDURE, REGARDING THE TIME AND PLACE FOR HOLDING REGULAR MEETINGS**

*BYRON STATED THE CITY'S CURRENT RULES OF PROCEDURES STATES A MEETING TIME OF 7:00PM. THIS ORDINANCE IS TO CORRECT THE MEETING TIME TO 5:30PM AND ANY CHANGES IN THE FUTURE MAY BE CHANGED THROUGH A RESOLUTION.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1421. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

- F. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE MICROSOFT VOLUME LICENSE ENTERPRISE AGREEMENT TO COVER ALL MICROSOFT PRODUCT LICENSES**

*JESUS ESCOBAR STATED THIS IS AN AGREEMENT FOR ALL MICROSOFT LICENSING FOR THE CITY OF FULSHEAR.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO AUTHORIZE THE*



*CITY MANAGER TO EXECUTE THE MICROSOFT VOLUME LICENSE ENTERPRISE AGREEMENT TO COVER ALL MICROSOFT PRODUCT LICENSES. IT WAS SECONDED BY COUNCILMEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-594 FINDING THAT CENTERPOINT ENERGY HOUSTON ELECTRIC LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR SHOULD BE DENIED**

*SHARON VALIANTE GAVE A BRIEF SUMMARY OF THE CENTERPOINT ENERGY DISTRIBUTION COST RECOVERY FACTOR (DCRF) FILING.*

*CENTERPOINT ENERGY ELECTRIC, LLC WOULD LIKE TO AMEND IT'S DISTRIBUTION COST RECOVERY FACTOR (DCRF) TO INCREASE DISTRIBUTION RATES AND INCREASE IT'S DISTRIBUTION REVENUES OF \$84,571,868.*

*THE PURPOSE OF THE RESOLUTION IS TO DENY THE DISTRIBUTION COST RECOVERY FACTOR (DCRF) APPLICATION PROPOSED BY CENTERPOINT.*

*BYRON BROWN ANSWERED QUESTIONS FROM COUNCIL.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2023-594. IT WAS SECONDED BY COUNCILMEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

**H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-595, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS, EXERCISING THE CITY'S OPTION TO EXTEND THE TERM OF THAT CERTAIN PROMISSORY NOTE BETWEEN THE CITY OF FULSHEAR AND BANCORPSOUTH BANK DATED JUNE 18, 2021**

*MAYOR GROFF STATED THIS IS AN ANNUAL REQUIREMENT.*

*NO FURTHER DISCUSSION ON THIS ITEM.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2023-595. IT WAS SECONDED BY COUNCILMEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

- I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-592, A RESOLUTION OF THE CITY OF FULSHEAR REAFFIRMING THE CITY MANAGER'S AUTHORITY TO ADMINISTER CITY POLICIES FOR PURCHASING AND PROCUREMENT AND EXPRESSLY DELEGATING TO THE CITY MANAGER CERTAIN PURCHASING AUTHORITY**

*BYRON BROWN STATED THE FINANCE DEPARTMENT IS UPDATING THE PURCHASING POLICY MANUAL.*

*THIS RESOLUTION IS TO GIVE THE CITY MANAGER AUTHORITY TO AUTHORIZE CHANGE ORDERS WHICH INVOLVE A DECREASE OR INCREASE OF \$50,000 OR LESS.*

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2023-592. IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

- J. PROCLAMATION BY MAYOR GROFF APPOINTING A DIRECTOR TO THE FORT BEND SUBSIDENCE DISTRICT BOARD**

*NO ACTION WAS TAKING AT THIS MEETING, REFER TO SPECIAL CITY COUNCIL MEETING ON APRIL 18, 2023.*

- K. CONSIDERATION OF RESOLUTION NO. 2023-582, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC**

**DEVELOPMENT SALES TAX CORPORATION (1ST READING)**

*NO ACTION WAS TAKING AT THIS MEETING, REFER TO SPECIAL CITY COUNCIL MEETING ON APRIL 18, 2023.*

- L. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-582, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE “A” ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)**

*NO ACTION WAS TAKING AT THIS MEETING, REFER TO SPECIAL CITY COUNCIL MEETING ON APRIL 18, 2023.*

- M. CONSIDERATION OF RESOLUTION NO. 2023-583 OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE “B” ECONOMIC DEVELOPMENT SALES TAX CORPORATION (1ST READING)**

*NO ACTION WAS TAKING AT THIS MEETING, REFER TO SPECIAL CITY COUNCIL MEETING ON APRIL 18, 2023.*

- N. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2023-583, A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE “B” ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)**

*NO ACTION WAS TAKING AT THIS MEETING, REFER TO SPECIAL CITY COUNCIL MEETING ON APRIL 18, 2023.*

**XI. 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**

- **Section 41.003, Local 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, KNAPE, MARTIN, PATTERSON, JOHNSON, POOL  
NAYS:*

ABSTAIN:  
ABSENT:KAHLICH

MOTION APPROVED

MAYOR ADJOURN THE SPECIAL MEETING TO EXECUTIVE SESSION AT 8:23 PM.

MAYOR RECONVENED TO THE SPECIAL MEETING AT 8:33 PM.

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

## **XII. ACTION FROM EXECUTIVE SESSION**

- A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2023-1419, AN ORDINANCE DECLARING AN AREA THAT IS ADJACENT TO THE CITY OF FULSHEAR AND THAT MEETS THE REQUIREMENTS OF SECTION 41.003(b), LOCAL GOVERNMENT CODE, TO BE A PART OF THE CITY OF FULSHEAR**

*NO DISCUSSION ON THIS ITEM.*

**\*\*GO TO ITEM XII, LETTER A, "EXECUTIVE SESSION" \*\***

*A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2023-1419. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

## **XIII. 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**

*NO ACTION WAS TAKING AT THIS MEETING.*

## **XIV. ACTION FROM EXECUTIVE SESSION**

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

*NO ACTION WAS TAKING AT THIS MEETING.*

**XV. 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 TAKING AT THIS MEETING*

**XVI. ADJOURNMENT**

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

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

*NAYS:*

*ABSTAIN:*

*ABSENT: KAHLICH*

*MOTION APPROVED*

*MAYOR GROFF ADJOURNED THE SPECIAL MEETING AT 8:35 PM*

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AARON GROFF, MAYOR

ATTEST:

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KATIE LEWIS, ASSISTANT CITY SECRETARY