



# FULSHEAR DEVELOPMENT CORPORATION

A Type "B" Economic Development Sales Tax Corporation

PO Box 279 · 6611 West Cross Creek Bend Lane · Fulshear, Texas 77441 · (281) 346-1796 · www.fulsheartexas.gov

## Meeting Minutes

April 17, 2023

6:00 PM

<b>Board Members Present:</b>	Tommy Kuykendall; Kaye Kahlich; Lee O' Brian; Jonathan Coyne; Rachel Durham (ex officio)
<b>Board Members Absent:</b>	Blake Koepke; Lisa Martin; James Buccieri
<b>Staff:</b>	Annel Guadalupe (EDC Director); Haden Farr (EDC Coordinator); SGT William Henry (PD); Charles Zech (Legal Counsel)
<b>Attendees:</b>	Travis Kilgore; Don McCoy; Andrew Kiefer; Bonnie Tyler

### 1. Call to Order

There being a quorum, Tommy Kuykendall called the meeting to order at 6:27 p.m.

- 2. Public Comments - Citizens who desire to address the Corporation making either general comments (i.e., matters not on the agenda) or regarding matters on the agenda will be received at this time. Citizens desiring to make comments must register with the Corporation prior to the meeting being called to order. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Discussion by directors regarding matters on the agenda will only be made at the time the subject is scheduled for consideration.**

**In accordance with the Texas Open Meetings Act, the Corporation may respond to a general comment by (1) responding with a statement of specific factual information or (2) recite the Corporation's existing policy on that issue. The Corporation may also direct the person making the general comment to visit with staff about the issue, or the Corporation may offer to place the item on the agenda for discussion at a future meeting.**

None.

- 3. Public Hearing on a general type of projects being proposed by the Corporation for Fiscal Year 2022-2023 being land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the Board of Directors to promote new or expanded business development; specifically, community events (\$37,500).**

Tommy Kuykendall opened the hearing at 6:29 p.m.

Tommy Kuykendall closed the hearing at 6:31 p.m.

- 4. Economic Development Report – Briefings or updates may be provided regarding City and Economic Development projects and programs, certificates of occupancy,**

**conferences and meetings attended, upcoming meetings and events, business contacts and announcements, economic indicators, and administrative items.**

**EDC Director Report:**

**a. March 20<sup>th</sup> – April 17<sup>th</sup> Activity Overview**

Mrs. Guadalupe gave a brief overview of the day-to-day activities of EDC Staff highlighting the various meetings, and projects underway.

**b. Retail Coach Update**

Mrs. Guadalupe updated the Board on conversations with The Retail Coach acknowledging that staff had been in talks with an HEB representative regarding the FM 1093 Site.

**c. Update on the Strategic Plan & Demographic Info.**

Mrs. Guadalupe informed the Board that staff has been looking into funding mechanisms for implementing an update for the Economic Development Strategic Plan. Staff have also approached PASA to get pricing and a timeline for a demographic study and projections to use in conjunction with the strategic plan.

**d. New Businesses & Developments to Fulshear**

Mrs. Guadalupe and Mr. Farr informed the Board that multiple new restaurants and retail businesses have recently moved to Fulshear or are quickly approaching the opening of new locations in the city.

**5. Consideration and action on financials and payables for the period ending February 28, 2023.**

**Motion to approve the financials and payables for the period ending February 28, 2023**

**– Kahlich; Second – O' Brian**

**Ayes: 4**

**Nays: 0**

**Abstentions: 0**

**6. Consideration and action on minutes of the Corporation for the March 20, 2023 meeting.**

Kaye Kahlich made note of a mistake in the header for the FDC minutes which read City of Fulshear Development Corporation instead of Fulshear Development Corporation.

**Motion to approve the minutes of the Corporation as amended for the March 20, 2023 meeting.**

**– Kahlich; Second – Coyne**

**Ayes: 4**

**Nays: 0**

**Abstentions: 0**

**7. Consideration and possible action on the adoption of the MOU for funding of community events in partnership with the Fulshear-Katy Area Chamber of Commerce.**

**(MOVED TO ITEM 4)**

Mr. Farr addressed the changes made to the MOU at the direction of the Boards which included:



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1. Change of term from 3 years to 1 year, aligning with the City and EDC Fiscal Year
2. Clarification that the allotted funds are to be spent "annually"
3. Clarification on the location of the events; changed from downtown to downtown or another mutually agreed upon location

Don McCoy (FKACC President) spoke on behalf of the Chamber and highlighted concerns they had with the revised MOU. He requested the following amendments:

1. Remove the burden of permit application from solely the Chamber to a joint responsibility between both parties
2. Removal of the of the exemption of vendor payment for nonprofit organizations

Both Boards were receptive to the requested changes.

