



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 Knappe **COUNCIL MEMBER:** Kaye Kahlich **COUNCIL MEMBER:** Debra Cates
COUNCIL MEMBER: Joel
Patterson **COUNCIL MEMBER:** Sarah B.
Johnson

STAFF:

CITY MANAGER: Jack Harper **ACTING CITY** **CITY ATTORNEY:** Byron Brown
SECRETARY: Mariela Rodriguez

SPECIAL CITY COUNCIL MEETING MINUTES

December 15, 2022

I. CALL TO ORDER

A SPECIAL 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 5:31 P.M.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

*AARON GROFF
KAYE KAHLICH
JOEL PATTERSON
DEBRA CATES
KENT POOL
LISA MARTIN
SARAH JOHNSON*

COUNCIL MEMBERS ABSENT:

JASON KNAPE

CITY STAFF PRESENT:

*MARIELA RODRIGUEZ
JACK HARPER
ZACH GOODLANDER
BYRON BROWN*

KENNY SEYMOUR
SHARON VALIANTE
JESUS ESCOBAR
ALEX ROJAS
RUSS SMITH
KEVIN ZEISCHANG

OTHERS PRESENT:

JOE CLIFFORD
N DARRELL HAMON
ANTHONY GELOTTI
AND 3 OTHERS 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.

ANTHONY GELOTTI, RESIDENT OF CROSS CREEK RANCH, ASKED QUESTIONS ABOUT THE PUBLIC GETTING AN UPDATE ON WHAT IS GOING ON WITH THE CROSS CREEK RANCH GENERAL PLAN UPDATE AND ASKED WHAT THE PUBLIC CAN DO TO HELP THE PROCESS.

IV PUBLIC HEARING

A CITY OF FULSHEAR NOTICE OF PUBLIC HEARINGS REGARDING ANNEXATION THE CITY COUNCIL OF THE CITY OF FULSHEAR WILL HOLD TWO PUBLIC HEARINGS REGARDING ANNEXATION OF THE AREAS DESCRIBED BELOW, BEING ON DECEMBER 13, 2022, AT 5:30 P.M. AND ON DECEMBER 15, 2022, AT 5:30 P.M. EACH PUBLIC HEARING WILL BE HELD AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX LOCATED AT 6611 W. CROSS CREEK BEND LN., FULSHEAR, TEXAS, 77441. THE COMPLETED ANNEXATION OF THE AREAS WILL EXPAND THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ), AND THE AREA THAT WOULD BE NEWLY INCLUDED IN THE CITY'S ETJ IS THE UNINCORPORATED AREA THAT IS CONTIGUOUS WITH THE BOUNDARIES OF THE AREAS DESCRIBED BELOW AND WITHIN TWO MILES OF THOSE BOUNDARIES, TO THE EXTENT NOT INCLUDED IN THE EXISTING ETJ OF ANY CITY. THE PURPOSE OF ETJ DESIGNATION IS TO PROMOTE AND PROTECT THE GENERAL HEALTH, SAFETY, AND WELFARE OF PERSONS RESIDING IN AND ADJACENT TO THE CITY. AS AUTHORIZED BY SECTION 212.003, LOCAL GOVERNMENT CODE, CERTAIN PORTIONS OF THE COORDINATED DEVELOPMENT ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, WOULD BE APPLICABLE IN THE AREA THAT WOULD BE NEWLY INCLUDED IN THE CITY'S ETJ, BEING RULES GOVERNING PLATS AND SUBDIVISIONS OF LAND TO PROMOTE THE HEALTH, SAFETY, MORALS, OR GENERAL WELFARE OF THE CITY AND THE

SAFE, ORDERLY, AND HEALTHFUL DEVELOPMENT OF THE CITY, AND REGULATIONS RELATING TO ACCESS TO PUBLIC ROADS OR THE PUMPING, EXTRACTION, AND USE OF GROUNDWATER. THE AREAS SUBJECT TO ANNEXATION ARE: A 3.511-ACRE TRACT OF LAND LOCATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS; SAID 3.511-ACRE TRACT BEING THE PORTION OF JAMES LANE LOCATED BETWEEN THE NORTH RIGHT-OF-WAY OF MEADOW WOOD DRIVE AND THE SOUTHERLY TERMINUS LINE OF SAID JAMES LANE, AND BEING THE AREA REQUESTED FOR ANNEXATION INTO THE CITY OF FULSHEAR BY THE FORT BEND COUNTY COMMISSIONERS COURT AT THEIR MAY 24, 2022 REGULAR MEETING. A 22.081-ACRE TRACT OF LAND, OUT OF THE E. LATHAM SURVEY A-50, MORRIS & CUMMINGS SURVEY A-294, JC MCDONALD

