



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, September 07, 2023 at 6:30 PM

Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

Live Stream: <https://www.youtube.com/channel/UCDqRvLvReqxrh1lbajwshKA/live>

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

CITIZENS and GUEST FORUM

To address the Council, please sign the Attendance Roster located on the table at the entrance in the foyer of the Public Safety Training Room. In accordance with the Open Meetings Act, Council may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.

3. Citizens to be heard.

PRESENTATIONS

4. Texas Law Enforcement Accreditation Program's re-accreditation certificate to Fair Oaks Ranch Police Department.

James Kohler, Chief of Police, Castroville, Former Region 7 Director of the Texas Police Chiefs Association

5. Proclamation for Information Technology Professionals Day.

Gregory C. Maxton, Mayor

CONSENT AGENDA

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion. Items may be removed by any Council Member by making such request prior to a motion and vote.

6. Approval of the August 17, 2023 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

7. Approval of the second reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code (UDC), Chapter 1 - General Provisions, Chapter 2 - Review Authority and Procedures, and Chapter 3 - Applications and Permits.

Grant Watanabe, P.E., Director of Public Works & Engineering Services
Lata Krishnarao, AICP, LEED ND, Ardurra

8. Approval of a resolution reaffirming the City's Investment Policy

Summer Fleming, Interim Director of Finance

9. Approval of Council Member Parker's absences from the September 21, 2023, and October 5, 2023, Regular City Council Meetings.

Scott Parker, Council Member Place 5

PUBLIC HEARING

10. The City Council of the City of Fair Oaks Ranch, Texas will conduct a public hearing to receive public testimony on proposed amendments to the following chapters in the Unified Development Code (UDC):

Chapter 4: Zoning Districts and Use Regulations

Chapter 5: Subdivision Design Standards

- a) Mayor opens the Public Hearing
- b) Staff/consultant presentation of the proposed amendments to Chapters 4-5 of the UDC
- c) City Council receives citizen testimony for/against the proposed amendments
- d) Mayor closes public comments
- e) City Council may discuss the amendments, inclusive of questions to staff/consultant
- f) Public Hearing is adjourned with no formal action

Grant Watanabe, P.E., Director of Public Works & Engineering Services

Bobbe Barnes, Chairperson, Planning and Zoning Commission

Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

CONSIDERATION/DISCUSSION ITEMS

11. Consideration and possible action approving the first reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code (UDC), Chapter 4: Zoning Districts and Use Regulations, and Chapter 5: Subdivision Design Standards.

Grant Watanabe, P.E., Director of Public Works & Engineering Services

Lata Krishnarao, A.I.C.P., LEED ND, Consultant, Ardurra

12. Consideration and possible action to approve the proposed Fiscal Year 2023-24 Municipal Development District (MDD) Budget

Mike Lovelace, CPA, CMA, CISA, Fair Oaks Ranch MDD Treasurer

13. Consideration and possible action approving a resolution authorizing the execution of an agreement with JF Petroleum Group for the construction and installation of a fuel tank.

Clayton Hoelscher, Procurement Manager

14. Consideration and possible action approving the first reading of an Ordinance amending the City of Fair Oaks Ranch Code of Ordinances Appendix A "Fee Schedule," Article A8.000 "Subdivision/Land Development Regulation Fees."

Grant Watanabe, P.E., Director of Public Works & Engineering Services

15. Consideration and possible action approving a resolution authorizing the execution of a work authorization with Kimley-Horn and Associates, Inc. for engineering services for the Wastewater Treatment Plant (WWTP) Phase 1 Expansion Project.

Grant Watanabe, P.E., Director of Public Works & Engineering Services

WORKSHOP

16. FY 2023-24 Budget Workshop.

Summer Fleming, Interim Director of Finance

17. Water Conservation Plan Workshop

Kelsey Delgado, Environmental Program Manager
Julio Colunga, Assistant Director of Public Works

18. Civic Center Workshop.

Scott M. Huizenga, Interim City Manager
Grant Watanabe, P.E., Director of Public Works & Engineering Services
Robert Lopez, AIA, Lopez Salas Architects

REQUESTS AND ANNOUNCEMENTS

19. Announcements and reports by Mayor and Council Members.
20. Announcements by the City Manager.
21. Requests by Mayor and Council Members that items be placed on a future City Council agenda.

CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body hereby convenes into closed session:

Sec. 551.071 (Consultation with Attorney) the City Council will meet in private consultation with legal counsel to seek the advice of its attorneys about pending or contemplated litigation, a settlement offer, and/or 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 conflicts with Chapter 551 of the Government Code; to wit:

22. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
23. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.
24. Discussion related to possible terms and conditions necessary to resolve disputes that have been the subject of ongoing litigation with the development commonly known as Boerne Ranch Estates, LLC, aka Fair Oaks Meadows.

Sec. 551.072 (Deliberation regarding real property)

25. The City Council will meet in closed session to deliberate the purchase, exchange, lease, or value of real property that may be considered for future location of water and wastewater system improvements.

Sec. 551.074 (Personnel Matters)

26. The City Council will meet in closed session pursuant to Texas Government Code Section 551.074, Personnel Matters, to deliberate the process and options for filling the vacancy of City Manager.
27. To perform the annual evaluation of the City Manager.
28. To perform the annual evaluation of the City Secretary.

RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

ADJOURNMENT

Signature of Agenda Approval: s/Gregory C. Maxton

Gregory C. Maxton, Mayor

I, Christina Picioccio, TRMC, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the City's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, September 4, 2023, and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch Police Station is wheelchair accessible at the front main entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to Texas Government Code Chapter 551. Section 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) and 551.087 (Economic Development).