



CITY OF FAIR OAKS RANCH

CITY COUNCIL REGULAR MEETING

Thursday, May 05, 2022 at 6:30 PM

Public Safety Training Room in the Police Station, 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, Parker and 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 – None.

Mayor Maxton read a letter from Mr. Wes Pieper, resident, regarding the potential tax exemptions or tax freeze for residents 65 years or older and the use of American Rescue Plan Act fund spending.

PRESENTATIONS

4. Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, introduced new employee, Kelsey Delgado, Environmental Program Manager.
5. Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, recognized the Employee of the Quarter for Q2 (January 2022 thru March 2022), Summer Fleming, Interim Director of Finance.
6. Scott Huizenga, Assistant City Manager of Administrative Services, provided to Council a presentation on options for reducing property taxes for qualifying disabled or over age-65 homesteads.
7. Christina Picioccio, TRMC, City Secretary, provided a presentation regarding City Council meeting live streamed video time stamping and how to navigate the feature.

CONSENT AGENDA

8. **Approval of the April 21, 2022, Regular City Council meeting minutes.**
9. **Approval of Council Member Stroup's absence from the May 19, 2022, and June 16, 2022, Regular City Council Meetings.**
10. **Approval of a Final Plat request from Elkhorn Ridge SA, LLC for Elkhorn Ridge Unit 7 proposing 18 single-family residential lots, generally located north-east of the intersection of Dietz Elkhorn Road and Elkhorn Ridge, City of Fair Oaks Ranch, Texas.**

MOTION: Made by Council Member Bliss, seconded by Council Member Parker, to approve the Consent Agenda.

VOTE: 7-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

11. **Consideration and possible action authorizing the City Manager to sign a Construction Agreement with Aetos Construction, LLC for the Chartwell and Dietz Intersection Project; and approval of the first reading of an Ordinance amending the budget in support of said project.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Stroup, to authorize the City Manager to sign a Construction Agreement with Aetos Construction, LLC in the amount of \$403,164.13 with a 5% contingency in the amount of \$20,158.21, for a total value not to exceed \$423,322.34 and to approve the first reading of an Ordinance amending the FY21-22 Budget.

VOTE: 6-1; Motion Passed. Council Member Muenchow voted Nay.

12. **Consideration and possible action authorizing the City Manager to initiate a request for the City of San Antonio to release a 112 +/- acre portion of their Extraterritorial Jurisdiction (ETJ) to the City of Fair Oaks Ranch.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Stroup, to authorize the City Manager to initiate a request for the City of San Antonio to release a 112 +/- acre portion of their Extraterritorial Jurisdiction (ETJ) to the City of Fair Oaks Ranch.

VOTE: 6-0; Motion Passed. Council Member Bliss was not present for the vote.

REPORTS FROM STAFF AND COMMITTEES

13. **Financial Update and Quarterly Investment Report for Quarter 2 of Fiscal Year 2022.**

Scott Huizenga, Assistant City Manager, Administrative Services, provided to Council a Financial Update and Quarterly Investment Report for Quarter 2 of Fiscal Year 2022.

REQUESTS AND ANNOUNCEMENTS

14. **Announcements and reports by Mayor and Council Members.**

Council Member Stroup reminded all present that Election Day is on Saturday, May 7, 2022.

Mayor Maxton recognized City Secretary, Christina Picioccio and Deputy City Secretary, Amanda Valdez in recognition for Municipal Clerks Week.

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

City Manager Maples:

- Recognized the HR and Communications Department for their help in submitting information that resulted in awards for the wastewater team.
- Notified city council that TxDOT had performed a warrant study at the intersection of Ammann Road and FM 3351 and as a result a traffic light will be installed there.

- Thanked staff and Council for their support in the last week during his absence.

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

Council Member Muenchow requested that an ordinance for a disability tax freeze and exemption based on earlier discussions be brought back for council consideration.

Council Member Elizondo requested that staff look at opportunities to use staffing contractors for filling vacant positions and for those options to be presented to Council at a future meeting.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 8:40 PM regarding:

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 9:15 PM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 9:15 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary