



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: Joel Patterson | COUNCIL MEMBER: Kent Pool |
| COUNCIL MEMBER: Jason Knape | COUNCIL MEMBER: Abhijeet Utturkar | COUNCIL MEMBER: Debra Cates |
| | COUNCIL MEMBER: Christina Baron | COUNCIL MEMBER: Sarah B. Johnson |

STAFF:

| | | |
|----------------------------------|--|-----------------------------------|
| CITY MANAGER: Jack Harper | CITY SECRETARY: Mariela Rodriguez | CITY ATTORNEY: Byron Brown |
|----------------------------------|--|-----------------------------------|

SPECIAL CITY COUNCIL MEETING MINUTES
February 6, 2024

I. CALL TO ORDER

A REGULAR 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 5:30 P.M.

THE PLANNING AND ZONING COMMISSION CALLED THEIR MEETING TO ORDER AT 5:31PM.

THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A) CALLED THEIR MEETING TO ORDER AT 5:31PM.

THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) CALLED THEIR MEETING TO ORDER AT 5:32 PM

THE PARKS AND RECREATION COMMISSION CALLED THEIR MEETING TO ORDER AT 5:32 PM.

THE ZONING BOARD OF ADJUSTMENT CALLED THEIR MEETING TO ORDER AT 5:32 PM.

II. QUORUM AND ROLL CALL

A QUORUM WAS PRESENT.

COUNCIL MEMBERS PRESENT:

AARON GROFF
SARAH B. JOHNSON
ABHIJEET UTTURKAR
JOEL PATTERSON
CHRISTINA BARON
JASON KNAPE

COUNCIL MEMBERS ABSENT:

KENT POOL
DEBRA CATES

CITY STAFF PRESENT:

MARIELA RODRIGUEZ
KATIE LEWIS
ZACH GOODLANDER
JACK HARPER
BYRON BROWN
JOSH GREEN
SHARON VALIANTE
KENNY SEYMOUR
JOSH BROTHERS
CLIFF BROUHARD
ERIN TUREAU
KIMBERLY KOPECKY
JESUS ESCOBAR
ANNEL GUADALUPE
TIFFANY STODDER
LANCE HALL'
JESSIKA VILLARREAL
KAYLA VILLAGOMEZ
HADEN FARR
MORGAN EARLY
MARIAH GALLEGOS
HEIDY TAYLOR
MEREDITH DUSEK
MIKE MCCOY
KEVIN ZEISCHANG
BILL HENRY
KRISTI BRASHEAR

OTHERS PRESENT:

RAMONA RIDGE
JOHN DOWDALL
AND 28 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.

JOHN DOWDALL, RESIDENT OF BOIS D'ARC, SPOKE ABOUT DRAINAGE ISSUES AND EROSION ON HIS PROPERTY.

IV. BUSINESS

A. DISCUSSION REGARDING THE ROLES, RESPONSIBILITIES, AUTHORITY, AND EXPECTATIONS BETWEEN AND AMONG 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, AND ZONING BOARD OF ADJUSTMENT.

MAYOR GROFF ADDRESSED ALL THE BOARDS AND COMMISSIONS AND EXPLAINED THE PURPOSE OF THE MEETING.

BYRON BROWN EXPLAINED THE RULES AND RESPONSIBILITIES OF EACH BOARD AND COMMISSION.

MAYOR GROFF EXPLAINED THE ROLES OF CITY COUNCIL LIAISONS ON EACH BOARD AND COMMISSION.

COUNCIL MEMBERS THANKED ALL OF THE BOARDS AND COMMISSIONS FOR THEIR HARD WORK.

BYRON ANSWERED QUESTIONS FROM CITY COUNCIL.

MAYOR GROFF OPENED THE FLOOR FOR DISCUSSION.

EDC B MEMBER TOMMY KUYKENDALL THANKED THE CITY COUNCIL FOR ALLOWING THE EDC DIRECTORS TO HAVE A ROLE IN THE SELECTION AND HIRING OF THE EDC STAFF.

ZBA MEMBER KAYE KAHLICH ASKED TO HAVE VIDEO RECORDED MEETINGS FOR ALL BOARDS AND COMMISSIONS TO ALLOW FOR MORE TRANSPARENCY.

CDC MEMBER BRYAN WHITE STATED SINCE THE SPLIT OF THE EDC BOARDS, THERE IS NO COUNCIL LIAISON FOR CDC. MAYOR GROFF EXPLAINED THE CDC DOES NOT ALLOW COUNCIL MEMBERS TO BE A LIAISON.

THE PLANNING AND ZONING COMMISSION CALLED THEIR MEETING TO ORDER AT 5:31PM.

THE ZONING BOARD OF ADJUSTMENT ADJOURNED THEIR MEETING AT 6:13 PM.

THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) ADJOURNED THEIR MEETING AT 6:13 PM

THE PARKS AND RECREATION COMMISSION ADJOURNED THEIR MEETING AT 6:14 PM.

THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A) ADJOURNED THEIR MEETING AT 6:14 PM.

THE PARKS AND RECREATION COMMISSION ADJOURNED THEIR MEETING AT 6:14 PM.

V. EXECUTIVE SESSION

A. EXECUTIVE SESSION – PURSUANT TO SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE

• CITY MANAGER

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE PURSUANT TO SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE- CITY MANAGER.IT WAS SECONDED BY COUNCIL MEMBER JOHNSON.

CITY ATTORNEY BYRON ADVISED TO HAVE CONSULTATION WITH ATTORNEY FIRST AND TAKE AGENDA ITEM V. EXECUTIVE SESSION , LETTER B..

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO WITHDRAW THE MOTION. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON.

****BACK TO VOTE ON ORIGINAL MOTION BECAUSE IT WAS SECONDED****

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE PURSUANT TO SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT (CHAPTER 551, GOVERNMENT CODE), HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE- CITY MANAGER.IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, JOHNSON, PATTERSON, UTTURKAR, KNAPE

NAYS:

ABSTAIN:

ABSENT:CATES, POOL

MOTION FAILED

*** GO TO ITEM V. EXECUTIVE SESSION LETTER B ***

BACK FROM ITEM V. EXECUTIVE SESSION LETTER B

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE PURSUANT TO SECTION 551.074 OF THE TEXAS OPEN MEETINGS ACT TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE- CITY MANAGER AND TO INCLUDE THE CITY ATTORNEY WHOSE PARTICIPATION IS NECESSARY TO THE MATTER IN COSIDERATION AND ANY ONE OR MORE COMPLAINANTS. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

MAYOR ASKED JACK HARPER IF HE WAS OKAY WITH COUNCIL PROCEEDING INTO EXECUTIVE SESSION.

AYES: BARON, JOHNSON, PATTERSON, UTTURKAR, KNAPE

NAYS:

ABSTAIN:

ABSENT:CATES, POOL

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING INTO EXECUTIVE SESSION AT 6:34 PM

MAYOR GROFF RECONVENED THE MEETING AT 10:28 P.M.

THERE WAS NO ACTION FROM EXECUTIVE SESSION.

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

AYES: BARON, JOHNSON, PATTERSON, UTTURKAR, KNAPE

NAYS:

ABSTAIN:

ABSENT:CATES, POOL

MOTION APPROVED

MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 10:28PM

MAYOR GROFF RECONVENED THE SPECIAL MEETING AT 11:00PM

B. 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

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO ADJOURN TO EXECUTIVE SESSION CLOSED SESSION IN ACCORDANCE WITH SECTION 551.071 OF THE TEXAS OPEN MEETINGS ACT CONSULTATION WITH ATTORNEY IT WAS SECONDED BY COUNCIL MEMBER UTTURKAR. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, JOHNSON, PATTERSON, UTTURKAR, KNAPE

NAYS:

ABSTAIN:

ABSENT: CATES, POOL

MOTION APPROVED

MAYOR GROFF ADJOURNED INTO EXECUTIVE SESSION AT 6:17PM

MAYOR GROFF RECONVENED THE MEETING AT 6:32PM

NO ACTION FROM EXECUTIVE SESSION.

*** GO TO ITEM V. EXECUTIVE SESSION, ITEM A. ***

VI. ACTION FROM EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO PLACE CITY MANAGER JACK HARPER ON ADMINISTRATIVE LEAVE WITH PAY AND REQUEST THAT ALL CITY PROPERTY REMAIN ON SITE EFFECTIVE IMMEDIATELY. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, JOHNSON, PATTERSON, UTTURKAR, KNAPE

NAYS:

ABSTAIN:

ABSENT: CATES, POOL

MOTION APPROVED

A MOTION WAS MADE BY COUNCIL MEMBER KNAPE TO HAVE A SPECIAL CITY COUNCIL MEETING ON MONDAY FEBRUARY 12 AT 5:30 PM WITH AN AGENDA ITEM EXECUTIVE SESSION CODE 551.074 DISMISSAL OF PUBLIC EMPLOYEE SPECIFICALLY CITY MANAGER. IT WAS SECONDED BY COUNCIL MEMBER JOHNSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: BARON, JOHNSON, PATTERSON, UTTURKAR, KNAPE

NAYS:

ABSTAIN:

ABSENT: CATES, POOL

MOTION APPROVED

MAYOR GROFF SPOKE AND STATED THAT RETALIATION OF ANY SORT WILL NOT BE TOLERATED WHEN A MEMBER OF STAFF OR PUBLIC BRINGS A COMPLAINT TO THE CITY.

VII. ADJOURNMENT

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

AYES: BARON, JOHNSON, PATTERSON, UTTURKAR, KNAPE

NAYS:

ABSTAIN:

ABSENT: CATES, POOL

MOTION APPROVED

MAYOR GROFF ADJOURNED THE MEETING AT 11:03PM.

AARON GROFF, MAYOR

ATTEST:

MARIELA RODRIGUEZ, CITY SECRETARY