

CITY OF FAIR OAKS RANCH CITY COUNCIL REGULAR MEETING

Thursday, April 21, 2022 at 6:30 PM

Public Safety Training Room in the 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 in the foyer of the Public Safety 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. Recognition Letter to Jack Bower.

Gregory C. Maxton, Mayor

5. City Clerk's Proclamation.

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.

<u>6.</u> Approval of the April 7, 2022 Regular City Council meeting minutes.

Christina Picioccio, TRMC, City Secretary

7. Approval of Council Member Muenchow's absence from the April 7, 2022 Regular City Council Meeting.

Christina Picioccio, TRMC, City Secretary

CONSIDERATION/DISCUSSION ITEMS

8. Consideration and possible action authorizing the City Manager to execute an Interlocal Cooperation Agreement for Mutual Aid for Information Technology Services.

Brian LeJeune, IT Manager

<u>9.</u> Consideration and possible action declaring excess City property surplus and authorizing disposal.

Clayton Hoelscher, Procurement Manager

<u>10.</u> Discussion on approving a reduction in property taxes for qualifying disabled or over age-65 homesteads.

Scott Huizenga, Assistant City Manager

<u>11.</u> Consideration and possible action authorizing the City Manager to execute a fee proposal with Strategic Government Resources, Inc. (SGR) for a City Council Strategic Visioning Retreat.

Tobin E. Maples, AICP, City Manager

REPORTS FROM STAFF AND COUNCIL

<u>12.</u> Presentation of the FY 2023 Budget Calendar and Planning Process.

Scott Huizenga, Assistant City Manager, Administrative Services

<u>13.</u> Public Works & Engineering Services Department Quarterly Report.

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

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. Cause No. 2022CI011978; Boerne Ranch Estates, LLC v. The City of Fair Oaks Ranch.
- 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

Signature of Agenda Approval: <u>s/Tobin E. Maples</u>

Tobin E. Maples, City Manager

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, April 18, 2022 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).



7286 Dietz Elkhorn · Fair Oaks Ranch, Texas 78015 · (210) 698-0900 · (866) 258-2505

April 14, 2022

Jack Bowers

Fair Oaks Ranch, TX 78015

Dear Jack:

On behalf of the City of Fair Oaks Ranch and its residents, I would like to thank you for providing the invocation at our recent State of the City.

Our City has counted on volunteers to support the many activities that we have across the community. Residents offering to serve the community goes back to the beginning when all positions were filled with volunteers. Today, as an incorporated City, Fair Oaks Ranch has a functioning City Staff, but still counts on its citizens to fulfill a variety of roles.

As a resident of Fair Oaks Ranch, you are now part of the volunteer legacy that signifies the rich history of our great City. The invocation that you provided was exceptional and provided the perfect beginning to the dinner meeting. As the first speaker, you really set the tone for the evening.

I appreciate your professionalism and the overall effort you put in to providing the invocation. Thank you again for volunteering your time to be part of our State of the City address this year. I hope that you continue to look for ways to serve this wonderful community.

Most sincerely,

Gregory C. Maxton

Mayor City of Fair Oaks Ranch

PROCLAMATION City of Fair Oaks Ranch 53rd Annual Professional Municipal Clerks Week May 1 – May 7, 2022

Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels, and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, Professional Municipal Clerks serve as the information center on functions of local government and community.

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

Now, therefore, I, Gregory C. Maxton, Mayor of the City of Fair Oaks Ranch, do recognize the week of May 1 through May 7, 2022, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerks, Christina Picioccio and Amanda Valdez and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

WITNESS MY HAND AND SEAL THIS 21ST DAY OF April, 2022.

Gregory C. Maxton, Mayor

Christina Picioccio, City Secretary



CITY OF FAIR OAKS RANCH CITY COUNCIL REGULAR MEETING

Thursday, April 07, 2022 at 6:30 PM Public Safety Building, 7286 Dietz Elkhorn, Fair Oaks Ranch

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton and Council Members: Stroup, Elizondo, Bliss, Koerner, and Parker

Council Absent: Council Member Muenchow

With a quorum present, the meeting was called to order at 6:30 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison.

CITIZENS and GUEST FORUM

3. Citizens to be heard – There were no citizens to be heard.

PRESENTATIONS

- 4. Tobin E. Maples, City Manager, presented a Five-Year Service Award to Eric J. Guajardo, Utilities Clerk.
- 7. Tobin E. Maples, City Manager, introduced new employee: Robert Ortiz, Code Compliance Officer.

This item was presented out of order at the request of City Manager, Tobin Maples.

- 5. Tobin E. Maples, City Manager, recognized Ernest W. Champion for being selected as the Water Environment Association of Texas Outstanding Municipal Operator of the Year.
- 6. Tobin E. Maples, City Manager, recognized the Fair Oaks Ranch Utilities Division for receiving the Water Environment Association of Texas Municipal Wastewater Treatment Plant of the Year Award Category 1.
- 8. Paul Mebane, CIAC Chairperson, provided to Council the Capital Improvements Advisory Committee Semiannual Report.

CONSENT AGENDA

- 9. Approval of the March 17, 2022 Regular City Council meeting minutes.
- 10. Approval of Council Member Bliss' absence from the March 17, 2022 Regular City Council Meeting.
- MOTION: Made by Council Member Koerner, seconded by Council Member Elizondo, to approve the Consent Agenda.
- VOTE: 6-0; Motion Passed.

Item #6.

CONSIDERATION/DISCUSSION ITEMS

- 11. Consideration and possible action approving a Resolution to appoint a member to fill the Fair Oaks Ranch Municipal Development District Board of Directors' Place 3 unexpired term.
- MOTION: Made by Council Member Bliss, seconded by Council Member Koerner, to appoint David Fairhurst to fill the unexpired term for Place 3 on the Municipal Development District Board of Directors.
- VOTE: 6-0; Motion Passed.

12. Consideration and possible action authorizing the City Manager to sign a Construction Agreement with Intermountain Slurry Seal for the City's Annual Street Maintenance and Repair Program.

MOTION: Made by Council Member Parker, seconded by Council Member Elizondo, to authorize the City Manager to sign a Construction Agreement with Intermountain Slurry Seal in the amount of \$650,355.00 with a 5% contingency in the amount of \$32,517.75 for a total value not to exceed \$682,872.75.

VOTE: 6-0; Motion Passed.

13. **Discussion and possible action regarding a City Council Strategic Visioning Retreat.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Stroup, to authorize the City Manager to finalize a contract and scope of services with SGR for a 2022 City Council Strategic Visioning Retreat.

VOTE: 6-0; Motion Passed.

REQUESTS AND ANNOUNCEMENTS

14. Announcements and reports by Mayor and Council Members.

Council Member Stroup stated that the FORHA Easter Egg Hunt, the weekend prior, was a success with over 350 attendees. Council Member Stroup also announced that BISD Superintendent Price will be at Fair Oaks Elementary School, 5:30 PM on Monday to provide a presentation regarding a bond.

Council Member Koerner reminded everyone that April is Autism Awareness month and shared that the Leon Springs Fire Department is wearing a special shirt during their shifts to commemorate it. She thanks Council for their donations which provided the shirts at no cost to the LSFD staff.

Council Member Parker thanked City Staff for their role in putting on the State of the City event and its success.

15. **Announcements by the City Manager.**

City Manager, Tobin Maples, announced that staff is working to get the Public Safety Training Room ready for live streaming at the April 21, 2022 Council meeting. Mr. Maples mentioned plans to bring an item to a future Council meeting regarding the Utility Rate Study. Mr. Maples informed all that he is hoping to have a draft Fire Utilization Study report to present to Council soon. Starting at the April

Item #6.

21,2022 Council meeting, the Public Works Department will be the first department to present a quarterly report followed by other departments in the future.

