



# CITY OF FULSHEAR

*"FIND YOUR FUTURE IN FULSHEAR"*

30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

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[WWW.FULSHEARTEXAS.GOV](http://WWW.FULSHEARTEXAS.GOV)

## CITY COUNCIL:

MAYOR: Aaron Groff

MAYOR PRO-TEM: Kaye Kahlich

COUNCIL MEMBER: Kent Pool

COUNCIL MEMBER: Dana Hollingsworth

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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## CITY COUNCIL MEETING MINUTES AUGUST 21, 2018

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### **I. CALL TO ORDER**

*A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR AARON GROFF AT IRENE STERN COMMUNITY CENTER, 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:12 P.M. A QUORUM WAS PRESENT.*

### **II. QUORUM & ROLL CALL**

#### *COUNCIL MEMBERS PRESENT:*

*AARON GROFF, MAYOR*

*KAYE KAHLICH, MAYOR PRO-TEM*

*DANA HOLLINGSWORTH*

*LISA MARTIN*

*JOEL PATTERSON*

*JOHN KELLY*

*KENT POOL*

#### **COUNCIL MEMBERS ABSENT:**

*DEBRA CATES*

#### **CITY STAFF PRESENT:**

*BRANT GARY, ASSISTANT CITY MANAGER*

*KIMBERLY KOPECKY, CITY SECRETARY*

*SHARON VALIANTE, PUBLIC WORKS DIRECTOR*

ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR  
KENNY SEYMOUR, CHIEF OF POLICE  
GRADY RANDLE, CITY ATTORNEY  
MIKE MCCOY, POLICE CAPTAIN  
DAVID LEYENDECKER, CITY ENGINEER

**OTHERS PRESENT:**

DON MCCOY  
JEFF MARTIN  
VIOLA RANDLE  
RUSS COSBEY  
MIKE HALDE  
JAMES EITMAN  
CJ MCDANIEL  
(UNKNOWN NAME)  
KAYLEEN NELSON  
JOHN LEBOURHIS  
MARC TINDELL  
MATTHEW DEROUN  
AND APPROXIMATELY 11 OTHERS WHO DID NOT SIGN IN

**III. INVOCATION- DR. DALE OLSON- FAMILY HOPE**

DALE OLSON GAVE THE INVOCATION.

**IV. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG-I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.**

**V. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG –HONOR THE TEXAS FLAG; I PLEDGE ALLEGIANCE TO THEE, TEXAS, ONE STATE UNDER GOD, ONE AND INDIVISIBLE**

MAYOR GROFF LED THE PLEDGE OF ALLEGIANCE TO THE U.S AND TEXAS FLAG.

**VI. 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.**

JIM EITMAN- SPOKE REGARDING POLO RANCH. HE ASKED SEVERAL QUESTIONS OF COUNCIL MEMBERS. (FOR FULL COMMENTARY, REQUEST AUDIO)

**VII. CITY'S MANAGER'S REPORT – BRIEFINGS OR UPDATES MAY BE PROVIDED REGARDING CITY SERVICES, ADMINISTRATIVE/PERSONNEL MATTERS, REAL ESTATE/DEVELOPMENT, INFRASTRUCTURE, EVENTS, REGULATIONS, COMMUNITY AND INTERGOVERNMENTAL RELATIONS ISSUES.**

- A. **DISCUSS UPCOMING CITY COUNCIL SCHEDULE THROUGH SEPTEMBER**
- B. **INFORMATION ON LIVE STREAMING ALL CITY COUNCIL MEETINGS**

*BRANT GARY GAVE THE CITY MANAGER REPORT TO COUNCIL. (FOR FULL COMMENTARY, REQUEST AUDIO)*

VIII. **CONSENT ITEMS**-ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE AND ARE GENERALLY ENACTED IN ONE MOTION, THE EXCEPTION TO THIS RULE IS THAT A COUNCIL MEMBER(S) MAY REQUEST ONE OR MORE ITEMS TO BE REMOVED FROM THE CONSENT AGENDA FOR A SEPARATE DISCUSSION AND ACTION.

- A. **CONSENT AND APPROVAL OF POLO RANCH BOULEVARD STREET DEDICATION (SECTION 1)/FINAL PLAT**
- B. **CONSENT AND APPROVAL OF POLO RANCH SECTION 1/FINAL PLAT**
- C. **CONSENT AND APPROVAL OF POLO RANCH SECTION 2/FINAL PLAT**
- D. **CONSENT AND APPROVAL OF TAMARRON SECTION 29 PARTIAL REPLAT NO. 1/FINAL PLAT**
- E. **CONSENT AND APPROVAL OF TAMARRON SECTION 43/FINAL PLAT**
- F. **CONSENT AND APPROVAL OF TAMARRON SECTION 53/FINAL PLAT**
- G. **CONSENT AND APPROVAL OF CITY COUNCIL MINUTES FROM CITY COUNCIL MEETINGS HELD ON JULY 12, 2018, JULY 16, 2018, JULY 17, 2018 (JOINT MEETING) AND JULY 17, 2018 (REGULAR MEETING)**
- H. **CONSENT AND APPROVAL OF GENERAL FUND REPORT FOR JULY 2018**

