



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

Thursday, October 03, 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>

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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.

### **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 September 16, 2024 Special City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

5. Approval of the September 16, 2024 Special City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

6. Approval of Council Member Rhoden's absence from the August 15, 2024 and October 3, 2024 Regular City Council meetings.

Keith Rhoden, Council Member, Place 2

7. Approval of Council Member Olvera's absence from the September 19, 2024 Regular City Council meeting.

Ruben Olvera, Council Member, Place 3

### **PUBLIC HEARING**

8. The City Council will conduct a public hearing to receive public testimony on the following variance request: Application No. PV# 2024-01 from the applicant, Sitterle Homes LTD, on behalf of the property owner, Oak Bend Forest, L.C., to reduce the minimum required street frontage from 150 feet to a range of 107.75 - 148.68 feet for 38 lots in the proposed 55-lot Oak Bend Subdivision Phase I.

- a) The Mayor opens the public hearing.
- b) Staff presentation on the variance request.
- c) Applicant presentation of the variance request.
- d) The City Council receives public testimony for/against the variance request with the Mayor serving as the presiding officer.
- e) The Mayor closes public comments.
- f) The City Council discusses the request, inclusive of questions of the applicant and staff.
- g) The Mayor adjourns the public hearing with no formal action.

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

9. The City Council will conduct a public hearing to receive public testimony on the following variance request: Application No. PV# 2024-02 from the applicant and owner, Green Land Ventures, LTD., to reduce the required minimum street frontage from 150 feet to 108 feet for three (3) lots in the proposed Stone Creek Ranch Unit 2B.

- a) The Mayor opens the public hearing.
- b) Staff presentation on the variance request.
- c) Applicant presentation of the variance request.
- d) The City Council receives public testimony for/against the variance request with the Mayor serving as the presiding officer.
- e) The Mayor closes public comments.
- f) The City Council discusses the request, inclusive of questions of the applicant and staff.
- g) The Mayor adjourns the public hearing with no formal action.

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

### **CONSIDERATION/DISCUSSION ITEMS**

10. Consideration and possible action approving a variance request: Application No. PV# 2024-01 from the applicant, Sitterle Homes LTD, on behalf of the property owner, Oak Bend Forest, L.C., to reduce the minimum required street frontage from 150 feet to a range of 107.75 - 148.68 feet for 38 lots in the proposed 55-lot Oak Bend Subdivision Phase I.

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

11. Consideration and possible action approving the Oak Bend Subdivision Phase I Tree Preservation Plan.

Kelsey Delgado, Environmental Program Manager

12. Consideration and possible action approving the Oak Bend Subdivision Phase I Preliminary plat establishing 55 lots from the applicant, Sitterle Homes LTD, on behalf of the property owner, Oak Bend Forest, L.C.

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

13. Consideration and possible action approving a variance request: Application No. PV# 2024-02 from the applicant and owner, Green Land Ventures, LTD. to reduce the required minimum street frontage from 150 feet to 108 feet for three (3) lots in the proposed Stone Creek Ranch Unit 2B.

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

14. Consideration and possible action approving a Preliminary Plat request from Green Land Ventures Ltd., for Stone Creek Ranch Unit 2B establishing 12 single-family residential lots.

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

### WORKSHOP

15. Tree Preservation Workshop Follow-Up

Kelsey Delgado, Environmental Program Manager

### REPORTS FROM STAFF AND COMMITTEES

16. Semiannual Report from the Capital Improvements Advisory Committee (CIAC).

Paul Mebane, CIAC Chairperson

### REQUESTS AND ANNOUNCEMENTS

17. Announcements and reports by Mayor and Council Members.

18. Announcements by the City Manager.

19. 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:

20. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.

21. 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)**

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.

**RECONVENE INTO OPEN SESSION**

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

**ADJOURNMENT**

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**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](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, September 30, 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).