**Motion to adopt the MOU as amended for the funding of community events in partnership with the FKACC.**

– Kahlich; Second – Coyne

**Ayes: 4**

**Nays: 0**

**Abstentions: 0**

## 8. Executive Session

- a. Pursuant to Section 551.072 of the Texas Open Meetings Act, discuss the purchase, exchange, lease, or value of real property.

## 9. Take action, as necessary, on items discussed in Executive Session.

No action taken.

## 10. Consideration and possible action on the solicitation of long-term legal counsel.

Mrs. Guadalupe presented two ideas for the solicitation of long-term legal counsel. Neither Board was receptive to the idea of an in-house attorney working in conjunction with the EDCs and City. Out of concern for bias and other factors, the Boards were more receptive to the development of an RFP for legal counsel.

**Motion to develop and post an RFP for the solicitation of long-term legal counsel.**

– Kahlich; Second – O'Brien

**Ayes: 4**

**Nays: 0**

**Abstentions: 0**

## 11. Consideration and possible action on the Fulshear Entrepreneurship and Business Hub Proposals.

Board members present during the working-group interviews provided insight into their views of the pros and cons of the gener8tor and Cannon proposals.

Those present during the interviews made note that the matrix provided in the packet accurately reflected the information received from both candidates.

Due to the familiarity with the Houston market, physical proximity and familiarity with Fulshear the Cannon was suggested to be the better option.

**Motion to proceed with in the selection process with The Cannon’s Option 2 for approximately \$200,000 per year, splitting the cost with the Fulshear Development Corporation (Type B).**

– Kahlich; Second – O’Brien  
**Ayes: 3                      Nays: 1 (Coyne)                      Abstentions: 0**

**12. Presentation by City Council Liaison.**

Councilmember Kaye Kahlich gave an update on recent City Council meetings.

**13. Future agenda items**

**The Board of Directors of the Corporation will have the opportunity to inquire about subjects for which notice has not been given but which individual members of the Board of Directors of the Corporation wish to place on the agenda for a subsequent meeting. At this time, only statements of specific factual information and a recitation of existing policy may be made in response to the inquiry. In accordance with Section 551.042 of the Texas Open Meetings Act, the only deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.**

Director, etc.	Suggestion or comment made by director, etc.
	<ul style="list-style-type: none"> <li>•</li> </ul>
Annel Guadalupe	<ul style="list-style-type: none"> <li>• Ramona Ridge, or another Fulshear Farmers’ Market representative will be attending the next regular meeting to request financial support for the Farmers’ Market</li> </ul>
Kaye Kahlich	<ul style="list-style-type: none"> <li>• Additional conversation around strategic land acquisition</li> <li>• Initial conversations regarding Christmas decorations and programming</li> </ul>
Tommy Kuykendall	<ul style="list-style-type: none"> <li>• Discussion on monument signs for city entrances</li> </ul>

**14. Announcements**

**The Board of Directors of the Corporation will have the opportunity to address items of**



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community interest, which – as aligned with Section 551.0415 of the Texas Open Meetings Act – specifically includes (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen; (4) a reminder about an upcoming event organized or sponsored by the Corporation; (5) information regarding an event organized or sponsored by an entity other than the Corporation that was attended or is scheduled to be attended by a member of the Board of Directors of the Corporation; and, (6) announcements involving an imminent threat to the public health and safety of people in the City of Fulshear that has arisen after the posting of the agenda.

Director	Announcement or comment made by director
Kaye Kahlich	<ul style="list-style-type: none"> <li>The city will not have an election, but both Lamar CISD and Katy ISD will.</li> </ul>

## 15. Adjournment

Motion to adjourn at 8:41pm.

– Kahlich; Second – O'Brien

Ayes: 4

Nays: 0

Abstentions: 0

Passed and approved this 8th of May 2023.

  
Tommy Kuykendall, President

  
ATTEST: Jonathan Coyne, Secretary  
