



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

Thursday, February 02, 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

#### **PRESENTATIONS**

3. Introduction of new hires: Jeffrey W. McCulloch, Utility Technician; Eddie D. Merrill, Police Officer; John E. Esquivel, Police Officer; Zachary M. Zepeda, Police Officer.

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

#### **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.*

4. 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.*

5. Approval of the January 19, 2023 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

6. Approval of Council Member Bliss's absence from the January 19, 2023 and February 2, 2023 regular city council meetings.

Christina Picioccio, TRMC, City Secretary

7. Approval of a Resolution ordering a General Election to be held May 6, 2023, for the election of Council Member Places 2 and 6; to approve a Joint Election Agreement with Kendall County election and to authorize the City Manager to sign the agreement.

Christina Picioccio, TRMC, City Secretary

**CONSIDERATION/DISCUSSION ITEMS**

8. Consideration and possible action approving ratifying the City Manager's execution of a Building Inspector Services Agreement.

Katie Schweitzer, Manager of Engineering Services

9. Discussion and possible action to pursue the opportunity to receive local government relief for disabled veteran exemptions from the state under Local Government Code Section 140.011.

Laura Koerner, Council Member Place 4

**WORKSHOP**

10. Tree Preservation Workshop.

Emily Stroup, City Council Member Place 1  
Kelsey Delgado, Environmental Program Manager

11. Transportation Town Hall Workshop.

Gregory C. Maxton, Mayor

**REPORTS FROM STAFF AND COMMITTEES**

12. Update to City Council regarding the upcoming State of the City Event.

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

13. Police Department 2022 Annual Report.

Tim Moring, Chief of Police

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

**Sec. 551.072 (Deliberation regarding real property)**

20. 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.

**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, January 30, 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).