



# 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

Interim CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

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## CITY COUNCIL MEETING MINUTES JUNE 19, 2018

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

*A REGULAR CITY COUNCIL MEETING WAS CALLED TO ORDER BY MAYOR, AARON GROFF IN THE IRENE STERN COMMUNITY CENTER LOCATED AT 6920 KATY FULSHEAR ROAD, FULSHEAR, TEXAS AT 7:05 P.M. MAYOR GROFF ANNOUNCED A QUORUM WAS PRESENT AND ALL COUNCIL MEMBERS ARE IN ATTENDANCE.*

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

#### **COUNCIL MEMBERS PRESENT**

*AARON GROFF, MAYOR*

*KAYE KAHLICH, MAYOR PRO-TEM*

*JOEL PATTERSON, COUNCIL MEMBER*

*DANA HOLLINGSWORTH, COUNCIL MEMBER*

*DEBRA CATES, COUNCIL MEMBER*

*LISA MARTIN, COUNCIL MEMBER*

*JOHN KELLY, COUNCIL MEMBER*

*KENT POOL, COUNCIL MEMBER*

#### **CITY STAFF PRESENT**

*JACK HARPER, CITY MANAGER*

*KIMBERLY KOPECKY, INTERIM CITY SECRETARY*

*BRANT GARY, ASSISTANT CITY MANAGER*

*GRADY RANDLE, CITY ATTORNEY*

ANGELA FRITZ, ECONOMIC DEVELOPMENT DIRECTOR  
SHARON VALIANTE, PUBLIC WORKS DIRECTOR  
WES VELA, CHIEF FINANCIAL OFFICER  
LYNN RAYMER, EXECUTIVE ASSISTANT  
KENNY SEYMOUR, POLICE CHIEF  
OFFICER SCHOOF  
SERGEANT VARGAS

**OTHERS**

BRYAN THOMAS  
GREGORY EHMAN  
PASTOR/CHAPLAIN CHARLES WISDOM  
CJ MCDANIEL  
TREY DEVILLIER  
AND 22 OTHERS THAT DID NOT SIGN IN

**III. INVOCATION- DR. CHARLES WISDOM, FULSHEAR POLICE CHAPLAIN**

CHARLES WISDOM, FULSHEAR POLICE CHAPLAIN LED THE AUDIENCE IN PRAYER.

**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 AUDIENCE IN THE PLEDGE OF ALLEGIANCE TO THE US 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.**

CJ MCDANIEL SPOKE REGARDING SUPERMAJORITY VOTE AND THE CHARTER

**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. DISCUSSION WITH COUNCIL FOR ONBOARDING TRAINING DATES IN JULY**

JACK HARPER SPOKE REGARDING A 4 HOUR ONBOARDING TRAINING. THE DATE WILL BE JULY 16, 2018 FROM 8 AM – 12 PM. THIS MEETING WILL BE POSTED FOR THE PUBLIC.

**B. FISCAL YEAR 2018-2019 BUDGET CALENDAR**

WES VELA HAS BEEN WORKING ON THE BUDGET SINCE JANUARY. MAYOR PRO-TEM KAHLICH ASKED ABOUT BUDGET WORKSHOPS. JACK HARPER SAYS WE WILL BE SCHEDULING THEM WHEN WE KNOW MORE.

