



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, September 21, 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. Proclamation for Human Resources Professional Day.

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.

5. Approval of the August 29, 2023 Town Hall meeting minutes.

Christina Picioccio, TRMC, City Secretary

6. Approval of the September 7, 2023 Special City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

7. Approval of the September 7, 2023 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

8. Approval of the September 12, 2023 Special City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

9. Approval of the September 12, 2023 Special City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

10. Approval of the second reading of an ordinance amending the City of Fair Oaks Ranch Code of Ordinances, Appendix A "Fee Schedule," Article A8.000 "Subdivision/Land Development Regulation Fees."

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

11. Approval of a resolution authorizing execution of an Interlocal Agreement with the City of Boerne for Animal Control Services for FY 2023-24, expenditure of the required funds, and execution of all applicable documents by the City Manager.

Summer Fleming, Interim Director of Finance

CONSIDERATION/DISCUSSION ITEMS

12. Consideration and possible action approving the second reading of an ordinance adopting the City budget for the fiscal year beginning October 1, 2023 and ending September 30, 2024.

Summer Fleming, Interim Director of Finance

13. Consideration and possible action approving the second reading of an ordinance levying a property tax rate of 30.05 cents per \$100 taxable valuation on property in the City of Fair Oaks Ranch for the tax year 2023; and determining due and delinquent dates; and providing an effective date.

Summer Fleming, Interim Director of Finance

14. Consideration and possible action approving a resolution ratifying the property tax rate reflected in the FY 2023-24 General Fund and Debt Service Fund budgets.

Summer Fleming, Interim Director of Finance

15. Consideration and possible action approving a resolution authorizing a First Amendment to the 2008 Water Supply Agreement between the City of Fair Oaks Ranch and Mark J. Minahan, Sr. and Brenda S. Minahan 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

16. Consideration and possible action approving a resolution authorizing the execution of the fourth amendment to the agreement between the City of Fair Oaks Ranch and the Guadalupe-Blanco River Authority for the Western Canyon Project.

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

17. Consideration and possible action appointing Council Members as members or liaisons to various boards, committees, and commissions.

Gregory C. Maxton, Mayor

18. Consideration and possible action approving a resolution to appoint members to fill places on the City of Fair Oaks Ranch Planning & Zoning Commission.

Christina Picioccio, TRMC, City Secretary

19. Consideration and possible action approving a resolution to appoint members to fill places on the City of Fair Oaks Ranch Capital Improvement Advisory Committee.

Christina Picioccio, TRMC, City Secretary

20. Consideration and possible action approving a resolution to appoint members to fill places on the City of Fair Oaks Ranch Municipal Development District Board of Directors.

Christina Picioccio, TRMC, City Secretary

21. Consideration and possible action approving a resolution to appoint members to fill places on the City of Fair Oaks Ranch Zoning Board of Adjustment.

Christina Picioccio, TRMC, City Secretary

22. Consideration and possible action approving a resolution to appoint members to fill places on the City of Fair Oaks Ranch Board of Appeals.

Christina Picioccio, TRMC, City Secretary

REPORTS FROM STAFF AND COMMITTEES

23. 2023 Annular Eclipse.

John Ojeda, Lieutenant

REQUESTS AND ANNOUNCEMENTS

24. Announcements and reports by Mayor and Council Members.
25. Announcements by the City Manager.
26. 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:

27. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
28. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.
29. 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)

30. 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)

31. To deliberate and select finalists for the City's municipal court judges.

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, September 18, 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).