



CITY OF FULSHEAR

“FIND YOUR FUTURE IN FULSHEAR”

30603 FM 1093 WEST/ 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: Kimberly
Kopecky

CITY ATTORNEY: J. Grady Randle

SPECIAL CITY COUNCIL MEETING MINUTES

August 2, 2022

I. CALL TO ORDER

A SPECIAL CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR GROFF AT THE IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 4:00 P.M.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

AARON GROFF

KAYE KAHLICH

JOEL PATTERSON

DEBRA CATES

KENT POOL

JASON KNAPE

LISA MARTIN

SARAH JOHNSON

CITY STAFF PRESENT:

MARIELA RODRIGUEZ

JACK HARPER
BYRON BROWN
SHARON VALIANTE
JESUS ESCOBAR
ERIN TUREAU
ZACH GOODLANDER
RUSS SMITH
KENNY SEYMOUR
MIKE MCCOY

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. BUSINESS

A. DISCUSSION OF FY2023 PROPOSED BUDGET, INCLUDING THE CREATION OF THE FOLLOWING NEW POSITIONS PROPOSED THEREIN WHICH MAY BE OF SPECIAL INTEREST TO THE PUBLIC: CITY ATTORNEY AND ASSISTANT CITY ATTORNEY

MAYOR GROFF GAVE SOME BRIEF COMMENTS ABOUT THE BUDGET AND THE CITY ATTORNEY.

ERIN TUREAU AND OTHER CITY STAFF MEMBERS ANSWERED QUESTIONS FROM COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO TABLE THIS ITEM UNTIL LATER IN THIS MEETING. 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

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO RECESS. IT WAS SECONDED BY COUNCIL MEMBER KHALICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF RECESSED THE MEETING AT 5:19 P.M.

MAYOR GROFF RESUMED THE MEETING AT 5:31 P.M.

PART 2:

A MOTION WAS MADE BY COUNCIL MEMBER 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, KNAPE, MARTIN, POOL

NAYS: PATTERSON

ABSTAIN:

ABSENT:

MOTION APPROVED

MAYOR GROFF ADJOURNED THE SPECIAL MEETING INTO EXECUTIVE SESSION AT 7:36 P.M.

MAYOR GROFF RECONVIENED THE SPECIAL MEETING AT 8:51 P.M.

PER MAYOR PRO-TEM MARTIN, THERE WAS NO ACTION FROM EXECUTIVE SESSION.

THE MEETING ADJOURNED.

- B. PRESENTATION AND DISCUSSION OF THE PROPOSED AMENDMENTS TO THE CITY'S LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN AND MODIFICATIONS TO THE IMPACT FEES; PROPOSED AMENDMENTS TO THE WATER AND WASTEWATER RATES; AND A PLAN OF FINANCE FOR ISSUANCE OF BONDS**

JACK HARPER INTRODUCED THIS ITEM AND PROVIDED SOME CONTEXT.

JACK EXPLAINED THAT AFTER THE PRESENTATION AND DISCUSSION COUNCIL WILL RECEIVE AGENDA ITEMS B-G FOR CONSIDERATION AND ACTIONS.

JACK INTRODUCED THE PROJECT TEAM:

- SHARON VALIANTE (STAFF)
- ERIN TUREAU (STAFF)
- BYRON BROWN (LEGAL SUPPORT)
- RICHARD WEATHERLY (FREESE AND NICHOLS)
- NELISA HEDDIN (CONSULTING)
- ROBERT HENDERSON (RBC CAPITOL)
- TOM SPURGEN
- NIKKI HILL (MCCALL PARKHURST AND HORTON)

THE PROJECT TEAM PRESENTED A SLIDE SHOW AND ANSWERED QUESTIONS FROM COUNCIL ABOUT THE FOLLOWING:

- UPDATE TO THE CAPITAL IMPROVEMENT PLAN
- WATER AND WASTE WATER IMPACT FEES
- WATER AND WASTE WATER RATE STUDY
- DISCUSSION O FINANCING OPTIONS

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

C. CONSIDERATION AND POSSIBLE ACTION TO PROVIDE CONSENSUS TO MOVE FORWARD THE WATER AND WASTEWATER CAPITAL IMPROVEMENT PROJECTS AND TO DIRECT STAFF TO OBTAIN FUNDING

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO MOVE THE WATER AND WASTEWATER CAPITAL IMPROVEMENT PROJECT AS PRESENTED THIS EVENING AND DIRECT STAFF TO OBTAIN FUNDING FOR THOSE PROJECTS. 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

