



CITY OF FAIR OAKS RANCH CITY COUNCIL REGULAR MEETING

Thursday, January 05, 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.

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 December 15, 2022 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

CONSIDERATION/DISCUSSION ITEMS

5. Consideration and possible action approving a Resolution authorizing the power of eminent domain for the acquisition of pipeline easements and certain property rights necessary for the construction, enlargement and maintenance of pipelines and appurtenances designed to carry water and wastewater within the City's Certificated Area (CCN).

Tobin E. Maples, AICP, City Manager

6. Consideration and possible action approving a Resolution authorizing an Easement Acquisition Reimbursement Agreement with Urbanist, Inc.

Tobin E. Maples, AICP, City Manager

7. Consideration and possible action approving a Resolution authorizing the execution of an Agreement to Contribute Right of Way Funds (Fixed Price) with TxDOT for the FM3351 Cibolo Creek project, expenditure of the required project funds and execution of all applicable documents by the City Manager.

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

8. Consideration and possible action approving a Resolution allocating Fiscal Year 2021-22 General Fund Balances and carryover of encumbrances and continuing appropriations.

Rosie G. Vela, Director of Finance

WORKSHOP

9. 2023 City Election.

Christina Picioccio, TRMC, City Secretary

REPORTS FROM STAFF AND COMMITTEES

10. Recap of September 2022 Household Hazardous Waste Event.

Kelsey Delgado, Environmental Project Manager

REQUESTS AND ANNOUNCEMENTS

11. Announcements and reports by Mayor and Council Members.
12. Announcements by the City Manager.
13. 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:

14. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
15. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.

Sec. 551.072 (Deliberation regarding real property)

16. 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, Amanda Valdez, TRMC, Deputy 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, January 2, 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).