16. Requests by Mayor and Council Members that items be placed on a future City Council agenda.

There were no requests made by council for future agenda items.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 7:12 PM regarding:

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. Cause No. 2022CI011978; Boerne Ranch Estates, LLC v. The City of Fair Oaks Ranch.
- 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

City Council reconvened into Open Session at 7:26 PM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 7:27 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary



CITY COUNCIL CONSENT ITEM CITY OF FAIR OAKS RANCH, TEXAS April 21, 2022

AGENDA TOPIC:	Approval of Council Member Muenchow's absence from the April 7, 2022 Regular City Council Meeting.
DATE:	April 21, 2022
DEPARTMENT:	City Council
PRESENTED BY:	Consent Agenda - Christina Picioccio, TRMC, City Secretary

INTRODUCTION/BACKGROUND:

Council Member Muenchow's absence from the April 7, 2022, City Council meetings is due to personal reasons.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Complies with Section 3.09 of the Home Rule Charter.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda - I move to approve Council Member Muenchow's absence from the April 7, 2022 City Council Meeting.



CITY COUNCIL CONSIDERATION ITEM CITY OF FAIR OAKS RANCH, TEXAS April 21, 2022

Item #8.

AGENDA TOPIC:	Consideration and possible action authorizing the City Manager to sign an Interlocal Cooperation Agreement for Mutual Aid for Information Technology Services
DATE:	April 21, 2022
DEPARTMENT:	Information Technology
PRESENTED BY:	Brian LeJeune, IT Manager

INTRODUCTION/BACKGROUND:

The proposed Interlocal Agreement will provide the City with assistance from other participating entities in the event of a natural disaster, cyber incident, or other emergency that would degrade or disrupt IT services. Similarly, the City of Fair Oaks Ranch could assist other participating entities in the event of similar disruptions to those jurisdictions. Services to assist a requesting entity could cover available labor, IT knowledge, available equipment, or purchasing capabilities. It is the sole discretion of the responding entity to assess and determine availability of resources to assist other when requested.

If resources are available, the Requesting Entity is responsible for providing accounts and access to the Responding Entity. The Requesting Entity also must ensure the Responding Entity personnel comply with Criminal Justice Information System (CJIS) training and background checks prior to being exposed to any CJIS data.

This agreement would provide the City quick access to resources that could assist us with recovery from an incident that degraded IT operations within the City of Fair Oaks Ranch.

The City of Boerne would be the Host City for the agreement. The City of Kerrville has agreed and executed an agreement already. The City of Fredericksburg also was bringing it before its City Council for authorization.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

- Additional resources would be available from nearby cities to assist with reducing the recovery time during an IT disruption
- Furthers Strategic Action Plan Objective 5.5 to Evaluate & Update IT Infrastructure, Software, & Security

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

• The Requesting Entity is responsible for any additional equipment and overtime costs incurred.

LEGAL ANALYSIS:

Approved as to form.

RECOMMENDATION/PROPOSED MOTION:

I move to authorize the City Manager to sign an Interlocal Cooperation Agreement for Mutual Aid for Information Technology Services with the City of Boerne.

INTERLOCAL COOPERATION AGREEMENT FOR MUTUAL AID FOR INFORMATION TECHNOLOGY SERVICES

This Interlocal Cooperation Agreement ("Agreement") is by, between, and among the City of Boerne, Texas (the "Host City") and the undersigned Participating Local Governments of the State of Texas (each a "Participating Entity"), acting by and through their respective authorized representatives (referred to individually as a "Party" and collectively as the "Parties").

RECITALS:

WHEREAS, this Agreement is authorized by Chapter 791 of the Texas Government Code; and

WHEREAS, each Participating Entity may experience a cyber incident, natural disaster, or other emergency capable of degrading or disrupting information technology services ("IT Services") beyond the capabilities of the Participating Entity; and

WHEREAS, each Participating Entity acknowledges the importance of prompt restoration of IT Services to allow local governments to function and operate; and

WHEREAS, each Participating Entity has agreed to adopt a formal or informal cyber response plan in the event of a significant cyber incident; and

WHEREAS, each Participating Entity has agreed to adopt a formal or informal response plan in the event of a natural disaster or other emergency; and

WHEREAS, a Participating Entity requesting IT Services (hereinafter referred to as a "Requesting Entity") receives benefit from a responding Participating Entity (hereinafter referred to as a "Responding Entity") through the provision of supplemental IT Services personnel or computer hardware for the period of support; and

WHEREAS, the Responding Entity receives the benefit of its IT Services personnel gaining knowledge through the experience of aiding in the restoration of IT Services during a crisis; and

WHEREAS, the Parties desire to enter a mutual aid agreement to offer time and expertise of IT Services personnel to assist in the detection, response and short-term remediation of the cyber incident or assist in the repair and restoration of IT Services due to a natural disaster or other emergency.

NOW THEREFORE, in exchange for the mutual covenants set forth herein and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

ARTICLE I DEFINITIONS

Unless the context clearly indicates otherwise, the following words and phrases used in this Agreement shall have the following meaning:

"Host Entity" shall mean the City of Boerne, Texas.

"IT Incident" shall mean an event or set of circumstances resulting from a cyber incident, natural disaster, pandemic, or other emergency (including state or local declared state of disaster pursuant Chapter 418 Texas Government Code) whether natural or manmade, which is capable of degrading or disrupting information technology services beyond the capabilities of the Requesting Entity.

"Mutual Aid" shall mean, but is not limited to, such IT Service resources as facilities, equipment, services, supplies, and personnel.

"Participating Entity" shall mean a participating local government that executes this Agreement.

"Requesting Entity" shall mean the Participating Entity that requests Mutual Aid under this Agreement as result of an IT Incident under the terms of this Agreement.

"Responding Entity" shall mean the Participating Entity providing Mutual Aid to a Requesting Entity in response to a request from a Requesting Entity under this Agreement as a result of an IT Incident.

ARTICLE II PURPOSE

The purpose of this Agreement is to establish a mutual aid agreement between and among the Parties, which will allow each Participating Entity to provide Mutual Aid to a Requesting Entity as a result of, in response to, or during an IT Incident.

ARTICLE II TERM; TERMINATION

3.1 The term of this Agreement shall be for a period of one (1) year commencing on the last date of execution by the Participating Entity ("Effective Date"). Thereafter, this Agreement shall automatically renew for successive periods of one (1) year each under the terms and conditions stated herein, unless sooner terminated as provided herein.

3.2 A Participating Entity may terminate its participation in this Agreement by providing thirty (30) days prior written notice to terminate its participation in this Agreement to the Host Entity. The Host Entity shall provide written notice of any such termination to the designated representative of each Participating Entity.

3.3 A Participating Entity's participation in this Agreement may be terminated by the Host Entity for cause, including, but not limited to, failure to comply with the terms or conditions of this Agreement upon thirty (30) days prior written notice to such Participating Entity.

3.4 Termination by one or more Parties to this Agreement does not affect the Agreement as it applies to the remaining Parties.

ARTICLE IV RESPONSIBILITY OF PARTIES

4.1 <u>Requesting Assistance</u>. The Chief Information Officer ("CIO"), Information Technology Director ("IT Director"), or designee of the Participating Entity that has experienced an IT Incident may request Mutual Aid from the CIO, IT Director, or designee of another Participating Entity verbally or in writing. The determination as to what Mutual Aid may be made available to the Requesting Entity without unduly interfering with the IT Services of the Responding Entity shall be made at the sole discretion of the CIO, IT Director, or designee of the Responding Entity. Each Participating Entity agrees to assess local resources to determine availability of Mutual Aid based on current or anticipated needs of the Responding Entity. Requests for Mutual Aid shall not be requested by a Party unless it is directly related to the IT Incident and resources available from the Requesting Party are inadequate.