D. CONSIDERATION AND POSSIBLE ACTION TO PROVIDE A CONSENSUS TO IMPLEMENT NEW WATER AND WASTEWATER RATES

NELISA HEDDIN INTRODUCED THIS ITEM AND EXPLAINED BUSINESS ITEM D AND E ARE TIED TOGETHER AND ARE LOOKING FOR CONSENSUS FROM COUNCIL ON THE LEVEL OF IMPACT FEE IN ORDER TO BRING A RATE LEVEL ORDINANCE THAT MATCHES THAT LEVEL. COUNCIL IS NOT SETTING THE RATE BUT JUST GIVING DIRECTION FOR CONSIDERATION THAT REFLECTS COUNCIL'S PREFERENCE.

COUNCIL MEMBER KAHLICH ASKED TO TAKE BUSINESS ITEM E AND COME BACK TO BUSINESS ITEM D. THERE WAS DISCUSSION AMONG COUNCIL BUT NO ONE OBJECTED.

GO TO BUSINESS ITEM E.

BUSINESS ITEM D

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO IMPLEMENT NEW WATER AND WASTE WATER RATES AS DISCUSSED PER ITEM E. IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION APPROVED

GO TO BUSINESS ITEM F.

E. CONSIDERATION AND POSSIBLE ACTION TO DETERMINE WHETHER TO AMEND THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENTS PLAN, AND THE IMPACT FEE FOR WATER AND WASTEWATER

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO TO GO WITH THE HIGHEST RATE FOR THE IMPACT FEE, MAXIMUM ALLOWABLE FEE. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION APPROVED

BACK TO BUSINESS ITEM D

- F. CONSIDERATION AND APPROVAL OF ORDER 2022-561 SETTING A DATE FOR A PUBLIC HEARING FOR THE PURPOSES OF RECEIVING COMMENTS ON THE PROPOSED AMENDMENTS TO THE LAND USE ASSUMPTIONS, THE CAPITAL IMPROVEMENTS PLAN AND THE MODIFICATION OF THE IMPACT FEES FOR WATER AND WASTEWATER**

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE ORDER 2022-561, SETTING A DATE FOR A PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED AMENDMENTS TO THE LAND USE ASSUMPTIONS, THE CAPITAL IMPROVEMENTS PLAN AND THE MODIFICATION OF THE IMPACT FEES FOR WATER AND WASTEWATER, SETTING THAT DATE TO BE SEPTEMBER 20, 2022. IT WAS SECONDED BY COUNCILMEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION APPROVED

- G. DISCUSS AND CONSIDER RESOLUTION 2022-562 APPROVING A PLAN OF FINANCE TO ISSUE CERTIFICATES OF OBLIGATION TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE CITY'S WATER AND WASTEWATER SYSTEMS, AND AUTHORIZING THE CITY'S STAFF AND PROFESSIONAL ADVISORS TO PREPARE AND DISTRIBUTE ALL DOCUMENTS AND TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH PREPARING FOR THE ISSUANCE OF SUCH OBLIGATIONS, INCLUDING THE SELECTION OF UNDERWRITERS AND THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT**

SHARON INTRODUCED NIKKI HILL WITH THE BOND COUNCIL TO ANSWER ANY QUESTIONS REGARDING THIS RESOLUTION.

NIKKI EXPLAINED THIS RESOLUTION IS ADOPTING THE PLAN OF FINANCE THAT WAS PRESENTED TONIGHT AND THEN ON AUGUST 16 WE WILL ADOPT THE NOTICE OF INTENT TO ISSUE THOSE CERTIFICATES OF OBLIGATION.

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE RESOLUTION 2022-562 APPROVING A PLAN OF FINANCE TO ISSUE CERTIFICATES OF OBLIGATION TO FINANCE THE ACQUISITION AND

CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE CITY'S WATER AND WASTE WATER SYSTEMS, AND AUTHORIZING THE CITY'S STAFF AND PROFESSIONAL ADVISORS TO PREPARE AND DISTRIBUTE ALL DOCUMENTS AND TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH PREPARING FOR THE ISSUANCE OF SUCH OBLIGATIONS, INCLUDING THE SELECTION OF UNDERWRITERS AND THE PREPARATION AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT. 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

****BACK TO BUSINESS ITEM A****

V. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO ADJOURN. IT WAS SECONDED BY COUNCILMEMBER KAHLICH. 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 AT 8:51 P.M.

AARON GROFF, MAYOR

ATTEST:

KIMBERLY KOPECKY, CITY SECRETARY