*COUNCIL MEMBER POOL ASKED TO TAKE ITEMS A, B, AND C SEPARATELY.*

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ITEMS D-H. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL*

*NAYS: NONE*

*ABSENT: COUNCIL MEMBER CATES*

**ITEM A**

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ITEM A (POLO RANCH BOULEVARD STREET DEDICATION (SECTION 1)/FINAL PLAT). IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL*

NAYS: NONE

ABSENT: COUNCIL MEMBER CATES

**ITEM B & C**

A MOTION WAS MADE BY COUNCIL MEMBER POOL TO APPROVE ITEMS B AND C (POLO RANCH SECTION 1/FINAL PLAT AND POLO RANCH SECTION 2/FINAL PLAT). IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER CATES

**IX. BUSINESS**

- A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-400, A RESOLUTION OF THE CITY OF FULSHEAR CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 182 AND IMPOSING CONDITIONS ON SAME**

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE RESOLUTION NO. 2018-400. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER CATES

- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-396, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE CITY AND THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A)**

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2018-396. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER CATES

- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-397, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING AN ADMINISTRATIVE SERVICES**

**AGREEMENT BETWEEN THE CITY AND THE FULSHEAR DEVELOPMENT CORPORATION  
(TYPE B)**

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2018-397. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON,  
AND POOL*

*NAYS: NONE*

*ABSENT: COUNCIL MEMBER CATES*

- D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-398, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING THE PROPOSED PROJECTS FOR THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A OPERATING AS TYPE B) TO BE UNDERTAKEN DURING FISCAL YEAR 2018-2019 (1<sup>ST</sup> READING)**

*(THIS ITEM WILL BE VOTED ON DURING THE 2<sup>ND</sup> READING (ITEM E))*

*(A MOTION, A 2<sup>ND</sup> AND A VOTE WAS MADE ON THIS ITEM BUT IT WAS DETERMINED THAT IT COULD NOT BE VOTED ON UNTIL AFTER THE 2<sup>ND</sup> READING. THE ACTION WAS RESCINDED)*

- E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-398, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING THE PROPOSED PROJECTS FOR THE CITY OF FULSHEAR DEVELOPMENT CORPORATION (TYPE A OPERATING AS TYPE B) TO BE UNDERTAKEN DURING FISCAL YEAR 2018-2019 (2<sup>ND</sup> READING)**

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2018-398. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

*AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON,  
AND POOL*

*NAYS: NONE*

*ABSENT: COUNCIL MEMBER CATES*

- F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-399, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING THE PROPOSED PROJECTS FOR THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) TO BE UNDERTAKEN DURING FISCAL YEAR 2018-2019 (1<sup>ST</sup> READING)**

*(THIS ITEM WILL BE VOTED ON DURING THE 2<sup>ND</sup> READING (ITEM G))*

- G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-399, A RESOLUTION OF THE CITY OF FULSHEAR APPROVING THE PROPOSED PROJECTS FOR THE FULSHEAR DEVELOPMENT CORPORATION (TYPE B) TO BE UNDERTAKEN DURING FISCAL YEAR 2018-2019 (2<sup>ND</sup> READING)**

A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO APPROVE RESOLUTION NO. 2018-399. IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER CATES

**H. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1283 AN ORDINANCE ESTABLISHING OR ALTERING A REGULATORY SPEED ZONE ON VARIOUS STREETS OR PORTIONS OF STREETS WITHIN THE CITY OF FULSHEAR**

A MOTION WAS MADE BY COUNCIL MEMBER PATTERSON TO APPROVE ORDINANCE NO. 2018-1283. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL

NAYS: NONE

ABSENT: COUNCIL MEMBER CATES

(THERE WAS SOME DISCUSSION TO BRING THIS ITEM BACK FOR DISCUSSION AT THE NEXT MEETING)

**X. EXECUTIVE SESSION – CLOSED SESSION IN ACCORDANCE WITH THE GOVERNMENT CODE SEC. 551.071. CONSULTATION WITH ATTORNEY; CLOSED MEETING.**

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 THIS CHAPTER.

UPDATE ON THREATENED LITIGATION

REQUEST FOR ATTORNEY GENERAL OPINION

THERE WAS NO NEED FOR EXECUTIVE SESSION.

**XI. ACTION FROM EXECUTIVE SESSION**

THERE WAS NO NEED FOR EXECUTIVE SESSION.


XII. ADJOURNMENT

A MOTION TO ADJOURN WAS MADE BY MAYOR PRO-TEM KAHLICH. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS HOLLINGSWORTH, KAHLICH, KELLY, MARTIN, PATTERSON, AND POOL  
NAYS: NONE  
ABSENT: COUNCIL MEMBER CATES

MAYOR GROFF ADJOURNED THE MEETING AT 8:33 P.M.





AARON GROFF, MAYOR

ATTEST:

  
KIMBERLY KOPECKY, CITY SECRETARY