SURVEY A-290 AND THE R.H. KUYKENDAHL SURVEY A-274, FORT BEND COUNTY, TEXAS, AND BEING THE PORTION OF FARM-TO-MARKET 1093 THAT WAS DEDICATED BY DONATION DEED (FBC NO. 2017139150).

A 11.666-ACRE TRACT OF LAND, BEING A PORTION OF FARM-TO-MARKET 359 (100' WIDTH), AND BEGINNING FROM THE EXISTING CITY LIMITS OF FULSHEAR, TEXAS, LOCATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, THE ROFUS WRIGHT SURVEY, ABSTRACT 344, THE GEORGE ROBERTS SURVEY, ABSTRACT 432, AND THE NATHAN BROOKSHIRE LEAGUE, ABSTRACT 14, OF FORT BEND COUNTY, TEXAS.

A 7.893-ACRE TRACT OF LAND, BEING A PORTION OF FARM-TO-MARKET 359 (100' WIDTH), AND BEGINNING FROM THE AFOREMENTIONED 11.666-ACRE TRACT, LOCATED IN THE NATHAN BROOKSHIRE LEAGUE, ABSTRACT 14, AND THE ISAAC N. CHARLES ½ LEAGUE, ABSTRACT 17, OF FORT BEND COUNTY, TEXAS.

MAYOR GROFF OPENED THE HEARING AT 5:38 P.M.

NO ONE WISHED TO SPEAK.

MAYOR GROFF CLOSED THE HEARING AT 5:39 P.M.

V. 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

- **UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN**

B. 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 ATTORNEY**

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

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

NAYS:

ABSTAIN:

ABSENT: KNAPE

MOTION APPROVED

MAYOR GROFF ADJOURNED THE SPECIAL MEETING INTO EXECUTIVE SESSION AT 5:39 P.M.

MAYOR GROFF RECONVENED THE SPECIAL MEETING AT 7:16 P.M.

VI. ACTION FROM EXECUTIVE SESSION

A. CONSIDERATION AND POSSIBLE ACTION REGARDING THE APPROVAL, APPROVAL WITH CONDITIONS, OR DISAPPROVAL OF THE UPDATE TO THE CROSS CREEK RANCH GENERAL PLAN

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO APPROVE THE UPDATE TO THE CROSS CREEK RANCH MASTER PLAN. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: CATES, PATTERSON

NAYS: KAHLICH, JOHNSON, MARTIN, POOL

ABSTAIN:

ABSENT: KNAPE

MOTION FAILED

A MOTION WAS MADE BY COUNCIL MEMBER KAHLICH TO AUTHORIZE THE MAYOR TO PROVIDE THE APPLICANT WITH A WRITTEN STATEMENT SPECIFYING THE REASONS FOR DISAPPROVAL OF THE GENERAL PLAN OF CROSS CREEK RANCH DATED OCTOBER 21, 2022. BEING THAT IT DOES NOT CONFORM WITH THE CRITERIA DESCRIBED BY SECTION 212.010 SUBPARAGRAPH A SUBPARAGRAPH 1 OF THE LOCAL GOVERNMENT CODE SET FOURTH IN THE CITY'S COMPREHENSIVE PLAN.

MOTION FAILED DUE TO LACK OF 2ND

NO FURTHER ACTION WAS TAKEN.

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

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

THERE WAS NO ACTION TAKEN ON THIS ITEM.

VII. ADJOURNMENT

A MOTION WAS MADE BY COUNCIL MEMBER CATES TO ADJOURN. IT WAS SECONDED BY COUNCILMEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS:

ABSTAIN:

ABSENT: KNAPE

MOTION APPROVED

MAYOR GROFF ADJOURNED THE SPECIAL MEETING AT 7:18 P.M.

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, ACTING CITY SECRETARY