4.2 Each Participating Entity recognizes that it may be requested to provide aid and assistance at a time when it is necessary to provide aid and assistance to the Participating Entity's own constituents. This Agreement shall not be construed to impose any obligation on any Participating Entity to provide Mutual Aid to Requesting Entity. Each Participating Entity may choose not to render Mutual Aid at any time for any reason, or to recall such Mutual Aid that has been provided at any time.

4.3 <u>Procurement of Equipment, Software and Services</u>. The Requesting Entity shall be responsible for any incidental costs, equipment, software, or services related to the Mutual Aid response to the IT Incident. If the Responding Entity indicates a need for the acquisition or purchase of equipment, software, or services, the Requesting Entity shall decide if such acquisition or purchase is necessary and will make any required acquisition or purchase.

4.4 <u>Personnel Costs</u>. The Requesting Entity shall pay any overtime costs that occur for personnel of the Responding Entity if requested by the Responding Entity. The Responding Entity shall provide the Requesting Entity with a written invoice for such overtime costs which shall include an itemized list of Responding Entity employees, the date and time of overtime hours worked within sixty (60) days after the provision of such Mutual Aid. The Requesting Entity shall pay such invoice to the Responding Entity within thirty (30) days after receipt of such invoice.

4.5 <u>Use of Computer Hardware</u>. A Requesting Entity in need of computer hardware (e.g. personal computers, laptops, servers, network equipment, etc.), will compile a written list of such computer hardware and the estimated length of time that such equipment is needed which may be sent to the Participating Entities. Any Participating Entity may choose to respond in whole or part and is under no obligation to provide computer hardware to the Requesting Entity. A Responding Entity which chooses to loan computer hardware will respond back to the Requesting Entity to affirm that such computer hardware or portion thereof is available for temporary use. The Responding Entity makes no claim of the currency or operational use of the computer hardware nor is the Responding Entity liable for any damages resulting from the Requesting Entity's use of any computer hardware so provided. The transportation and delivery of such computer hardware or charges related thereto shall be the responsibility of the Requesting Entity unless otherwise agreed by those Parties. The Requesting Entity shall be responsible for, and pay the Responding Entity for any damages, loss, or destruction of such computer hardware while in the use and possession of the Requesting Entity, including the transport thereof. Any ongoing maintenance, lease or other fees related to such computer hardware shall continue to be paid by the Responding Entity.

4.6 <u>Criminal Justice Information System ("CJIS"</u>). The Requesting Entity shall be responsible for restricting the Responding Entity personnel from access to CJIS information unless the Responding Entity personnel have completed all CJIS background checks and are in current compliance with CJIS training requirements.

4.7 List of Participating Entities. The Host City shall maintain a current list of Participating Entities and provide such list to a Participating Entity upon request

ARTICLE V INSURANCE

5.1 <u>Worker's Compensation Coverage</u>. Each Party shall be responsible for its own actions and those of its employees and is responsible for complying with the Texas Worker's Compensation Act.

5.2 <u>Automobile Liability Coverage</u>. Each Party shall be responsible for its own actions and is responsible for complying with the Texas motor vehicle financial responsibility laws.

5.3 <u>General Liability Insurance</u>. Each Party agrees to obtain general liability and public official's liability insurance, if applicable, or maintain a comparable self-insurance program.

5.4 Liability. To the extent permitted by law and without waiving sovereign immunity, each Party shall be responsible for any and all claims, demands, suits, actions, damages, and causes of action related to or arising out of or in any way connected with its own actions, and the actions of its personnel in providing Mutual Aid rendered or performed pursuant to the terms and conditions of this Agreement. Except as specifically stated in this Agreement, each Party waives all claims against the other Parties hereto for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of Mutual Aid pursuant to this Agreement, except those caused in whole or in part by the negligence of an officer, employee, or agent of another Party. It is expressly understood and agreed that in execution of this Agreement, no Party waives, nor shall be deemed to have waived, immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the Parties do not create any obligations, express or implied, other than those set forth herein, and this Agreement shall not create any rights for any third parties not signatories hereto.

ARTICLE VI MISCELLANEOUS

6.1 <u>Expending Funds</u>. Each Party that furnishes Mutual Aid pursuant to this Agreement shall do so with funds available from current revenues of such Party. No Party shall have any liability for the failure to expend funds to provide Mutual Aid.

6.2 <u>Interlocal Cooperation Act</u>. The Parties agree that Mutual Aid in the context contemplated herein is a "governmental function and service" and that the Parties are "local governments" as that term is defined herein and in the Interlocal Cooperation Act, Texas Government Code Chapter 791.

6.3 <u>Severability</u>. If a provision contained in this Agreement is held invalid for any reason, the invalidity does not affect other provisions of the Agreement that can be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.

6.4 <u>Legal Construction</u>. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.5 <u>Amendment</u>. This Agreement may be amended only by the mutual written consent of the Parties.

6.6 <u>Third Parties</u>. This Agreement is intended to inure only to the benefit of the Parties hereto. This Agreement is not intended to create, nor shall be deemed or construed to create any rights in third parties.

6.7 <u>Authorization</u>. Each Party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement. By execution of this Agreement the Participating Entity consents to be a Party to this Agreement and acknowledges that it is not necessary to receive copies of the Agreement from other local governments that are, or which become, Parties to this Agreement.

6.8 <u>Entire Agreement</u>. This Agreement is the entire agreement between and among the Parties with respect to the subject matter covered in this Agreement. There is no other collateral oral or written Agreement between and among the Parties that in any manner relates to the subject matter of this Agreement. 6.9 <u>Governing Law</u>. This Agreement shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Kendall County, Texas. The Parties agree to submit to the personal and subject matter jurisdiction of said court.

6.10 <u>Recitals</u>. The recitals to this Agreement are incorporated herein.

6.11 <u>Counterparts</u>. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all the counterparts shall constitute one and the same instrument.

6.12 <u>Survival of Covenants</u>. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the Parties, pertaining to a period following the termination of this Agreement shall survive termination.

6.13 <u>Notice</u>. All notices pertaining to this Agreement shall be in writing and shall be deemed delivered (i) when received at a Party's address if hand delivered or sent via overnight delivery service by way of USPS, UPS, FedEx, or similar carrier, or (ii) on the third (3rd) business day after being deposited in the United States mail, postage prepaid, certified mail, addressed to Participating Entity at the address set forth below the signature of the Party

[Signature Pages to Follow]

EXECUTED this 2014 day of JANMARY 2022.

Host and Participating Entity,

City of Boerne, Texas

By: Thatcher, City Manager

447 N. Main Street Boerne, Texas 78006

ATTEST: By: <u>XOAL & CAMOU</u> City Secretary Vanu APPROVED AS TO FORM: By: **City Attomey**

EXECUTED this _____ day of _____, 2021/

PARTICIPATING ENTITY:

CITY OF	, TEXAS	
---------	---------	--

By:	
Name:	
Title:	

Address:_____

ATTEST:

By: _____ City Secretary

APPROVED AS TO FORM:

By: _____ City Attorney



CITY COUNCIL CONSIDERATION ITEM CITY OF FAIR OAKS RANCH, TEXAS April 21, 2022

AGENDA TOPIC:	Consideration and possible action declaring excess City property surplus and authorizing disposal.
DATE:	April 21, 2022
DEPARTMENT:	Finance
PRESENTED BY:	Clayton Hoelscher, Procurement Manager

INTRODUCTION/BACKGROUND:

The City of Fair Oaks Ranch has no ordinance or resolution governing the sale of personal property and there is no provision in the statutes regulating the sale of personal property belonging to municipalities; thus, personal property may be disposed of in such a manner as the City Council directs.

Depending on the state or usefulness of items, the City has historically disposed declared surplus items via online auction or donation to a non-profit organization or governmental entity. Items determined to have no value were disposed of or sold as scrap.

