



**CITY OF FAIR OAKS RANCH**  
**CITY COUNCIL REGULAR MEETING**

Thursday, July 20, 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>

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**AGENDA**

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**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. Recognition of the Employee of the Quarter (Q3 - April 2023 through June 2023): Timothy Flynn, Maintenance Technician.

Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications

**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.*

5. Approval of the July 6, 2023 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

6. Approval of the second reading of an ordinance amending the City of Fair Oaks Ranch Code of Ordinances, Chapter 1 "General Provisions," Article 1.07 "Trees And Shrubs" to include updated definitions, and to add new sections defining the authority and responsibility of public trees.

Kelsey Delgado, Environmental Program Manager

**CONSIDERATION/DISCUSSION ITEMS**

7. 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 A7.000 (a) and (b) "Wastewater Service Charges."

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

8. Consideration and possible action approving a resolution authorizing the execution of a work authorization with Pape-Dawson Engineers, Inc. for engineering services for the Dietz Elkhorn (East) Reconstruction Project.

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

### WORKSHOP

9. FY 2023-2024 Budget Workshop - Municipal Court, City Secretary, Utilities and Capital Improvement Plans.

Summer Fleming, Interim Director of Finance  
Ricardo Bautista, Municipal Court Administrator  
Christina Picioccio, TRMC, City Secretary  
Julio Colunga, Assistant Director of Public Works  
Scott M. Huizenga, Interim City Manager

### REQUESTS AND ANNOUNCEMENTS

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

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

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.

**Sec. 551.074 (Personnel Matters)**

17. The City Council will meet in closed session pursuant to Texas Government Code Section 551.074, personnel matters, to deliberate the re-appointment, evaluation, and duties of a public officer; to wit: Judge Kimberly S. Keller.

**Sec. 551.076/551.089 (Deliberation regarding security devices or security audits)**

18. The City Council will meet in closed session pursuant to Texas Government Code Section 551.076/551.089, security devices or audits, to deliberate the deployment, or specific occasions for deployment, or specific occasions for implementation, of security personnel or security devices, critical infrastructure, security assessments or deployments relating to information resources technology, network security information, with respect to the Fair Oaks Ranch Municipal Court.

**RECONVENE INTO OPEN SESSION**

*Discussion and possible action on items discussed in Executive Session.*

**ADJOURNMENT**

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**Signature of Agenda Approval:** s/Scott M. Huizenga

Scott M. Huizenga, Interim City Manager

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](http://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, July 17, 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).