



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

## CITY COUNCIL:

**MAYOR:** Aaron Groff

**MAYOR PRO-TEM:** Kaye Kahlich

**COUNCIL MEMBER:** Kent Pool

**COUNCIL MEMBER:** Kevin White

**COUNCIL MEMBER:** Debra Cates

**COUNCIL MEMBER:** Lisa Martin

**COUNCIL MEMBER:** Joel  
Patterson

**COUNCIL MEMBER:** John Kelly

## STAFF:

**CITY MANAGER:** Jack Harper

**CITY SECRETARY:** Kimberly  
Kopecky

**CITY ATTORNEY:** J. Grady Randle

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## SPECIAL CITY COUNCIL MEETING

### AMENDED

### February 18, 2020

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NOTICE IS HEREBY GIVEN OF A SPECIAL CITY COUNCIL MEETING OF THE CITY OF FULSHEAR TO BE HELD ON **Tuesday, February 18, 2020 AT 5:30 PM** IN IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS FOR CONSIDERING THE FOLLOWING ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE, INCLUDING, BUT NOT LIMITED TO, SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATIONS ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), 551.087 (ECONOMIC DEVELOPMENT), 418.175.183 (DELIBERATIONS ABOUT HOMELAND SECURITY ISSUES) AND AS AUTHORIZED BY THE TEXAS TAX CODE, INCLUDING, BUT NOT LIMITED TO, SECTION 321.3022 (SALES TAX INFORMATION).

"Incidental Meeting Notice: A quorum of the City of Fulshear City Council, Planning and Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks and Recreation Commission, Historic Preservation and Museum

Commission, Zoning Board of Adjustment, or any or all of these, may be in attendance at the meeting specified in the foregoing notice, which attendance may constitute a meeting of such governmental body or bodies as defined by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Therefore, in addition to the foregoing notice, notice is hereby given of a meeting of each of the above-named governmental bodies, the date, hour, place, and subject of which is the same as specified in the foregoing notice."

**I. CALL TO ORDER**

**II. QUORUM AND ROLL CALL**

**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.*

**IV. BUSINESS**

- A. PRESENTATION OF 2019 RACIAL PROFILING AND YEAR END REPORTS**
- B. CONSIDERATION OF RESOLUTION NO. 2020-453, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (1ST READING)**
- C. CONSIDERATION OF RESOLUTION NO. 2020-454, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (1ST READING)**
- D. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-453 A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC), A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)**
- E. CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-454, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)**
- F. CONSIDERATION OF AND ACTION ON RESOLUTION 2020-456, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPOINTING DIRECTORS TO THE BOARD OF THE FULSHEAR DEVELOPMENT CORPORATION, A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

**V. ADJOURNMENT**

NOTE: IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICE MUST BE MADE AT LEAST 48 BUSINESS HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT 281-346-1796 FOR FURTHER INFORMATION.

I, KIMBERLY KOPECKY, CITY SECRETARY OF THE CITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING AND AGENDA FOR THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS WAS POSTED ON THURSDAY, FEBRUARY 13, 2020 by 5:00 p.m. IN PLACE CONVENIENT AND READILY ACCESSIBLE AT ALL TIMES TO THE GENERAL PUBLIC, IN COMPLIANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

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KIMBERLY KOPECKY, CITY SECRETARY

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

**AGENDA OF:** 2/18/2020

**ITEMS:** IV.A.

**DATE  
SUBMITTED:**

**DEPARTMENT:** Police

**PREPARED BY:** Lynn Raymer

**PRESENTER:** Chief Seymour

**SUBJECT:** PRESENTATION OF 2019 RACIAL PROFILING AND YEAR END REPORTS

**Expenditure Required:** 0

**Amount Budgeted:** 0

**Funding Account:** 0

**Additional Appropriation Required:** 0

**Funding Account:** 0

**EXECUTIVE SUMMARY**

In accordance with the Texas Code of Criminal Procedure - CRIMP Art. 2.134, Chief Kenny Seymour, Fulshear Police Department, will present to the City Council the 2019 Racial Profiling and Year End Reports.

**RECOMMENDATION**

No action is required by Council.

**ATTACHMENTS:**

Description	Upload Date	Type
2019 RACIAL PROFILING REPORT	1/30/2020	Cover Memo

# Racial Profiling Report | Full

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Reporting Date: 01/28/2020

Agency Name: FULSHEAR POLICE DEPT.  
TCOLE Agency Number: 157210

Chief Administrator: KENNETH R. SEYMOUR

Agency Contact Information:  
Phone: (281) 346-2202  
Email: kseymour@fulsheartexas.gov

Mailing Address:  
29370 McKinnon Rd Ste D  
Post Office Box 279  
FULSHEAR, TX 77441-0279

This Agency filed a full report

FULSHEAR POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibit peace officers employed by the FULSHEAR POLICE DEPT. from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the FULSHEAR POLICE DEPT. if the individual believes that a peace officer employed by the FULSHEAR POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the FULSHEAR POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the FULSHEAR POLICE DEPT. policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - a.) the race or ethnicity of the individual detained;
  - b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and
  - c.) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- 7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:
  - a.) the Commission on Law Enforcement; and
  - b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: Kenny Seymour, Police Chief

Date: 01/28/2020

Total stops: 10866

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**Gender**

Female	4176
Male	6690

**Race / Ethnicity**

Black	1570
Asian / Pacific Islander	838
Hispanic / Latino	5883
White	2372
Alaska Native / American	203

**Was race or ethnicity known prior to stop?**

Yes	0
No	10866

**Reason for stop?**

Violation of law	1116
Preexisting knowledge	11
Moving traffic violation	8757
Vehicle traffic violation	982

**Street address or approximate location of the stop**

City street	7229
US highway	0
County road	3434
State highway	185
Private property or other	18

**Was a search conducted?**

Yes	303
No	10563

**Reason for Search?**

consent	121
contraband	9
probable	126
inventory	8

ncident to arrest	39
<b>Was Contraband discovered?</b>	
Yes	79
No	224
<b>Description of contraband</b>	
Drugs	69
Currency	1
Weapons	6
Alcohol	0
Stolen property	1
Other	2
<b>Result of the stop</b>	
Verbal warning	0
Written warning	7907
Citation	2846
Written warning and arrest	82
Citation and arrest	31
Arrest	0
<b>Arrest based on</b>	
Violation of Penal Code	66
Violation of Traffic Law	9
Violation of City Ordinance	0
Outstanding Warrant	38
<b>Was physical force resulting in bodily injury used during stop?</b>	
Yes	0
No	10866

Submitted electronically to the



The Texas Commission on Law  
Enforcement







**RESOLUTION NO. 2020-453**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS  
AUTHORIZING PROJECTS OF THE  
CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC),  
A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

WHEREAS, the CITY OF FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 504 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the City adopted Ordinance No. 2011-1046 on October 1, 2011, approving the participation of the Corporation in projects previously approved only for 4B development corporations under the auspices of HB 3302; and

WHEREAS, the Corporation adopted Resolution CDC 19-04 on February 17, 2020, attached hereto as "Exhibit A," proposing a project of the Corporation, being expenditures for creation of an innovation hub strategy for the City of Fulshear found by the Board of Directors to promote new or expanded business development and held a public hearing on same; and

WHEREAS, the estimated amount of expenditures for such project is \$7,500; and

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

Section 1. The City hereby authorizes the project proposed by Resolution CDC 19-04 and the associated expenditure of funds, being expenditures found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this 18<sup>TH</sup> DAY OF FEBRUARY, 2020.