Tonight's agenda item is to request City Council's approval to declare certain City personal property as surplus and to authorize said to be sold, auctioned, donated, or disposed by the most practical and profitable means. The attached table details the items requested to be declared surplus.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

As the City has no further need for certain personal property which has exceeded its usefulness, it is in the best interest of the City to auction, donate, sell, or dispose of the property.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Revenue will be gained for items which are no longer utilized in the delivery of services to the residents of Fair Oaks Ranch. Authorizing the disposal of items with no value discovered during the City Hall renovation project will eliminate the need to purchase additional storage space.

LEGAL ANALYSIS:

Not applicable.

RECOMMENDATION/PROPOSED MOTION:

I move to authorize the City Manager to sell, auction, donate, or dispose of personal property declared as surplus by the most practical and profitable means.

Surplus Asset List

Item	Category	Description
2016 Ford Interceptor SUV	Vehicles	Unit 162
2005 Ford Explorer	Vehicles	
Apple Pencil	Electronics	For 1 st /2 nd Gen. IPADS
1 Troy-Bilt Prisoner cages	Veh. Acces.	For 2013/14 Ford Police Sedan
2 Whelen Control Boxes	Veh. Access.	For Whelen Police light Package
1 WatchGuard 4RE Dash Cam	Veh. Access.	HardDrive Wiped
7 CPR Dummies	Equipment	
Misc. Duty Gear	-	
Old Duty Holsters	-	
Taser Holsters	-	
Spotlamps for Patrol veh.	-	
Misc. Electronics	Vehicles	
Streamlight Flashlights	Vehicles	
Body Solid Weight bench	Exercise Equip.	Exercise Machine
Dip/Pull-up rack	Exercise Equip.	Exercise Machine
Miscellaneous furniture	Furniture	Desks, chairs, bookcase, etc.
Miscellaneous equipment	Equipment	Calculators, laminators, etc.
Miscellaneous kitchen/cookware	Misc.	Urns, glassware, dishes, etc.
Kitchen appliances	Furniture	Oven, stove, etc.
Audio equipment	Equipment	Microphones, cassette player, etc.
1 Podium w/ mic set up	Furniture	
Paul Mitchell Mannequin	Misc.	
Bicycle 21-speed	Equipment	Green 29 inch





INTRODUCTION/BACKGROUND:

The purpose of the agenda item is to discuss options for reducing the tax burden for qualifying disabled homesteads or over age-65 homesteads within the City of Fair Oaks Ranch.

The first option is the approval of a tax exemption in the amount of \$25,000 annually for qualified homesteads. The City currently has six homes that would qualify under the disabled exemption, and 1365 homesteads that would qualify under the over-65 exemption. for this exemption.

The City currently does not provide a disabled exemption, while the City currently provides a \$20,000 exemption to for over age-65 homesteads.

The second option is the implementation of a freeze (tax ceiling) on the property of homesteads qualified as disabled or over-age 65. This tax freeze would set a cap, or ceiling, on the amount of property taxes qualified homeowners will pay annually to the City of Fair Oaks Ranch. The taxes on these homes cannot exceed the ceiling as long as the current resident owns and lives in that home. However, if improvements are made to the home (other than normal repairs or maintenance), the tax ceiling may go higher because of the new additions.

Once a City enacts a tax freeze, it cannot be repealed in the future per the Texas Constitution.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The benefit would be to disabled homestead property owners or over-age 65 homestead property owners within the City of Fair Oaks Ranch who would have their tax burden reduced.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

The estimated revenue loss to the City to provide a \$25,000 disabled exemption is \$5,200 over ten years. The estimated revenue loss to the City to increase the over age-65 from \$20,000 to \$25,000 is \$1.2 million (\$237,000 additional) over 10 years.

The estimated revenue loss to the City to provide a disabled tax freeze is \$36,000 over ten years. The estimated revenue loss to the City to provide an over age-65 exemption is \$8.2 million (\$7.8 million) over 10 years.

RECOMMENDATION/PROPOSED MOTION:

Staff will prepare motions or ordinances for Council consideration at a subsequent meeting based on Council direction.



PROPERTY TAX RELIEF SCENARIOS

Presented by Scott Huizenga, Assistant City Manager

April 21, 2022

Sticker shock?

- Appraisal values reportedly increasing by an average of 28%
- State law caps assessment growth to 10%
- State law caps property tax growth in cities
- Fair Oaks Ranch relies much more on property taxes than most Texas cities
- Fair Oaks Ranch receives less than \$2 for over every \$10 of homestead property tax



Governmental Fund Revenue Average Texas City vs. Fair Oaks Ranch



Item #10.

CITY



Average Tax Bill* Breakdown By Entity



4

Current Exemptions



City

- Homestead: \$5,000
- Over 65: \$20,000

State Mandated

- Disabled Veteran 1: \$5,000
- Disabled Veteran 2: \$7,500
- Disabled Veteran 3: \$10,000
- Disabled Veteran 4: \$12,000
- 100% Disabled Veteran: 100%

Options and Analysis

1. Proposed Exemption

- \$25,000 exemption for Disabled Persons
- \$25,000 exemption for Disabled and \$5,000 additional exemption for Residents Over 65

2. Freeze options

- Disability Freeze
- Disability & Over 65 Freeze



Assumptions

- Average homestead value \$535,467 (FY 2022 Adopted)
- Average homestead value growth of 5%
- Collection rate of 99.1%
- Number of exemptions per 2021 Certified Tax Rolls
- No change in City Tax Rate





\$25,000 Exemption – Disability



6 Homesteads

\$87 savings per homestead per year

\$5,200 reduced revenue over 10 years

8

\$87 savings \$1.2 Million 1365 per homestead (\$237,000 additional) **Homesteads** reduced revenue

per year





9

over 10 years

Disability Freeze









6 Homesteads

\$93 savings per homestead per year

\$36,000 reduced revenue over 10 years

Disability & Over 65 Freeze









1365 Homesteads \$93 savings per homestead per year

\$8.2 million \$(7.8 million additional) reduced revenue over 10 years

Considerations



Additional tax exemptions and tax freezes may not be applied to disabled veteran categories by a municipality.

A tax freeze once enacted cannot be repealed -Texas Constitution Article VIII, section 1-b(h)

A tax freeze effectively caps the tax levy of a homestead, freezing the taxable valuation and tax rate.

A property must be a designated homestead in order to receive an exemption or freeze



Timeline



Presentation of tax relief option		Certified App received from		Budget filed Secretary	d with City
3 June				Aug.	
• 21 Apr.		25 July		• • • 22 Aug.	
	Deadline to No Appraisal Distr	•	Set Propose 2022-23	d Tax Rate for	



Questions?


Options for Offering Exemptions

Assumptions:

Proposed Exemption Amount per home Tax rate of .3518 per \$100 valuation for the next 10 years Collection rate of 99.1%

Number of exemptions per 2021 Certified Roll Grand Totals

CODE	EXEMPTION NAME	Current Exemption Amount	2022 3 COUNTY TOTAL	OPTION 1	OPTION 2
	DP Disability		5	Y	Y
	DPS Disabled Surviving Spuse	-	1	Y	Y
	DV1 Disabled Veteran 1	5,000	32		
	DV1S Disabled Veteran Surviving Spouse	5,000	7		
	DV2 Disabled Veteran 2	7,500	29		
	DV2S Disabled Veteran 2 Surviving Spouse	7,500	3		
	DV3 Disabled Veteran 3	10,000	50		
	DV3S Disabled Veteran 3 Surviving Spouse	10,000	1		
	DV4 Disabled Veteran 4	12,000	194		
	DV4S Disabled Veteran 4 Surviving Spouse	12,000	23		
	DVHS 100% Disabled Veterans	100%	156		
	DVHSS 100% Disabled Veteran Surviving Spouse	100%	10		
	EX-XG Barn used for Sheltering Cats		3		
	EX-XV Other Exemptions (note a)		44		
	EX366 HB 366 Exempt		31		
	HS Homestead	5,000	3046		
	LVE Leased Vehicle		17		
	OV65 Over 65	20,000	1342		Y
	OV 65S Over 65 Surviving spouse	-	17		Y
	PPV Personal Property Vehicle	-	2		
	Total Homesteads Include	ed		6	1365
			Per homestead tax savings	peryear \$ 87 \$	87
			TOTAL 10 YEAR LOST RE	EVENUE \$ (5,230) \$	(1,189,713)
				Certified Property	
				Bexar	2998
				Kendall	884
				Comal	877
				Total Properties	4759

