



# CITY OF FULSHEAR

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Fulshear, Texas 77441

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[www.fulsheartexas.gov](http://www.fulsheartexas.gov)

[www.FulshearTexas.gov](http://www.FulshearTexas.gov)

## CITY COUNCIL:

**MAYOR:** Aaron Groff

**MAYOR PRO-TEM:** Debra Cates

**COUNCIL MEMBER:** Kent Pool

**COUNCIL MEMBER:** John Kelly

**COUNCIL MEMBER:** Kaye Kahlich

**COUNCIL MEMBER:** Lisa Martin

**COUNCIL MEMBER:** Joel  
Patterson

**COUNCIL MEMBER:** Sarah B.  
Johnson

## STAFF:

**CITY MANAGER:** Jack Harper

**CITY SECRETARY:** Kimberly  
Kopecky

**CITY ATTORNEY:** J. Grady Randle

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# CITY COUNCIL MEETING MINUTES

## April 19, 2022

### **I. CALL TO ORDER**

*A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:06 P.M.*

### **II. QUORUM AND ROLL CALL**

*A QUORUM WAS PRESENT.*

#### ***COUNCIL MEMBERS PRESENT:***

*AARON GROFF*

*KAYE KAHLICH*

*DEBRA CATES*

*KENT POOL*

*JOHN KELLY*

*LISA MARTIN*

SARAH JOHNSON  
JOEL PATTERSON

**CITY STAFF PRESENT:**

KIMBERLY KOPECKY  
MARIELA RODRIGUEZ  
JACK HARPER  
BYRON BROWN  
SHARON VALIANTE  
JESUS ESCOBAR  
ERIN TUREAU  
JESS WASHBURN  
ZACH GOODLANDER  
CLIFF BROUHARD  
KENNY SEYMOUR

**OTHERS PRESENT:**

ANGIE PETERS  
TREY DEVILLIER  
EVERETT DEAO  
AND APPROXIMATELY 6 OTHERS THAT DID NOT SIGN IN.

**III. INVOCATION**

INVOCATION WAS GIVEN BY DALE OLSON.

**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.

THERE WERE NO CITIZEN COMMENTS.

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

*A BRIEF UPDATE WAS GIVEN, INCLUDING INFORMATION ON THE DROP CEILING, SPRINKLER SYSTEM, HVAC, AND SUPPLY CHAIN ISSUES.*

**B. UPDATE ON MOVE TO NEW CITY HALL**

*ORIGINALLY, WE HAD A TWO WEEK INCREMENTAL MOVE IN, HOWEVER, DUE TO SOME SUPPLY CHAIN ISSUES, WE MAY MOVE ALL AT ONCE AT THE END OF MAY.*

**C. GRAND OPENING FOR NEW CITY HALL**

*FORMAL GRAND OPENING IS FRIDAY, JULY 15 FROM 10 A.M. – NOON. WE WILL HAVE A SOFT OPENING WHEN WE TAKE POSSESSION OF THE BUILDING.*

**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 MEETING HELD ON MARCH 22, 2022 (SPECIAL MEETING)**

**B. PRESENTATION AND POSSIBLE ACTION REPEALING AND REPLACING RESOLUTION NO. 2022-541 AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDING FOR RIFLE-RESISTANT BODY ARMOR FOR THE POLICE DEPARTMENT UNDER A GRANT PROVIDED BY THE OFFICER OF THE GOVERNOR OF TEXAS, CRIMINAL JUSTICE DIVISION**

**C. CONSENT AND POSSIBLE ACTION TO APPROVE THE FEBRUARY 2022 FINANCIAL REPORT FOR THE GENERAL AND UTILITY FUNDS**

**D. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR FULBROOK ON FULSHEAR CREEK, SECTION 6 FROM MUD NO. 1**

**E. CONSENT AND APPROVAL OF STREET DEDICATION, UTILITY CONVEYANCE AND SECURITY AGREEMENT FOR DEL WEBB FULSHEAR, SECTION 1 FROM MUD NO. 245**

**F. CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH ELEMENTARY SCHOOL PRELIMINARY PLAT**

- G. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH STREET DEDICATION NO. 11 FINAL PLAT**
- H. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH SECTION 35 FINAL PLAT**
- I. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH SECTION 36 FINAL PLAT**
- J. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH SECTION 37 FINAL PLAT**
- K. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH SECTION 38 FINAL PLAT**
- L. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH SECTION 39 FINAL PLAT**
- M. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH SECTION 40 FINAL PLAT**
- N. **CONSENT AND POSSIBLE ACTION TO APPROVE THE JORDAN RANCH SECTION 41 FINAL PLAT**
- O. **CONSENT AND POSSIBLE ACTION TO APPROVE THE TAMARRON BOTICELLI DRIVE STREET DEDICATION PRELIMINARY PLAT**
- P. **CONSENT AND POSSIBLE ACTION TO APPROVE THE TAMARRON SECTION 11 REPLAT NO.1 PRELIMINARY PLAT**