---

Aaron Groff, Mayor  
City of Fulshear, Texas

ATTEST:

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Kim Kopecky, City Secretary  
City of Fulshear, Texas



**RESOLUTION NO. 2020-454**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS  
AUTHORIZING PROJECTS OF THE  
FULSHEAR DEVELOPMENT CORPORATION (FDC),  
A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 505 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Corporation adopted Resolution FDC 19-04 on February 17, 2020, attached hereto as "Exhibit A," proposing a project of the Corporation, being expenditures for creation of an innovation hub strategy for the City of Fulshear found by the Board of Directors to promote new or expanded business development and held a public hearing on same; and

WHEREAS, the estimated amount of expenditures for such project is \$7,500; and

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

Section 1. The City hereby authorizes the project proposed by Resolution FDC 19-04 and the associated expenditure of funds, being expenditures found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this 18<sup>TH</sup> DAY OF FEBRUARY, 2020.

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Aaron Groff, Mayor  
City of Fulshear, Texas

ATTEST:

---

Kim Kopecky, City Secretary  
City of Fulshear, Texas



**RESOLUTION NO. 2020-453**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS  
AUTHORIZING PROJECTS OF THE  
CITY OF FULSHEAR DEVELOPMENT CORPORATION (CDC),  
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PASSED AND APPROVED this 18<sup>TH</sup> DAY OF FEBRUARY, 2020.

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Aaron Groff, Mayor  
City of Fulshear, Texas

ATTEST:

---

Kim Kopecky, City Secretary  
City of Fulshear, Texas

**AGENDA MEMO  
BUSINESS OF THE CITY COUNCIL  
CITY OF FULSHEAR, TEXAS**

**AGENDA OF:** 2/18/2020

**ITEMS:** IVE.

**DATE  
SUBMITTED:** 2/4/2020

**DEPARTMENT:** Economic Development

**PREPARED BY:** Angela Fritz

**PRESENTER:** Angela Fritz

**SUBJECT:** CONSIDERATION OF AND ACTION ON RESOLUTION NO. 2020-454, A RESOLUTION OF THE CITY OF FULSHEAR AUTHORIZING PROJECTS OF THE FULSHEAR DEVELOPMENT CORPORATION (FDC), A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION (2ND READING)

**Expenditure Required:** N/A

**Amount Budgeted:** N/A

**Funding Account:** N/A

**Additional Appropriation Required:** N/A

**Funding Account:** N/A

**EXECUTIVE SUMMARY**

The Fulshear Development Corporation (FDC) is scheduled to consider adopting a project at a joint meeting on February 17, 2020 for creation of an innovation hub strategy for Fulshear. The Corporation will hold a public hearing on the project at the same meeting.

Because the City's population is under 20,000 and the proposed specific project expenditure is greater than \$10,000, the Local Government Code requires the authorizing entity (City Council) to adopt a resolution authorizing the project after giving the resolution at least two separate readings before the EDC may spend funds related to the project/s.

**RECOMMENDATION**

Staff recommends adoption of Resolution No. 2020-454 authorizing the Fulshear Development Corporation's project and expenditures for creation of an innovation hub strategy for the City of Fulshear.

**ATTACHMENTS:**

Description	Upload Date	Type
DRAFT Resolution 2020-454 (no exhibit)	2/10/2020	Resolution Letter

**RESOLUTION NO. 2020-454**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS  
AUTHORIZING PROJECTS OF THE  
FULSHEAR DEVELOPMENT CORPORATION (FDC),  
A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION

WHEREAS, the FULSHEAR DEVELOPMENT CORPORATION (the "Corporation") was created by the City pursuant to Chapter 505 of the Development Corporation Act, Texas Local Government Code, as amended (the "Act"); and

WHEREAS, the Corporation adopted Resolution FDC 19-04 on February 17, 2020, attached hereto as "Exhibit A," proposing a project of the Corporation, being expenditures for creation of an innovation hub strategy for the City of Fulshear found by the Board of Directors to promote new or expanded business development and held a public hearing on same; and

WHEREAS, the estimated amount of expenditures for such project is \$7,500; and

WHEREAS, the Corporation may not undertake such project until the City adopts this Resolution after at least two separate readings;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS THAT:

Section 1. The City hereby authorizes the project proposed by Resolution FDC 19-04 and the associated expenditure of funds, being expenditures found by the Board of Directors to promote new or expanded business development.