**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 THE PURCHASE OF CONCRETE PAVEMENT REPAIR SERVICES**
- B. CONSENT AND APPROVAL OF THE RECONCILIATION CHANGE ORDER FOR THE UTILITIES EXTENSION TO SERVE FULSHEAR LAKES**
- C. CONSENT AND APPROVAL OF RESOLUTION NO. 2018-384 APPOINTING SERGEANT FELIX VARGAS AS EMERGENCY MANAGEMENT COORDINATOR**
- D. CONSENT AND APPROVAL OF RESOLUTION NO. 2018-385 APPROVING A CHANGE IN THE REGISTERED AGENT FOR THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**
- E. CONSENT AND APPROVAL OF RESOLUTION NO. 2018-386 APPROVING A CHANGE IN THE REGISTERED AGENT FOR THE FULSHEAR DEVELOPMENT CORPORATION, A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**
- F. CONSENT AND APPROVAL OF TAMARRON SECTION 36 PARTIAL REPLAT NO. 1/PRELIMINARY PLAT**
- G. CONSENT AND APPROVAL OF CREEK FALLS AT CROSS CREEK RANCH SECTION 12/PRELIMINARY PLAT**
- H. CONSENT AND APPROVAL OF CREEK COVE AT CROSS CREEK RANCH SECTION 14/FINAL PLAT**
- I. CONSENT AND APPROVAL OF CREEK COVE AT CROSS CREEK RANCH SECTION 15/FINAL PLAT**
- J. CONSENT AND APPROVAL OF CREEK COVE AT CROSS CREEK RANCH SECTION 16/FINAL PLAT**
- K. CONSENT AND APPROVAL OF JADE SPRINGS LANE- STREET DEDICATION/FINAL PLAT**
- L. CONSENT AND APPROVAL OF THE MARKET AT CROSS CREEK RANCH PARTIAL REPLAT NO. 2/FINAL PLAT**
- M. CONSENT AND APPROVAL OF MINUTES FROM COUNCIL MEETING HELD ON MAY 15, 2018**
- N. CONSENT AND APPROVAL OF MONTHLY FINANCIAL REPORT FOR MAY 2018**

*A MOTION TO APPROVE CONSENT ITEMS A THROUGH N WAS MADE BY MAYOR PRO-TEM KAHLICH. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

IX. **BUSINESS**

A. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-387 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S PLANNING AND ZONING COMMISSION**

*COUNCIL MEMBER MARTIN WOULD LIKE TO DISCUSS STAGGERING SOME OF THESE TERMS.*

*A MOTION WAS MADE BY COUNCIL MEMBER MARTIN TO AMEND THE RESOLUTION TO APPOINT 3 MEMBERS TO A ONE (1) YEAR TERM AND TO APPOINT 4 MEMBERS TO A TWO (2) YEAR TERM. IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE RESOLUTION NO. 2018-387 WITH THE FOLLOWING APPOINTMENTS:*

**1 YEAR TERM:**

*AUSTIN WEANT  
DAR HAKIMZADEH  
AMY PEARCE*

**2 YEAR TERM:**

*JOAN BERGER  
JASON CHERUBINI  
GREGORY EHMAN  
JOHN DOWDALL*

*KAYLEEN NELSON (EX-OFFICIO)*

*IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

**B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1275 AN ORDINANCE REPEALING RESOLUTION NO. 2016-314 "A RESOLUTION CREATING THE HISTORIC PRESERVATION AND MUSEUM COMMITTEE," ADOPTING CITY OF FULSHEAR CODE OF ORDINANCES CHAPTER 2, ARTICLE III, DIVISION 5 – HISTORIC PRESERVATION AND MUSEUM COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE AND RESOLUTION NO. 2018-388 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S HISTORIC PRESERVATION AND MUSEUM COMMISSION**

*MAYOR PRO-TEM KAHLICH SUGGESTS WE STAGGER THIS COMMISSION FOR CONTINUITY SAKE.*

*A MOTION TO AMEND RESOLUTION NO. 2018-388 TO APPOINT 3 MEMBERS TO A ONE (1) YEAR TERM (THROUGH JUNE 2019) AND TO APPOINT 4 MEMBERS TO A TWO (2) YEAR TERM (THROUGH JUNE 2020) WAS MADE BY MAYOR PRO-TEM KAHLICH. IT WAS SECONDED BY COUNCIL MEMBER POOL.*

*DISCUSSION BETWEEN COUNCIL MEMBERS FOLLOWS..(NO VOTE TAKEN AT THIS TIME)*

*A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE ORDINANCE NO. 2018-1275. IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS: NONE*

*ABSENT: NONE*

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2018-388 WITH THE PREVIOUS AMENDMENT ESTABLISHING 1 YEAR TERMS AND 2 YEAR TERMS WITH THE FOLLOWING APPOINTMENTS:*

**1 YEAR TERM:**

*JACKIE BOYLHART*

*VIOLA RANDLE*

*PAT MOLLERE*

**2 YEAR TERM:**

*SONYA SIMMONS*

*PAMELA DAVENPORT*

*MIKE DAVENPORT*

*DAWN MCREA*

*IT WAS SECONDED BY COUNCIL MEMBER POOL. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS: NONE*

*ABSENT: NONE*

**C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 2018-1279 AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS AMENDING CITY OF FULSHEAR CODE CHAPTER 2, ARTICLE III, DIVISION 4 – PARKS AND RECREATION COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL AND PROVIDING FOR AN**

