



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, January 18, 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>

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. In Recognition of recent Promotion(s): Michael Maddox, Police Sergeant.
Joanna Merrill, IPMA-SCP, Director of HR & Communications
Tim Moring, Police Chief
5. Presentation of a 5-Year Service Award to: Matthew Drexler, Police Officer.
Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications
6. Presentation of a 10-Year Service Award to: David Magness, Police Officer.
Joanna Merrill, IPMA-SCP, Director of HR and Communications
7. Presentation of a 15-Year Service Award to: Ernesto Martinez, GIS Technician
Joanna Merrill, IPMA-SCP, Director of HR and Communications
8. Introduction of new hire(s): Lee Muniz, Manager of Engineering Services; Kimberly Corbin, Administrative Clerk; James Garza, Maintenance Technician; Cristobal De la Rosa Castillo, Maintenance Technician.
Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications
9. In Recognition of Recent Promotion(s): Julie Lovelace, Accounting Manager
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.

10. Approval of the December 21, 2023 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

11. Approval of the second reading of an Ordinance amending the City of Fair Oaks Ranch Unified Development Code related to Statutory and Regulatory Changes.

Grant Watanabe, Director of Public Works and Engineering Services

12. Approval of a resolution allocating portions of the FY 2022-23 General Fund Balances and carryover of encumbrances and continuing appropriations.

Summer Fleming, Director of Finance

13. Approval of a resolution authorizing the execution of a purchase order with Briggs Equipment for a trailer-mounted boom lift, expenditure of the required funds, and execution of all applicable documents by the City Manager.

Clayton Hoelscher, Procurement Manager

14. Approval of a resolution authorizing the execution of a purchase order with SealMaster Houston for fog seal equipment, expenditure of the required funds, and execution of all applicable documents by the City Manager.

Clayton Hoelscher, Procurement Manager

CONSIDERATION/DISCUSSION ITEMS

15. Consideration and possible action approving a resolution authorizing and executing a policy regarding use of body worn cameras for the Fair Oaks Ranch Police Department as required by state law.

Tim Moring, Chief of Police

16. Consideration and possible action appointing Council Member Olvera to serve as a member on the Branding Committee and Wildlife Education Committee.

Gregory C. Maxton, Mayor

WORKSHOP

17. Consideration and possible action to accept a report from the Bond Advisory Committee.

Seth Mitchell, BAC Chairman

REPORTS FROM STAFF AND COMMITTEES

18. Gateway Committee Update.

Laura Koerner, Council Member Place 4
Scott Parker, Council Member Place 5

19. Update regarding UDC Policy Amendments.

Lee Muniz, P.E., CFM, Manger of Engineering Services

REQUESTS AND ANNOUNCEMENTS

20. Announcements and reports by Mayor and Council Members.
21. Announcements by the City Manager.
22. 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:

23. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
24. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.
25. 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.
26. 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 Evan Downey F5 appeal proceeding.
27. 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.

Sec. 551.072 (Deliberation regarding real property)

28. 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)

29. To perform the annual evaluation of the City Manager.

RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

ADJOURNMENT

Signature of Agenda Approval: s/Scott Huizenga

Scott Huizenga, 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, 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 15, 2024 and remained so posted continuously for at least 72 hours before said meeting was convened. A quorum of the Bond Advisory Committee and/or other Boards, Committees, or Commissions may be in attendance at 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).