25,000

TAX EXEMPTION-10 year impact table

Option #	1											
-	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031		Year Total
Average Homestead Value Less Exemption	535,467	537,240	565,352	594,870	625,863	658,407	692,577	728,456	766,129	805,685	847,219	7,357,266
Average Homestead with 5% Annual Growth	535,467	562,240	590,352	619,870	650,863	683,407	717,577	753,456	791,129	830,685	872,219	7,607,266
Tax Rate per \$100 valuation Collection rate	0.351800 0.99											
Disability	-	(436)	(436)	(436)	(436)	(436)	(436)	(436)	(436)	(436)	(436)	(4,358)
Disabled Surviving Spuse	-	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(872)
Disabled Veteran 1	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4 Surviving Spouse 100% Disabled Veterans	-	-	-	-	-	-	-	-	-	-	-	-
100% Disabled Veterans	-	-	-	-	-	-	-	-	-	-	-	-
Barn used for Sheltering Cats	_			-	_					_	-	-
Other Exemptions (note a)	_	_	-	_	_	_	_	_	-	_	-	-
HB 366 Exempt	-	-	-	-	-	-	-	-	-	-	-	-
Homestead	-	-	-	-	-	-	-	-	-	-	-	-
Leased Vehicle	-	-	-	-	-	-	-	-	-	-	-	-
Over 65	-	-	-	-	-	-	-	-	-	-	-	-
Over 65 Surviving spouse	-	-	-	-	-	-	-	-	-	-	-	-
Personal Property Vehicle	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL LOST REVENUE	-	(523)	(523)	(523)	(523)	(523)	(523)	(523)	(523)	(523)	(523)	(5,230)
Number of Homesteads in option Savings Per Household	6	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(871.58)

TAX EXEMPTION-10 year impact table

Option #	2											
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032 10) Year Total
Average Homestead Value Less Exemption	535,467	537,240	565,352	594,870	625,863	658,407	692,577	728,456	766,129	805,685	847,219	7,357,266
Average Homestead with 5% Annual Growth	535,467	562,240	590,352	619,870	650,863	683,407	717,577	753,456	791,129	830,685	872,219	7,607,266
	555,107	502)210	556,552	015)070	000,000	000,107	. 17,077	, 55, 155	, 51,125	000,000	072,220	,,007,200
Tax Rate per \$100 valuation	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800
Collection rate	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Disakilia		(420)	(426)	(426)	(425)	(426)	(426)	(425)	(426)	(426)	(420)	(4.258)
Disability Disabled Surviving Spuse	-	(436) (87)	(4,358) (872)									
Disabled Veteran 1	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
100% Disabled Veterans	-	-	-	-	-	-	-	-	-	-	-	-
100% Disabled Veteran Surviving Spouse Barn used for Sheltering Cats	-	-	-	-	-	-	-	-	-	-	-	-
Other Exemptions (note a)	-	-	-	-	-	-	-	-	-	-	-	-
HB 366 Exempt	-	-	_	-	_	_	-	_	-	-	-	-
Homestead	-	-	-	-	-	-	-	-	-	-	-	-
Leased Vehicle	-	-	-	-	-	-	-	-	-	-	-	-
Over 65	-	(116,967)	(116,967)	(116,967)	(116,967)	(116,967)	(116,967)	(116,967)	(116,967)	(116,967)	(116,967)	(1,169,666)
Over 65 Surviving spouse	-	(1,482)	(1,482)	(1,482)	(1,482)	(1,482)	(1,482)	(1,482)	(1,482)	(1,482)	(1,482)	(14,817)
Personal Property Vehicle	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL LOST REVENUE		(118,971)	(118,971)	(118,971)	(118,971)	(118,971)	(118,971)	(118,971)	(118,971)	(118,971)	(118,971)	(1,189,713)
=		(110,571)	(110,57.1)	(110,571)	(110,571)	(110,571)	(110,571)	(110,571)	(110,571)	(110,571)	(110,571)	(1,105,/13)
Number of Homesteads in option	1365											
Savings Per Household		(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(87)	(871.58)

Options for Offering Property Tax Freezes

Assumptions:

Based on FY 2022 average homestead value with a 5% annual increase in the appraised value Tax rate of .3518 per \$100 valuation for the next 10 years Collection rate of 99.1%

Number of exemptions per 2021 Certified Rolls Grand Totals Current Exemption 2022 EXEMPTION NAME CODE Amount **3 COUNTY TOTAL OPTION 1 OPTION 2** DP Disability -5 Y Υ DPS Disabled Surviving Spouse 1 Y DV1 Disabled Veteran 1 5,000 32 DV1S Disabled Veteran Surviving Spouse 5,000 7 DV2 Disabled Veteran 2 7,500 29 7,500 DV2S Disabled Veteran 2 Surviving Spouse 3 DV3 Disabled Veteran 3 10,000 50 DV3S Disabled Veteran 3 Surviving Spouse 10,000 1 12,000 DV4 Disabled Veteran 4 194 DV4S Disabled Veteran 4 Surviving Spouse 12,000 23 DVHS 100% Disabled Veterans 100% 156 DVHSS 100% Disabled Veteran Surviving Spouse 100% 10 EX-XG Barn used for Sheltering Cats 3 EX-XV Other Exemptions (note a) 44 EX366 HB 366 Exempt 31 5,000 HS Homestead 3046 LVE Leased Vehicle 17 OV65 Over 65 20,000 1342 Y OV 65S Over 65 Surviving spouse 17 Y PPV Personal Property Vehicle 2 **Total Exemptions** 1365 6 TOTAL 10 YEAR LOST REVENUE \$ (35,919) \$ (8,171,560) % of homesteads with over 65 exemption 28.56% Granted Exemptions as % of Total Taxable value 7.8% Certified Property Count FY2022 Bexar Kendall Comal *Options **Total Properties** Option 1 Calculates the cumulative 10-year lost revenue on tax freezes to the current known homesteads that qualify as disabled.

Option 2 Calculates the cumulative 10-year lost revenue on tax freezes to the current known homesteads qualifying as Over 65 or disabled

note a Other Exemptions include public property, religious organizations, charitable organizations nad other property not reported elsewhere note b Exemption on income producing tangible personal property of less than \$500 in value