**EFFECTIVE DATE AND RESOLUTION NO. 2018-389 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S PARKS AND RECREATION COMMISSION**

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE ORDINANCE NO. 2018-1279. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS: NONE*

*ABSENT: NONE*

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2018-389 WITH THE FOLLOWING APPOINTMENTS:*

*RAMONA RIDGE  
JENNIFER HAGEMANN  
KEVIN WHITE  
DAWN MCREA*

*IT WAS SECONDED BY COUNCIL MEMBER KELLY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS: NONE*

*ABSENT: NONE*

**D. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-390 APPOINTING DIRECTORS TO THE BOARD OF THE CITY OF FULSHEAR DEVELOPMENT CORPORATION, A TYPE "A" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

*A MOTION TO APPROVE RESOLUTION NO. 2018-390 WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH WITH THE FOLLOWING APPOINTMENTS:*

*JASON MACKARY  
TROY BOZEMAN*

*IT WAS SECONDED BY MAYOR PRO-TEM KAHLICH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS: NONE*

*ABSENT: NONE*

**E. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-391 APPOINTING DIRECTORS TO THE BOARD OF THE FULSHEAR DEVELOPMENT CORPORATION, A TYPE "B" ECONOMIC DEVELOPMENT SALES TAX CORPORATION**

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2018-391 WITH THE FOLLOWING APPOINTMENTS:*

*STACY MANGUM  
RECIE MEDLOCK  
MIKE HOPFE  
RAY KERLICK  
TOMMY KUYKENDALL (1 YEAR TERM)*

*IT WAS SECONDED BY COUNCIL MEMBER MARTIN. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

**F. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-392 A RESOLUTION OF THE CITY OF FULSHEAR APPOINTING MEMBERS TO THE CITY'S ZONING BOARD OF ADJUSTMENT**

*A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH TO APPROVE RESOLUTION NO. 2018-392 WITH THE FOLLOWING APPOINTMENTS:*

*AMY PEARCE  
BILL ARCHER*

*WE WILL CONTINUE TO ACCEPT APPLICATIONS FOR THIS BOARD.*

*IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

**G. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-393 A RESOLUTION AUTHORIZING THE FEE FOR FINGERPRINT SERVICES PROVIDED BY THE FULSHEAR POLICE DEPARTMENT TO THE PUBLIC**

*CHIEF KENNY SEYMOUR SPOKE REGARDING THE NEED FOR THE COUNCIL TO AUTHORIZE A FEE FOR FINGERPRINT SERVICES. IT TAKES ABOUT 20 MINUTES TO FINGERPRINT AND*

*MOST PEOPLE BRING MULTIPLE CARDS. THIS WON'T MAKE US ANY MONEY BUT IT WILL OFF SET SOME OF THE EXPENSES WE OCCUR.*

*A MOTION WAS MADE BY MAYOR PRO-TEM KALICH TO APPROVE RESOLUTION NO. 2018-393 AUTHORIZING THE FEE FOR FINGERPRINT SERVICES PROVIDED BY THE FULSHEAR POLICE DEPARTMENT TO THE PUBLIC. IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS: NONE*

*ABSENT: NONE*

**H. DISCUSSION OF AND CONSIDERATION ON INTERPRETATION OF SECTION 1-279 (F) (7) OF THE FULSHEAR ZONING CODE AND AN EFFECTIVE DATE**

*GRADY RANDLE GAVE A BRIEF HISTORY ON THIS ITEM. MR. RANDLE GAVE A RULING THAT IT TAKES A SUPERMAJORITY TO CHANGE THE ZONING ORDINANCE. THE ORIGINAL INTENT ON THE ORDINANCE FROM 2012 WAS A MAJORITY VOTE. THE COUNCIL GREW AND THE ORDINANCE GOT OUT OF KILTER WITH THE CHARTER. THERE IS A CONFLICT BETWEEN THE ORDINANCE AND THE CHARTER. HE IS ASKING COUNCIL TO MAKE AN INTERPRETATION ON MAJORITY OR SUPERMAJORITY FOR THE ZONING CODE. (COUNCIL ONLY INTERPRETING THE ORDINANCE, NOT CHANGING THE ORDINANCE)*

