



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 16, 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 5:30 P.M.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

AARON GROFF

KAYE KAHLICH

DEBRA CATES

KENT POOL

JASON KNAPE

LISA MARTIN

SARAH JOHNSON

JOEL PATTERSON

CITY STAFF PRESENT:

KIMBERLY KOPECKY

MARIELA RODRIGUEZ
JACK HARPER
BYRON BROWN
SHARON VALIANTE
JESUS ESCOBAR
ERIN TUREAU
ZACH GOODLANDER
RUSS SMITH
CHANDLER MARKS (LEFT BEFORE MEETING ENDED)
KENNY SEYMOUR
KRISTI BRASHEAR

OTHERS PRESENT:

JOAN BERGER
JIM FATHEREE
AND 1 OTHER 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.

JOAN BERGER SPOKE REGARDING THE ROUNDABOUT SIGN.

JIM FATHEREE SPOKE REGARDING THE MONUMENT AT FULSHEAR BEND AND TEXAS HERITAGE PARKWAY.

IV. BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2022-1382, REMOVING RANDLE LAW OFFICE LTD., L.L.P. AS CITY ATTORNEY; REPEALING ORDINANCE NO. 2013-1111; APPOINTING AN ACTING CITY ATTORNEY; AUTHORIZING THE MAYOR TO OFFER AND EXECUTE AN EMPLOYMENT AGREEMENT WITH SUCH ACTING CITY ATTORNEY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

MAYOR GROFF EXPLAINED THAT RANDLE LAW OFFICE IS RESIGNING AS OUR CITY ATTORNEY. THIS ACTION IS TO ENSURE WE HAVE LEGAL COVERAGE COME SEPTEMBER 1ST.

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO ENTER INTO EXECUTIVE SESSION TO DISCUSS A MATTER REGARDING TEXAS LOCAL GOVERNMENT CODE 551.074 (PERSONNEL MATTERS). IT WAS SECONDED BY COUNCIL MEMBER CATES. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MAYOR GROFF ENTERED INTO EXECUTIVE SESSION AT 5.41 P.M.

MAYOR GROFF RESUMED THE SPECIAL CITY COUNCIL MEETING AT 6:22 P.M.

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE ORDINANCE NO. 2022-1382, REMOVING RANDLE LAW OFFICE AS CITY ATTORNEY, REPEALING ORDINANCE NO. 2013-1111, APPOINTING AN ACTING CITY ATTORNEY, AUTHORIZING MAYOR TO OFFER AND EXECUTE AN EMPLOYMENT AGREEMENT WITH SUCH ACTING CITY ATTORNEY, AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE WITH THE REVISED ORDINANCE WITH THE EFFECTIVE DATE AS SEPTEMBER 1. IT WAS SECONDED BY COUNCIL MEMBER KNAPE. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MOTION PASSES

B. DISCUSSION OF THE FY23 PROPOSED BUDGET

ERIN TUREAU WENT THROUGH THE UPDATED PROPOSED BUDGET FOR FY2023. THE NOTED CHANGES WERE FOR:

- FY2022 ESTIMATED ACTUALS
- PROPOSED PROPERTY TAX RATE
- CITY HALL NOTE PAYMENT
- ADDED BOND ISSUANCE PROCEEDS
- DEBT SERVICE INTEREST PAYMENT
- UPDATED SHARED SPACE FEE FOR BOTH EDC'S

COUNCIL AND STAFF HAD A DISCUSSION REGARDING THIS ITEM. FOR FULL DISCUSSION, VIEW VIDEO ON WEBSITE.

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO TABLE ITEM B. IT WAS SECONDED BY COUNCIL MEMBER POOL.

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

****THIS ITEM WAS PICKED BACK UP AFTER ITEM H.*

C. CONSIDERATION AND POSSIBLE ACTION OF RESOLUTION NO. 2022-567, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS DETERMINING THE NUMBER OF INHABITANTS OF THE CITY AND EXTENDING THE CITY'S EXTRATERRITORIAL JURISDICTION

ZACH GOODLANDER EXPLAINED THE STATE STATUTE. BY ESTABLISHING OUR POPULATION AT 25,000, OUR ETJ CAN EXPAND AN ADDITIONAL MILE (2 MILE ETJ). HE EXPLAINED THE PROPOSED EXPANSION AREAS OF THE ETJ. BY EXPANDING ETJ, THIS WILL GIVE US SOME CONTROL OVER DEVELOPMENT.

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE RESOLUTION NO. 2022-567, DETERMINING THE NUMBER OF INHABITANTS OF THE CITY TO BE OVER 25,000 AND EXTENDING THE CITY'S EXTRATERRITORIAL JURISDICTION. 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

D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2022-1381 AN ORDINANCE REPEALING AND REPLACING ORDINANCE 2020-1327 AND 2020-1334, ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY

SHARON VALIANTE BRIEFLY EXPLAINED THIS ITEM. PERIODICALLY SCHOOL DISTRICTS DETERMINE THEY NEED TO ALTER OR CHANGE THEIR SCHOOL TIMES. BOTH KATY AND LAMAR SCHOOL DISTRICTS DETERMINED THAT THEIR ELEMENTARY SCHOOLS NEEDED TO SHIFT THEIR TIMES. THIS ORDINANCE WILL REPEAL AND REPLACE THE PREVIOUS ORDINANCE FROM 2020. AN UPDATED EXHIBIT "D" WAS SENT TO COUNCIL.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE ORDINANCE NO. 2022-1381 AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2020-1327 AND 2020-1334 ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY WITH UPDATED EXHIBIT "D" AS PRESENTED. 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

- E. CONSIDERATION OF RESOLUTION NO. 2022-565, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING A PROJECT OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (1ST READING)**

MAYOR GROFF READ THE 1ST READING OF THIS ITEM.