*COUNCIL MEMBER PATTERSON ASKED TO PULL CONSENT ITEM A SO HE COULD ABSTAIN FROM THE VOTE.*

*A MOTION WAS MADE BY MAYOR PRO-TEM CATES TO APPROVE CONSENT ITEMS B-P. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: CATES, JOHNSON, KAHLICH, KELLY, MARTIN, PATTERSON, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT:*

*APPROVED*

*A MOTION WAS MADE BY MAYOR PRO-TEM CATES TO APPROVE CONSENT ITEM A. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH WITH THE REVISED VERSION. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

AYES: CATES, JOHNSON, KAHLICH, KELLY, MARTIN, POOL

NAYS:

ABSTAIN: PATTERSON

ABSENT:

APPROVED

## IX. BUSINESS

### A. **CONSIDERATION & POSSIBLE ACTION TO APPROVE RESOLUTION 2022-547 TO DENY THE DISTRIBUTION COST RECOVERY FACTOR (DCRF) APPLICATION PROPOSED BY CENTERPOINT ENERGY**

*ERIN TUREAU EXPLAINED THIS ITEM TO COUNCIL. LAST WEEK WE RECEIVED A LETTER FROM THE GULF COAST COALITION OF CITIES ASKING US TO HAVE COUNCIL APPROVE THIS RESOLUTION. CENTERPOINT FILED TO INCREASE DISTRIBUTION RATES. (FOR FULL DISCUSSION, PLEASE SEE VIDEO ON CITY WEBSITE.)*

*A MOTION WAS MADE BY MAYOR PRO-TEM CATES TO APPROVE RESOLUTION 2022-547 TO DENY THE DISTRIBUTION COST RECOVERY FACTOR (DCRF) APPLICATION PROPOSED BY CENTERPOINT ENERGY. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

NAYS:

ABSTAIN:

ABSENT:

APPROVED

### B. **PRESENTATION AND DISCUSSION OF PARKS BOARD RECOMMENDATION TO EXPLORE THE PURCHASE OF A 0.8769 ACRE TRACT ON BOIS D'ARC FOR DEVELOPMENT OF A PARK**

*SHARON VALIANTE INTRODUCED THIS ITEM. SHE DESCRIBED IT AS A LONG, NARROW PARCEL. IT IS A WOODED LOT BETWEEN 2 HOMES AND IT FRONTS BOIS D'ARC. KIMBERLY BOW FROM THE PARKS AND RECREATION COMMISSION SPOKE REGARDING THE POSSIBLE PURCHASE AND USE FOR THIS PROPERTY. SHARON VALIANTE AND KIMBERLY BOW ANSWERED QUESTIONS FROM COUNCIL.*

*NO ACTION WAS TAKEN.*

## X. EXECUTIVE SESSION

### A. **EXECUTIVE SESSION - PURSUANT TO SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), CONSULT WITH THE ATTORNEY TO THE GOVERNING BODY ON A MATTER IN WHICH**

**THE DUTY OF THE ATTORNEY TO THE GOVERNING BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE TEXAS OPEN MEETINGS ACT; PURSUANT TO SECTION 551.072 OF THE TEXAS OPEN MEETINGS ACT, DELIBERATE CONCERNING THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY**

- **2.210 acres of City owned property**

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

*AYES: CATES, JOHNSON, KAHLICH, KELLY, MARTIN, PATTERSON, POOL*

*NAYS:*

*ABSTAIN:*

*ABSENT:*

*APPROVED*

*MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 7:54 P.M.*

*MAYOR GROFF RECONVENED THE SPECIAL COUNCIL MEETING AT 9:05 P.M.*

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

*A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO DESIGNATE THE CITY OF FULSHEAR DEVELOPMENT CORPORATION AND FULSHEAR DEVELOPMENT CORPORATION AS THE BEST BID FOR THE 2.210 ACRES OF CITY OWNED PROPERTY. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: JOHNSON, KAHLICH, KELLY, MARTIN, AND POOL*

*NAYS: CATES, PATTERSON*

*ABSTAIN:*

*ABSENT:*

#### **XII. EXECUTIVE SESSION**

- A. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH 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 CHAPTER 551, GOVERNMENT CODE.**

- **GM Equity Group, LLC**

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

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

NAYS:

ABSTAIN:

ABSENT:

APPROVED

MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 9:07 P.M.

MAYOR GROFF RECONVENED THE SPECIAL COUNCIL MEETING AT 9:46 P.M.

THERE WAS NO ACTION.

### **XIII. 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.

THERE WAS NO ACTION.

### **XIV. ADJOURNMENT**

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

AYES: CATES, JOHNSON, KAHLICH, KELLY, MARTIN, POOL

NAYS:

ABSTAIN:

ABSENT: PATTERSON

APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 9:47 P.M.



AARON GROFF, MAYOR

ATTEST:



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KIMBERLY KOPECKY, CITY SECRETARY