*A MOTION WAS MADE BY MAYOR PRO-TEM KALICH TO APPROVE A MINUTE ORDER AFFIRMING THE INTERPRETATION OF SECTION 1-279 (F) (7) MAKING A MAJORITY OF THE FULL CITY COUNCIL (4 OUT OF 7 VOTES). IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*

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

*NAYS: NONE*

*ABSENT: NONE*

*MOTION PASSES*

*A MOTION WAS MADE BY MAYOR PRO-TEM KALICH TO HAVE ANOTHER MINUTE ORDER IN REGARD TO THE INTERPRETATION ON SECTION 1-279 (F) (7) TO MAKE THE EFFECTIVE DATE RETROACTIVE TO MAY 15. IT WAS SECONDED BY COUNCIL MEMBER POOL.*

*(THERE WAS NO ACTION TAKEN ON THIS MOTION/SECOND)*

*COUNCIL MEMBER CATES MADE A MOTION TO AMEND THE PREVIOUS MOTION ON THE INTERPRETATION ON SECTION 1-279 (F) (7) TO MAKE THE EFFECTIVE DATE TODAY (JUNE 19, 2018). IT WAS SECONDED BY COUNCIL MEMBER PATTERSON. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:*



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

NAYS: NONE

ABSENT: NONE

MOTION PASSES

**I. CONSIDERATION AND POSSIBLE ACTION TO FILL THE VACANCY OF THE CITY SECRETARY POSTION**

JACK HARPER ASKED FOR DIRECTION TO EXECUTE NEGOTIATIONS WITH KIMBERLY KOPECKY TO BE THE CITY SECRETARY AND TO BE IN CONFORMANCE WITH THE CITY OF FULSHEAR PAY PLAN.

A MOTION WAS MADE BY MAYOR PRO-TEM KAHLICH FOR JACK HARPER TO ENTER INTO NEGOTIATIONS WITH KIMBERLY KOPECKY TO FILL THE VACANCY OF CITY SECRETARY. IT WAS SECONDED BY COUNCIL MEMBER HOLLINGSWORTH. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

NAYS: NONE

ABSENT: NONE

MOTION PASSES

**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**

A MOTION WAS MADE BY MAYOR PRO TEM KAHLICH TO ENTER INTO EXECUTIVE SESSION AT 8:44 P.M. IT WAS SECONDED BY COUNCIL MEMBER KELLY. THE MOTION WAS CARRIED BY THE FOLLOWING VOTE:

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

COUNCIL MOVED TO EXECUTIVE SESSION AT 8:44 P.M.  
MAYOR GROFF ANNOUNCED THAT COUNCIL RECONVENED BACK FROM EXECUTIVE  
SESSION AT 9:20 P.M. AND ASKS IF ANY ACTION NEEDS TO BE TAKEN.

XI. **ACTION FROM EXECUTIVE SESSION**

**A. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 2018-394 A  
RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, WAIVING THE ATTORNEY-CLIENT  
PRIVILEGE AS TO CERTAIN MEMORANDA AND AS TO INCIDENTAL ORAL OR WRITTEN  
COMMUNICATIONS RELATED TO SUCH MEMORANDA; AND AUTHORIZING THE CITY  
ATTORNEY TO DISCLOSE SUCH MEMORANDA AND COMMUNICATIONS**

A MOTION WAS MADE BY COUNCIL MEMBER HOLLINGSWORTH TO APPROVE RESOLUTION  
NO. 2018-394 WAIVING THE ATTORNEY-CLIENT PRIVILEGE AS TO CERTAIN MEMORANDA. IT  
WAS SECONDED BY MAYOR PRO TEM KAHLICH. THE MOTION WAS CARRIED BY THE  
FOLLOWING VOTE:

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

XII. **ADJOURNMENT**

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

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

MAYOR GROFF ADJOURNED THE MEETING AT 9:22 P.M.



  
AARON GROFF, MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read "K. Kopecky", is written over a horizontal line.

KIMBERLY KOPECKY, INTERIM CITY SECRETARY