2998

884

877

4759

TAX FREEZE-10 year impact table

*Option #	1											
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032 10	Year Total
Frozen Average Homestead Value	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	5,890,13
Average Homestead with 5% Annual Growth	535,467	562,240	590,352	619,870	650,863	683,407	717,577	753,456	791,129	830,685	872,219	7,607,26
Tax Rate per \$100 valuation	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.351800	0.35180
Collection rate	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.9
Disability	-	(467)	(957)	(1,471)	(2,012)	(2,579)	(3,174)	(3,800)	(4,457)	(5,146)	(5,870)	(29,93
Disabled Surviving Spouse	-	(93)	(191)	(294)	(402)	(516)	(635)	(760)	(891)	(1,029)	(1,174)	(5,98
Disabled Veteran 1	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
100% Disabled Veterans	-	-	-	-	-	-	-	-	-	-	-	-
100% Disabled Veteran Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Barn used for Sheltering Cats	-	-	-	-	-	-	-	-	-	-	-	-
Other Exemptions (note a)	-	-	-	-	-	-	-	-	-	-	-	-
HB 366 Exempt	-	-	-	-	-	-	-	-	-	-	-	-
Homestead	-	-	-	-	-	-	-	-	-	-	-	-
Leased Vehicle	-	-	-	-	-	-	-	-	-	-	-	-
Over 65	-	-	-	-	-	-	-	-	-	-	-	-
Over 65 Surviving spouse	-	-	-	-	-	-	-	-	-	-	-	-
Personal Property Vehicle	-	-	-	-	-	-	-		-	-	-	-
TOTAL LOST REVENUE	-	(560)	(1,148)	(1,766)	(2,414)	(3,095)	(3,809)	(4,560)	(5,348)	(6,175)	(7,044)	(35,91
Number of Homesteads in option	6	(02)	(405)	(20.5)	(402)	(546)	(625)	(760)	(001)	(1.020)	(4.474)	15.00
Savings Per Household		(93)	(191)	(294)	(402)	(516)	(635)	(760)	(891)	(1,029)	(1,174)	(5,98
Tax Rate Impact (per \$100 valuation)		0.0000	-0.0001	-0.0001	-0.0001	-0.0002	-0.0002	-0.0003	-0.0003	-0.0003	-0.0004	-0.002

TAX FREEZE-10 year impact table

*Option #	2											
	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032 10	Year Total
Frozen Average Homestead Value	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	535,467	5,890,137
Average Homestead with 5% Annual Growth	535,467	562,240	590,352	619,870	650,863	683,407	717,577	753,456	791,129	830,685	872,219	7,607,266
Tax Rate per \$100 valuation Collection rate	0.351800 0.99											
Disability		(467)	(957)	(1,471)	(2,012)	(2,579)	(3,174)	(3,800)	(4,457)	(5,146)	(5,870)	(29,932
Disabled Surviving Spouse	-	(93)	(191)	(294)	(402)	(516)	(635)	(760)	(891)	(1,029)	(1,174)	(5,986
Disabled Veteran 1	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 2 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 3 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4	-	-	-	-	-	-	-	-	-	-	-	-
Disabled Veteran 4 Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
100% Disabled Veterans	-	-	-	-	-	-	-	-	-	-	-	-
100% Disabled Veteran Surviving Spouse	-	-	-	-	-	-	-	-	-	-	-	-
Barn used for Sheltering Cats	-	-	-	-	-	-	-	-	-	-	-	-
Other Exemptions (note a)	-	-	-	-	-	-	-	-	-	-	-	-
HB 366 Exempt	-	-	-	-	-	-	-	-	-	-	-	-
Homestead	-	-	-	-	-	-	-	-	-	-	-	-
Leased Vehicle	-	-	-	-	-	-	-	-	-	-	-	-
Over 65	-	(125,264)	(256,790)	(394,893)	(539,902)	(692,160)	(852,032)	(1,019,897)	(1,196,155)	(1,381,227)	(1,575,551)	(8,033,871
Over 65 Surviving spouse	-	(1,587)	(3,253)	(5,002)	(6,839)	(8,768)	(10,793)	(12,920)	(15,152)	(17,497)	(19,959)	(101,770
Personal Property Vehicle	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL LOST REVENUE	-	(127,410)	(261,191)	(401,661)	(549,155)	(704,023)	(866,634)	(1,037,376)	(1,216,656)	(1,404,899)	(1,602,554)	(8,171,560
Number of Homesteads in option	1365											
Savings Per Household		(93)	(191)	(294)	(402)	(516)	(635)	(760)	(891)	(1,029)	(1,174)	(5,986
Tax Rate Impact (per \$100 valuation)		-0.0072	-0.0147	-0.0227	-0.0310	-0.0397	-0.0489	-0.0585	-0.0686	-0.0792	-0.0904	-0.460



CITY COUNCIL CONSIDERATION ITEM CITY OF FAIR OAKS RANCH, TEXAS April 21, 2022

AGENDA TOPIC:	Consideration and possible action authorizing the City Manager to execute a fee proposal with Strategic Government Resources, Inc. (SGR) for a City Council Strategic Visioning Retreat
DATE:	April 21, 2022
DEPARTMENT:	Administration
PRESENTED BY:	Tobin E. Maples, AICP, City Manager

INTRODUCTION/BACKGROUND:

At the April 7, 2022, Regular Business meeting, Council authorized the City Manager to finalize an agreement with SGR to facilitate a City Council Strategic Visioning Retreat. The purpose of this agenda item is to request authorization to execute the attached proposal.

By way of background, SGR facilitated the 2019 retreat, so they are keenly aware of our process and are ready to mobilize. As previously discussed, the basic framework for the retreat will be as follows:

- 1. April 2022
 - a. Approve SGR fee proposal
 - b. SGR will interview individual council members
 - c. SGR will synthesize findings
- 2. May 2022
 - a. SGR will facilitate a 1.5-day Strategic Visioning Retreat
 - i. Thursday, May 5th (9 am to 4 pm)
 - ii. Friday, May 6th (9 am to noon)
 - b. SGR will assist staff with organizing retreat outcomes
- 3. June/July,2022
 - a. Staff and Council will finalize SAP revisions
 - b. Staff and Council will conduct a series of FY 23 budget workshops

The retreat is scheduled for $\underline{May 5^{th} and 6^{th}}$ as noted above. The location has not been finalized, but will be in the general Fair Oaks Ranch/Boerne area.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

• Develop and Maintain a Budget Process that links with the Strategic Action Plan and Ensures Continuity and Excellence of Financial Reporting.

- Provides the citizens, the government, and the City staff with a financial plan for utilizing the City's available funds during the upcoming fiscal year to accomplish the City's goals and objectives.
- Establishes priorities among City programs; defining the financial framework that will be used to periodically check the status of City operations.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

The estimated cost for the 1.5-day retreat is \$15,124.00.

- Professional Management Team Services \$12,000
- Advance Interviews (\$275 per x 10) \$2,750
- Mileage/Gasoline (\$.58 per mile x 300) \$174
- Lodging/Hotel (1 night) \$150
 Meal Per diem (1 day) \$50

Total Estimate:

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

I move to authorize the City Manager to execute the attached fee proposal with SGR for a City Council Strategic Visioning Retreat.

\$15,124



April 12, 2022

Fair Oaks Ranch Strategic Planning Retreat Proposal

Introduction

Thank you for the opportunity to provide this proposal at your request for SGR to facilitate a Strategic Planning Retreat for the City Council of Fair Oaks Ranch, Texas. It is our understanding that you are looking for a Day and a half-day retreat that will allow the Council to review the current strategic plan and work together to update it and have a discussion about several key items facing the community in the days ahead. SGR Retreats are designed to foster dialogue between Council Members. It is our understanding that this Council Retreat is tentatively scheduled for some combination of days May 5-7, 2022, depending upon the preference of the City.

We customize each retreat to meet the needs of each city, so the precise agenda will be developed in collaboration with you and the facilitator of the retreat, Hilary Shine.

Anticipated Outcomes:

- 1. It's important to identify what is important to Council.
- 2. It's important to review the current strategic plan, taking note of the strategic priorities and milestones, and updating them as needed.
- 3. It's important to add any relevant milestones to the current strategic plan.
- 4. It's important to provide the Council the opportunity to think strategically about the City's core services so that there is agreement on the Council about the areas of service for the city.
- 5. It's important to identify the KPI's for the City's Core Services.
- 6. It's important to review and discuss the Growth Management Strategies of the City and to understand their ramifications for the City's future growth
- 7. It's important to discuss the upcoming Bond Program scheduled for May 2023.

Proposed Approach:

Pre Retreat

8. Advance Interviews

PO Box 1642 Keller, Texas 76244

- a. Individually Mayor and Council
- b. City Manager

SGR will conduct advance interviews with the Mayor, the Council, and the City Manager. The actual questions will be determined in consultation with you but will generally be open ended and designed to solicit insight into perceptions regarding the current Core Beliefs, Mission, Vision and Strategic Plan, as well as any perceived disconnect.

