



CITY OF FAIR OAKS RANCH CITY COUNCIL REGULAR MEETING

Thursday, May 18, 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. Swearing in of elected officials: Keith Rhoden, Council Member Place 2; Chesley Muenchow, Council Member Place 6.

Gregory C. Maxton, Mayor

5. Recognition of the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the FY 2022 budget.

Gregory C. Maxton, Mayor

6. Police Week and Peace Officers Memorial Day Proclamation.

Gregory C. Maxton, Mayor

7. Public Works Week Proclamation.

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.

8. Approval of the May 4, 2023 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

9. Approval of the second reading of an ordinance amending the City of Fair Oaks Ranch Code of Ordinances, Chapter 13 "Utilities", Article 13.03 "Water and Sewer System", Division 3, Part II "Drought Contingency Plan" to include updated definitions, initiation and termination criteria and creating an appeal process; and amending Appendix A Fee Schedule Article A9 (v) "Water Charges – Drought Surcharge Rates".

Kelsey Delgado, Environmental Program Manager

10. Approval of the second reading of an ordinance establishing stop signs on streets within the Setterfeld Estates Subdivision.

Tim Moring, Chief of Police

11. Approval of Mayor Maxton's absence from the May 4, 2023, Regular City Council meeting.

Gregory C. Maxton, Mayor

12. Approval of Council Member Elizondo's absence from the May 4, 2023, Regular City Council meeting.

Gregory C. Maxton, Mayor

13. Approval of Council Member Stroup's absence from the May 18, 2023, Regular City Council meeting.

Gregory C. Maxton, Mayor

14. Approval of Council Member Rhoden's absence from the June 1, 2023 and June 15, 2023, Regular City Council meetings.

Keith Rhoden, City Council Member, Place 2

CONSIDERATION/DISCUSSION ITEMS

15. Consideration and possible action electing a Council Member to serve as Mayor Pro Tem at the first regular City Council meeting following each regular city election.

Gregory C. Maxton, Mayor

16. Consideration and possible action authorizing the City Manager to execute a construction agreement for Enchanted Park cul-de-sac reconstruction.

Clayton Hoelscher, Procurement Manager

Julio Colunga, Assistant Director of Public Works

17. Consideration and possible action establishing the City's co-sponsorship of a 4th of July Parade with the Fair Oaks Ranch Homeowners' Association; and approving a resolution declaring the parade a public purpose, authorizing street closures for the event, and authorizing the City Manager to execute a Memorandum of Understanding with FORHA.

Carole Vanzant, CPM, Assistant City Manager, Community Services

18. Consideration and possible action regarding requirements or expenditures associated with the Local Disaster.

Gregory C. Maxton, Mayor

WORKSHOP

19. Wastewater and Emergency Response/Disaster Recovery Town Hall Recap.

Gregory C. Maxton, Mayor

REPORTS FROM STAFF AND COMMITTEES

20. 2023 Boards and Commissions.

Christina Picioccio, TRMC, City Secretary

21. Planning and Zoning Commission Report.

Bobbe Barnes, Chairperson, Planning & Zoning Commission

REQUESTS AND ANNOUNCEMENTS

22. Announcements and reports by Mayor and Council Members.

23. Announcements by the City Manager.

24. 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:

25. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

26. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.

Sec. 551.072 (Deliberation regarding real property)

27. 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.

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, May 15, 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).