



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, March 21, 2024 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.

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.

4. Approval of the February 27, 2024 Town Hall meeting minutes.

Christina Picioccio, TRMC, City Secretary

5. Approval of the March 7, 2024 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

6. Approval of Council Member Muenchow's absence from the June 20, 2024 Regular City Council meeting.

Chesley Muenchow, Council Member Place 6

CONSIDERATION/DISCUSSION ITEMS

7. Consideration and possible action approving a resolution of the City of Fair Oaks Ranch, Texas authorizing a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and First Baptist Church at Fair Oaks Ranch for the reservation of water and other related matters, and authorizing the City Manager to execute the First Amendment.

Carole Vanzant, CPM, Assistant City Manager, Community Services

8. Consideration and possible action approving a resolution of the City of Fair Oaks Ranch, Texas approving a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and Cibolo Creek Community Church, Inc. for the reservation of water and other related matters and authorizing the City Manager to execute the First Amendment.

Carole Vanzant, CPM, Assistant City Manager, Community Services

9. Consideration and possible action approving a resolution of the City of Fair Oaks Ranch, Texas authorizing a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and Ralph Fair, LLC for the reservation of water and other related matters and authorizing the City Manager to execute the First Amendment.

Carole Vanzant, CPM, Assistant City Manager, Community Services

10. Consideration and possible action approving a resolution of the City of Fair Oaks Ranch, Texas authorizing a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and Oak Bend Forest, L.C. for the reservation of water and other related matters; and authorizing the City Manager to execute the First Amendment.

Carole Vanzant, CPM, Asst City Manager, Community Services

11. Consideration and possible action approving a resolution of the City of Fair Oaks Ranch, Texas authorizing a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and Green Land Ventures for the reservation of water and other related matters, and authorizing the City Manager to execute the First Amendment.

Carole Vanzant, CPM, Asst City Manager, Community Services

12. Consideration and possible action to approve a resolution amending the Planning and Zoning Rules of Procedure.

Christina Picioccio, TRMC, City Secretary

13. Approval of a resolution authorizing the submission of a grant application for the State and Local Cybersecurity Grant Program and authorizing the City Manager to execute all documents in connection therewith.

Brian Lejeune, IT Manager

14. Consideration and possible action accepting the FY 2022-23 Audit.

Summer Fleming, Director of Finance
Michael Del Toro, ABIP, PC

WORKSHOP

15. Dietz Elkhorn (East) Reconstruction Options.

Grant Watanabe, P.E., Director of Public Works and Engineering Services
Steven Dean, P.E., CFM, Vice President for Water Resources, Pape-Dawson Engineers, Inc.
Joel Mesa, P.E., CFM, Project Manager, Pape-Dawson Engineers, Inc.

16. Gateway Feature and Community Center Townhall Recap.

Joanna Merrill, IPMA-SCP, Director of HR & Communications
Casey Parker, Multimedia Communications Officers

REPORTS FROM STAFF AND COMMITTEES

17. Presentation of the Popular Annual Financial Report for the Fiscal Year Ended September 30, 2023.

Summer Fleming, Director of Finance

18. Presentation on the upcoming total eclipse set to occur on April 8, 2024.

Tim Moring, Chief of Police

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.

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, March 18, 2024 and remained so posted continuously for at least 72 hours before said meeting was convened. A quorum of various boards, committees, and commissions may attend the City Council meeting.

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).