These interviews will be conducted on the phone with Hilary Shine. There will be no charge for interviews with the City Manager.

<u>Agenda</u>

The Agenda will be developed in collaboration with the City and the Facilitator, but this is a possible flow of events.

The schedule will be from 9 am to 4pm on the full day and 9am to noon on the half-day. We are open to either the first day being a half day or the second day being the half-day, depending upon the preference of the City.

This example agenda is based upon the first day being a full-day.

Day 1 (Full-Day)

- 1. Introductions and Warm-up
- 2. Review of the Current Strategic Plan
 - a. What's Gone Well?
 - b. What's Not Gone Well?
 - c. What Game-changers or Surprises Have We Experienced?
 - d. What changes or tweaks do we need to make?

Day 2 (Half Day)

- 1. Discuss Core Services of the City and Identify KPI's
- 2. Discuss Growth Management Strategies
- 3. Discussion Upcoming Bond Program scheduled for May of 2023.

Cost of Services:

- 1. Advance Interviews: Our standard fee is \$275 per advance interview. This includes advance work with the City Manager to define the topics and questions, the actual onsite interviews, all advance interpretation and analysis, and preparation of presentation summaries.
- 2. Professional Services at the retreat: Our fee is \$12,000 for a day and a half-day Council Retreat. This includes the professional fee for the retreat and all retreat preparation.
- 3. Travel Expenses for SGR Facilitator, Hilary Shine, who will be driving from Temple.

4. The City is responsible for the printing of any documents or reports used as a part of the retreat.

Logistical Requirements

- 1. City will provide a meeting location and all housing, meals and break coordination and expense.
- 2. City will be responsible for the printing of any documents or handouts that are used.
- 3. City will provide all AV set up, including a laptop and projector with power point capability, as well as ability to play videos with adequate sound for the entire room to hear easily.
- 4. City will provide two chart size, "Post It" style pads with sticky backs, six different colored large size markers (wide tip), and 50 each of 6 different colors of sticky dots.

Accepted and Agreed to, this the _____ day of _____ 2022 by and between:

Mike Mowery SGR President of LD&T Tobin Maples City of Fair Oaks Ranch City Manager

		DRAFT FY 2022-23 BUDGET CALENDAR							
ning	March 15	SAP Matrix to department heads to make updates to project progress							
Budget Planning	April 1	SAP Project Updates and Requests Due to Finance							
Budg	April 1	ClearGov operational budget to department heads, Due by April 29							
	May 4-13	Finance meetings with department heads to discuss operational budgets							
	May 5-6 (tentative)	Council retreat							
	May 16	Finance delivers preliminary budget to City Manager							
ient	May 25	Staff Workshop with Preliminary Draft Budget Focus: SAP/Capital Items							
Budget Development	June 2 (Regular Meeting)	*COUNCIL* Budget Overview (Brief Summary + Council direction on budget and policy priorities)							
Budget	June 16 (Regular Meeting)	*COUNCIL* Public Works General Fund + Strategic Action Plan							
	July 7 (Regular Meeting)	*COUNCIL* Mayor and Council, City Secretary, Municipal Court, HR/Communications, Finance, IT, and Administration							
	July 21 (Regular Meeting)	*COUNCIL* Public Works Utility + Public Safety							
	July 25 (Sunday)	Deadline for Chief Appraisers to deliver certify rolls or certified estimates to taxing units and certification of anticipated collection rate by tax collector. (Tax Code Sec. 26.01(a-1))							
	By August 4	Calculation of No New Revenue, Voter Approval, 8% Increase and De Minimis Rates.							
		Finance Director submits the No-New Revenue and Voter Approval rates to City Council. (Tax Code Sec 26.04(e)).							
	August 4 (Regular	Calculation forms must be certified and posted to the Truth in Taxation websites for the appraisal districts							
Adoption	Meeting)	Finance Director posts the calculated no-new-revenue tax rate and voter approval tax rate, along with certain debt information on the home page of the City's website using form prescribed by comptroller (Tax Code Sec 26.04(e)).							
		City Council confirms maximum proposed tax rate and Council takes a record vote. (Tax Code Sec 26.061(b))							
leration,	August 18 (Regular meeting)	City Council schedules one public hearing on the budget (LGC 102.006 (a-b)) and a meeting to vote on the tax rate (Tax Code Sec. 26.05(d)); (Tax Code Sec 26.06)							
Consid		Formal Budget Submittal + Budget Summary Presentation							
Budget Presentation, Consideration, and	August 22	City Manager files budget with City Secretary (LGC Sec. 102.005(a)) City Secretary ensures the proposed budget is available on the website and available for inspection at City Hall (LGC Sec. 102.005(c))							
t Pres	September 1	*COUNCIL*							
Budge	September 2	 Finance Director publishes Notice of Public Hearing on the Proposed Budget in the Friday, September 2nd edition of Boerne Star and posts the budget on city's website. (LGC 102.005(c)) Finance Director publishes Notice of Tax Public Hearing in the Friday, September 2nd edition of Boerne Star and posts on the City's website (Tax Code Sec. 26.061, 26.06(c)) 							
	September 15	Public Hearing for proposed budget and tax rate. Council Meeting for the First Reading of Budget and Tax Rate Ordinances is held.							
	September 22 (Special Meeting)	Second Reading and adoption of the Budget and Tax Rate ordinances.							



FY 2023 Budget Timeline

Scott Huizenga, Assistant City Manager

April 21, 2022



Budget Process Overview

Early Process Feb-Mar	 Develop budget calendar Current year projections are updated SAP is updated with project status
Budget Formation Apr-May	 Staff begins operational budget New SAP projects are proposed Capital budget planning with Staff
Approval Process Jun-Sep	 Council workshops Calculation of No-New-Revenue, Voter Approval and De Minimis Tax Rates Tax Rate approval Budget approval and filing with City Secretary

Budget Process Key Dates





June 2 Budget Overview



June 16 Public Works Strategic Action Plan



July 7 Mayor/Council City Secretary Municipal Court HR/Communications Finance Information Technology Administration



July 21 Utility Public Safety

3

Tax Rate and Budget Approval **Key Dates**





FY 2023 Budget Timeline

Scott Huizenga, Assistant City Manager

April 21, 2022

Quarterly Update: Public Works & Engineering Services

Grant Watanabe, P.E. April 21, 2022 Item #13.

Mission Statement



To maintain a safe, clean, and attractive City appearance with the preservation of all City-owned facilities, roads, rights-of-way, and drainage features that promote a welcoming environment for the residents and visitors of Fair Oaks Ranch.

To maintain and administer the utilities and provide safe, uninterrupted water and wastewater services while providing exemplary customer service.