THERE WAS NO ACTION ON THIS ITEM.

- F. CONSIDERATION OF RESOLUTION NO. 2022-565, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING A PROJECT OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)**

MAYOR GROFF READ THE SECOND READING OF THIS ITEM.

A MOTION WAS MADE BY MAYOR PRO-TEM MARTIN TO APPROVE RESOLUTION NO. 2022-565 AUTHORIZING A PROJECT FOR THE CITY OF FULSHEAR DEVELOPMENT CORPORATION CDC TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION. 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

- G. CONSIDERATION OF RESOLUTION NO. 2022-566, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING A PROJECT OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (1ST READING)**

BYRON BROWN READ THE FIRST READING OF THIS RESOLUTION.

THERE WAS NO ACTION.

- H. CONSIDERATION OF RESOLUTION NO. 2022-566, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING A PROJECT OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)**

MAYOR GROFF READ THE SECOND READING OF THE RESOLUTION.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE RESOLUTION NO. 2022-566, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING A PROJECT OF THE FULSHEAR DEVELOPMENT CORPORATION FDC A TYPE "B" ECONOMIC SALES TAX CORPORATION. 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 PASSES

**** AT THIS POINT IN THE MEETING, COUNCIL MOVED BACK TO ITEM B.*

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO RECESS UNTIL 8:00 P.M. ON TUESDAY, AUGUST 16TH TO BRING BACK UP ITEM B FOR DISCUSSION. 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 PASSES

**** THIS MEETING WAS RECESSED AT 7:03 P.M.*

MAYOR GROFF RESUMED THE SPECIAL CITY COUNCIL MEETING AT 8:01 P.M. IN ORDER WITH THE AGENDA, MAYOR GROFF MOVED TO ITEM I FOR CONSIDERATION.

I. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN UPDATE TO THE CROSS CREEK RANCH MASTER SIGN PLAN

ZACH GOODLANDER GAVE A QUICK SUMMATION OF HOW WE GOT HERE. THIS IS AN UPDATE TO THE MASTER SIGN PLAN. CCR ORIGINAL PLAN WAS APPROVED IN 2013. THE INTENT OF THIS ITEM IS TO ACCOUNT FOR SIGNS THAT WERE NOT CONTEMPLATED IN THE ORIGINAL 2013 MASTER SIGN PLAN. HE WENT THROUGH THE SIGNS THAT THIS UPDATE INCLUDES:

-FULSHEAR BEND AT FM 1463

-WITHIN THE ROUNDABOUT AT FULSHEAR BEND & TEXAS HERITAGE PARKWAY

-MORGAN SPUR OFF OF TEXAS HERITAGE PARKWAY

-IVORY CREEK LANE AT TEXAS HERITAGE PARKWAY

-FULSHEAR BEND DRIVE AT CCR'S WESTERN BOUNDARY

***THERE WAS A LENGTHY DISCUSSION (APPROXIMATELY 55 MINUTES) WHICH INCLUDED QUESTIONS REGARDING THE ROUNDABOUT SIGN.*

(FOR FULL DISCUSSION, SEE VIDEO ON CITY WEBSITE)

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE AN UPDATE TO CROSS CREEK RANCH MASTER SIGN PLAN MINUS SIGN 5 (ENTRY MONUMENT LOCATED AT THE SECONDARY ENTRANCE OFF FULSHEAR BEND DRIVE AND TEXAS HERITAGE PARKWAY IN THE ROUNDABOUT). IT WAS SECONDED BY COUNCILMEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: PATTERSON

ABSTAIN:

ABSENT:

MOTION APPROVED

J. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A NEW BRAND FOR THE CITY OF FULSHEAR

ZACH GOODLANDER WENT THROUGH A SLIDESHOW WITH A FEW OPTIONS OF "BRAND FAMILIES" FOR NEW CITY BRAND.

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO APPROVE A NEW BRAND FOR THE CITY OF FULSHEAR BEING THE FIRST OPTION (WHICH IS THE FULSHEAR WITH THE BLUE, THE OLD 300, RED, WHITE, AND BLUE). IT WAS SECONDED BY MAYOR PRO-TEM MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: POOL

ABSTAIN:

ABSENT:

MOTION PASSES.

**** AT THIS POINT IN THE MEETING, COUNCIL MOVED BACK TO ITEM: B*

B. DISCUSSION OF THE FY23 PROPOSED BUDGET

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO ENTER INTO EXECUTIVE SESSION UNDER 551.074 (PERSONNEL MATTERS). 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:

MAYOR GROFF ENTERED INTO EXECUTIVE SESSION AT 9:11 P.M.

MAYOR GROFF RESUMED THE SPECIAL MEETING AT 9:36 P.M.

THERE WAS NO ACTION FROM EXECUTIVE SESSION.

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO ENTER INTO EXECUTIVE SESSION UNDER 551.071 (CONSULTATION WITH ATTORNEY). IT WAS SECONDED BY COUNCIL MEMBER KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

MAYOR GROFF ENTERED INTO EXECUTIVE SESSION AT 9:37 P.M.

MAYOR GROFF RESUMED THE SPECIAL MEETING AT 10:08 P.M.

THERE WAS NO ACTION FROM EXECUTIVE SESSION.

V. 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, KAHLICH, KNAPE, MARTIN, PATTERSON, POOL
NAYS:
ABSTAIN:
ABSENT:

MOTION APPROVED
MAYOR GROFF ADJOURNED THE MEETING AT 10:08 P.M.

AARON GROFF, MAYOR

ATTEST:

KIMBERLY KOPECKY, CITY SECRETARY