PASSED AND APPROVED this 18<sup>TH</sup> DAY OF FEBRUARY, 2020.

---

Aaron Groff, Mayor  
City of Fulshear, Texas

ATTEST:

---

Kim Kopecky, City Secretary  
City of Fulshear, Texas





**RESOLUTION No. 2020-456**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPOINTING DIRECTORS TO THE BOARD OF THE FULSHEAR DEVELOPMENT CORPORATION, A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

**WHEREAS**, the City appreciates the volunteer service and dedication of board members past and present; and

**WHEREAS**, certain directors have submitted their resignation from the board or effectively communicated the same to the Mayor; and

**WHEREAS**, City Council of the City of Fulshear, Texas wishes to make appointments to the Fulshear Development Corporation to fill these vacancies; and

**WHEREAS**, the City Council of the City of Fulshear, Texas has considered the merits of such appointments and finds the persons listed below as competent and eligible for service;

**NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS** that appointments for the Fulshear Development Corporation are as follows, that directors no longer listed below are removed from the board, and that those named to serve as directors for the terms designated are expected to duly execute the responsibilities of said positions:

***Directors with terms expiring in 2020***

\_\_\_\_\_

Term expires: June 1, 2020

\_\_\_\_\_

Term expires: June 1, 2020

Stacy Mangum

Term expires: June 1, 2020

Ray Kerlick

Term expires: June 1, 2020

***Directors with terms expiring in 2021***

\_\_\_\_\_

Term expires: June 1, 2021

Carol Riggs

Term expires: June 1, 2021

Ryan Kudlacek

Term expires: June 1, 2021

Don McCoy (Ex Officio)

Term expires: June 1, 2021

**This resolution duly passed this 18<sup>th</sup> day of February, 2020.**

ATTEST:

\_\_\_\_\_  
Aaron Groff, Mayor  
City of Fulshear, Texas

\_\_\_\_\_  
Kimberly Kopecky, City Secretary  
City of Fulshear, Texas

**RESOLUTION No. 2019-420**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS APPOINTING DIRECTORS TO THE BOARD OF THE FULSHEAR DEVELOPMENT CORPORATION, A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

**WHEREAS**, the City appreciates the volunteer service and dedication of board members past and present; and

**WHEREAS**, the terms for certain directors of the Corporation expire June 1, 2019; and

**WHEREAS**, City Council of the City of Fulshear, Texas wishes to make appointments to the Fulshear Development Corporation; and

**WHEREAS**, the City Council of the City of Fulshear, Texas has considered the merits of such appointments and finds the persons listed below as competent and eligible for service;

**NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS** that appointments for the Fulshear Development Corporation are as follows, that directors no longer listed below are removed from the board, and that those named to serve as directors for the terms designated are expected to duly execute the responsibilities of said positions:

***Directors with terms expiring in 2020***

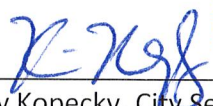
<u>Stacy Mangum</u>	Term expires: June 1, 2020
<u>Recie Medlock</u>	Term expires: June 1, 2020
<u>Mike Hopfe</u>	Term expires: June 1, 2020
<u>Ray Kerlick</u>	Term expires: June 1, 2020

***Directors with terms expiring in 2021***

<u>Carol Riggs</u>	Term expires: June 1, 2021
<u>Wes Wauson</u>	Term expires: June 1, 2021
<u>Ryan Kudlacek</u>	Term expires: June 1, 2021
<u>Don McCoy (Ex Officio)</u>	Term expires: June 1, 2021

**This resolution duly passed this 21<sup>st</sup> day of May, 2019.**

ATTEST:

  
Kimberly Kopecky, City Secretary  
City of Fulshear, Texas



  
Aaron Groff, Mayor  
City of Fulshear, Texas