



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, December 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.

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 November 16, 2023 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

5. Approval of the second reading of an ordinance amending the City of Fair Oaks Ranch Code of Ordinances, Chapter 13 "Utilities," Article 13.06 "Water Conservation Plan," Section 13.06.006 "Landscape Watering Management" to include an updated watering day schedule and providing for an effective date.

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

6. Approval of a resolution authorizing the execution of a purchase order with Motorola Solutions, Inc. for body worn cameras, expenditure of the required funds, and execution of all applicable documents by the City Manager.

Clayton Hoelscher, Procurement Manager

CONSIDERATION ITEMS

7. Consideration and possible action accepting a private donation to the City of Fair Oaks Ranch Police Department.

Tim Moring, Chief of Police

8. Consideration and possible action approving a private donation to the City of Fair Oaks Ranch Police Department.

Tim Moring, Chief of Police

9. Consideration and possible action approving a resolution authorizing the submission of project application(s) to the Texas Department of Transportation for FY 2026-27 Highway Safety Improvement Program (HSIP) funding, and execution of all documents relative to the submission by the City Manager.

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

Jeanne Tarrants, RSP2I, Legacy Engineering Group

Oscar Michael Garza, PE, PTOE, RSP1, Legacy Engineering Group

10. Consideration and possible action on cancelling the January 4, 2024, City Council meeting.

Gregory C. Maxton, Mayor

WORKSHOP

11. Unified Development Code Amendments related to Statutory and Regulatory Changes and Mixed Use Village Zoning District.

Grant Watanabe, Director of Public Works and Engineering

T. Daniel Santee, City Attorney

REPORTS FROM STAFF AND COMMITTEES

12. Bond Advisory Committee Update.

Seth Mitchell, Bond Advisory Committee Chairman

13. Presentation of the Fiscal Year 2022-23 Preliminary Year-End Results.

Summer Fleming, Director of Finance

REQUESTS AND ANNOUNCEMENTS

14. Announcements and reports by Mayor and Council Members.

15. Announcements by the City Manager.

16. 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:

17. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
18. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.
19. 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.
20. 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: Richard J. Davila Jr. vs. City of Fair Oaks Ranch.
21. The City Council will meet in closed session pursuant to Texas Government Code Section 551.071 to consult with legal counsel about pending or contemplated litigation; to wit: former officer Lacey Gonzales F5 appeal proceeding.

Sec. 551.072 (Deliberation regarding real property)

22. 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)

23. To perform the annual evaluation of the City Manager.
24. 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, December 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).