Agenda



- Core Services
- Strategic Priorities and Projects
- Performance Measures
- Project Highlights
- Recent Accomplishments
- Top Issues or Other Issues
- Goals for Next Period
- Summary



Department Core Services

- Roadway Maintenance
- Drainage Maintenance
- Facility Maintenance
- Utility Operation & Maintenance
- Utility Regulatory Compliance
- Engineering Plan/Plat Review
- Infrastructure Inspection & Acceptance
- Building Permit Issuance, Inspection & C.O.
- Capital Improvements Planning & Execution
- Establish and Implement Environmental Programs
- Comprehensive Plan & UDC Administration
- Code Compliance

Strategic Priorities and Projects (Water/Wastewater Capital Fund)



2025+

PROJECT STATUS LEGEND Project Planning Phase

			Pro	oject Co	-	ed/Ope	project erational	
RELIABLE AND SUSTAINABLE INFRASTRUCTURE PRIORITY AREAS AND PROJECTS	FY 21-22 BUDGETED	STATUS	2020	2021	2022	2023	2024	2025+
Plant 2 Hydro Tank and Variable Frequency Drives (1W)	903,600	In construction (MGB)						
Replace Waterline - Balcones Creek Crossings (not Impact Fee)(6R)	220,433	Design complete, pending easement acquisition						
Replace Willow Wind Dr/Red Bud Hill Water Line (not Impact Fee)(29R)	65,370	Design consultant selected (Weston)						
Build EST, System PRVs, and 12-inch waterline (2W)	181,623	Design 95% complete, pending site selection						
Replace Rolling Acres Trail Water Line Rehabilitation (28R)	61,754	Design consultant selected (Weston)						
Implement Water System EPA Risk Assessment and ERP	10,326	Completed						
Old Fredericksburg Waterline (not impact fee) (21W)	50,000	In design (KFA)						
Existing WWTP Solids Handling Improvements (4.1R)	920,210	Design complete, out for bid						
Finalize & Advance Wastewater Treatment Plant Study (2.1S)	200,000	Study ongoing (Garver)						
Implement Wastewater System EPA Risk Assessment and ERP	38,212	Completed						

Strategic Priorities and Projects (Governmental Fund)



PROJECT STATUS LEGEND
Project Planning Phase
Funds budgeted for this project
Project Completed/Operational
Project Cancelled

RELIABLE AND SUSTAINABLE INFRASTRUCTURE PRIORITY AREAS AND PROJECTS	FY 21-22 BUDGETED	STATUS	2020	2021	2022	2023	2024	2025+
Drainage 7840 Silver Spur Trail (Drainage CIP # 17)	95,000	Design consultant selected (Halff)						
Drainage 29010 Tivoli Way (Drainage CIP #34)	50,000	Design consultant selected (PD)						
Drainage 7715 Fair Oaks Parkway (Drainage CIP #25)	40,000	On Hold						
Drainage 7967 Turf Paradise Lane (Drainage CIP #37)	40,000	In-house Maintenance Program						
Drainage 7900 Fair Oaks Parkway (Drainage CIP #30)	10,000	Design consultant selected (GEC)						
Drainage 7820 Rolling Acres Trail (Drainage CIP #5)	85,000	Design consultant selected (Ardurra)						
Drainage Repairs at Rockinghorse Lane (Drainage CIP #61)	75,000	Design consultant selected (RPS)						
Modify Chartwell and Dietz Intersection	175,000	Design complete, out for bid						
Bond Development Program	200,000	Pending retreat discussion						
Implement Fuel Station for City Fleet Vehicles	15,000	Out for bid						

Performance Measures



Strategic Pillar	Performance Measure	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 YTD
Reliable and Sustainable Infrastructure	# Work Orders Completed - Maint	116	145	105	344
Reliable and Sustainable Infrastructure	Ave. Work Order Duration (days)	5.2	4.0	5.6	2.5
Reliable and Sustainable Infrastructure	# Work Orders Completed - Water	915	759	923	356
Reliable and Sustainable Infrastructure	Ave. Work Order Duration (days)	4.4	4.0	3.5	3.6
Reliable and Sustainable Infrastructure	# Work Orders Completed - Wastewater	103	128	88	65
Reliable and Sustainable Infrastructure	Ave. Work Order Duration (days)	15.9	19	2.8	1.6

Performance Measures





Wastewater Utility



Performance Measures



Strategic Pillar	Performance Measure	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 YTD
Responsible Growth Management	Building Codes - # Building Plans Reviewed	710	970	1043	406
Responsible Growth Management	Building Codes - # Permits Issued (Total)	624	891	939	354
Responsible Growth Management	Building Codes - # Permits Issues (new SF homes)	118	157	247	73
Responsible Growth Management	Building Codes - # Inspections Conducted	1898	2297	2751	1095

Additional metrics being developed for Engineering & Planning, Code Compliance and Environmental Compliance

Project Highlight Plant #2 Hydropneumatic Tank





Scope: Replace existing hydropneumatic tank with larger 9,000-gallon hydro-pneumatic tank, and upgrade pumps to 400 GPM with variable speed drives and associated electrical improvements.

Budget: \$946,815 (FY2021-2022) - Construction

Design Firm: CP&Y, Inc., San Antonio, TX **Construction Firm**: MGB Construction, Castroville, TX

Construction Project Timeline (subject to change) Nov 2021 – Contract awarded Dec 2021 – Construction started Jul 2022 – Construction complete (estimated)

% Completed: 60 Status Update: Awaiting new hydro-tank delivery

Project Highlight WWTP Solids Handling Improvements





Scope: Install volute dewatering press at existing WWTP to increase process efficiency and reduce hauling and disposal costs.

Budget: \$920,210 (FY2021-2022) – Design & Construction

Design Firm: Malone & Wheeler, Inc., Austin, TX **Construction Firm**: TBD

Project Timeline (subject to change)
Apr 2022 – Posted bid opportunity
May 2022 – Contract award
Jul 2022 – Construction start
Dec 2022 – Construction complete

% Completed: 0 Status Update: Bids due May 11th

Project Highlight Dietz/Chartwell Safety Improvements





Scope: Realign Dietz/Chartwell intersection to create 4-leg standard intersection to improve pedestrian safety and traffic flow in the vicinity of Fair Oaks Ranch Elem School

Budget: \$175k (FY2021-2022) - Construction

Design Firm: Legacy Engineering Grp, San Antonio, TX **Construction Firm**: TBD

Project Timeline (subject to change)

Apr 2022 – Posted bid opportunity May 2022 – Contract award Jun 2022 – Construction start Aug 2022 – Construction complete (estimated)

% Completed: 0 Status Update: Bids due April 29th

Project Highlight City Hall Renovation





Scope: Renovate City Hall to maximize office space

Budget: \$991.7 (FY2021-2022) – Architect/Construction

Design Firm: Studio S Architekt, Fair Oaks Ranch, TX **Construction Firm**: Waterman Construction LLC, San Antonio, TX

Project Timeline

Apr 2020 – Design contract award Jan 2021 – Construction contract award Mar 2022 – Construction GMP approve Apr 2022 – Construction start Oct 2022 – Construction complete (estimated)

% Completed: 10% Status Update: Under construction

Recent Accomplishments



- Approved 5-Yr CIPs for water, wastewater & reuse, roadways and drainage
- Established Professional Service Agreements with 9 consultants for general engineering support and CIP design work
- Started construction on City Hall Renovation project
- Adopted stormwater pollution prevention and construction hours ordinances
- Awarded WWTP of the Year (Category 1)
- Awarded Wastewater Operator of the Year (Bill Champion)





Top Issues or Other Issues



- Staffing
 - Engineering difficulty meeting pay expectations, 6 months to fill vacant Environmental PM position
 - Maintenance high turnover, lost 3 (1 retirement, 1 to private sector, 1 to City of Boerne) but hired 3 employees
- In-House Drainage Maintenance Program
 - 2 FTEs unfilled positions have been advertised since Dec 2021
 - Limitations on making improvements to private property/gated communities
- Elevated Storage Tank Construction
- Future Water Supply Needs
- Bond Program & CIP Implementation

Goals for Next Period

- Strategic undertakings
 - Coordinate with GBRA regarding future water allocations
 - Manage WWTP Study and Analysis of Alternatives
 - Support Bond Program Development
- Financial goals
 - Revisit Utility Rate Study (focus on correcting wastewater shortfall)
 - Update Fee Schedule
- Other key efforts
 - Negotiate fee and issue Work Authorizations for SAP projects
 - Coordinate all Annual Street Maintenance Plan contracts/road closures
 - o Implement GIS-based Work Order/Asset Management System
 - Advance UDC amendment to support Growth Management
 - Workforce Development Career progression guidance

Item #13.



Questions?

Grant Watanabe, P.E. April 21, 2022