



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

Thursday, September 05, 2024 at 6:30 PM

Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

Live Stream: <https://www.youtube.com/channel/UCDqRvLvReqxrh1lbajwshKA/live>

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**MINUTES**

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**OPEN MEETING**

**1. Roll Call - Declaration of a Quorum**

Council Present: Mayor Maxton and Council Members: Stroup, Rhoden, Olvera, Koerner, Parker, and Muenchow

With a quorum present, the meeting was called to order at 6:31 PM.

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

**CITIZENS and GUEST FORUM**

**3. Citizens to be heard.**

Mayor Maxton read a letter from residents, Mark and Sandy Friberg, expressing their support for a full road closure of Noble Lark Drive and Kalkallo Drive. The letter also included traffic data they collected from late August to early September, which showed an increase in traffic volume.

**PRESENTATIONS**

**4. Presentation of a 5-Year Service Award to: Amanda Piña, School Resource Officer; and Jarrett Lee, Water/Wastewater Operator II.**

Joanna Merrill, IPMA-SCP, Director of HR and Communications, presented 5-Year Service Awards to School Resource Officer, Amanda Piña and Wastewater Operator II, Jarrett Lee.

**CONSENT AGENDA**

**5. Approval of the August 15, 2024 Regular City Council meeting minutes.**

**6. Approval of a resolution adopting a right-of-way dedication by the City of Boerne.**

MOTION: Made by Council Member Stroup, seconded by Council Member Muenchow, to approve the Consent Agenda.

VOTE: 7 - 0; Motion Passed.

**PUBLIC HEARING**

**7. The City of Fair Oaks Ranch City Council will conduct a public hearing to receive public testimony on proposed comprehensive amendments to the City of Fair Oaks Ranch Unified Development Code.**

a) Mayor Maxton opened the public hearing at 6:43 PM.

- b) Lee Muñiz, P.E., CFM, Manager of Engineering Services, provided a presentation regarding the proposed amendments.
- c) City Council did not receive citizen testimony for or against the proposed amendments.
- d) Mayor Maxton closed public comments at 6:49 PM.
- e) City Council did not discuss the amendments, inclusive of questions of the staff.
- f) The public hearing was adjourned with no formal action.

### CONSIDERATION/DISCUSSION ITEMS

**8. Consideration and possible action approving the first reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code (UDC) regarding comprehensive amendments, including various policy and administrative changes.**

MOTION: Made by Council Member Parker, seconded by Council Member Olvera, to approve the first reading of an ordinance amending the City of Fair Oaks Ranch Unified Development Code regarding comprehensive amendments, including various policy and administrative changes.

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

**9. Consideration and approval of an ordinance authorizing the issuance of “City of Fair Oaks Ranch, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2024”; providing for the payment of said certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said certificates by a lien on and pledge of the pledged revenues of the system; authorizing the execution of any necessary engagement agreement with the City’s financial advisors; and providing an effective date.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Muenchow, to adopt an ordinance authorizing the issuance of “City of Fair Oaks Ranch, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2024.”.

VOTE: 7 - 0; Motion Passed.

**10. Consideration and approval of an ordinance authorizing the issuance of “City of Fair Oaks Ranch, Texas General Obligation Bonds, Series 2024;” levying a continuing direct annual ad valorem tax, within the limitations prescribed by law, for the payment of the bonds; authorizing the execution of any necessary engagement agreement with the City’s financial advisors; and providing an effective date.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Olvera, to adopt an ordinance authorizing the issuance of “City of Fair Oaks Ranch, Texas General Obligation Bonds, Series 2024.”

VOTE: 7 - 0; Motion Passed.

**11. Consideration and possible action approving the first reading of an ordinance to extend the expiration date of Ordinance 2024-10 from October 2, 2024 to January 31, 2025.**

The following residents spoke in opposition of extending the expiration date of the Ordinance:

- Eric Beilstein
- Chris Doepke
- Josh Cooke

MOTION: Made by Council Member Muenchow, seconded by Council Member Koerner, to approve the first reading of an ordinance extending the expiration date of Ordinance 2024-10 from October 2, 2024 to January 31, 2025.

VOTE: 7 - 0; Motion Passed.

**12. Consideration and possible action approving the first reading of an ordinance to extend the expiration date of Ordinance 2024-11 from October 2, 2024 to January 31, 2025.**

MOTION: Made by Council Member Stroup, seconded by Mayor Maxton, to approve the first reading of an ordinance extending the expiration date of Ordinance 2024-11 from October 2, 2024 to January 31, 2025.

VOTE: 4 - 3; Motion Passed. (Council Members Olvera, Koerner, and Muenchow voted Nay)

**13. Consideration and possible action approving a resolution authorizing the execution of a work authorization with Freese and Nichols, Inc. for professional services for the Water and Wastewater Impact Fee Update.**

MOTION: Made by Council Member Stroup, seconded by Council Member Muenchow, to approve a resolution authorizing the execution of a work authorization with Freese and Nichols, Inc. for professional services for the Water and Wastewater Impact Fee Update in the amount of \$69,282.00, expenditure of the required funds, and execution of all applicable documents by the City Manager.

VOTE: 7 - 0; Motion Passed.

**14. Consideration and possible action to accept an application for a place on a Board, Committee or Commission.**

MOTION: Made by Council Member Olvera, seconded by Council Member Rhoden, to accept an application for a place on a board, committee or commission.

AMENDED MOTION: Immediately following this motion, Council Member Koerner moved to amend the motion by adding the phrase " and to schedule the interview " at the end of the motion. Council Member Muenchow seconded the amendment.

VOTE ON AMENDMENT: 7 - 0: Motion Passed.

VOTE ON AMENDED MOTION: 7 - 0: Motion Passed.

AMENDED MOTION:

**REQUESTS AND ANNOUNCEMENTS****15. Announcements and reports by Mayor and Council Members.**

Council Member Stroup wished her a son a Happy Birthday.

Mayor Maxton reminded residents that they will need to vote in their county of residence in the upcoming November Presidential Election. Only Bexar County residents can vote in the Fair Oaks Ranch Police Station. He also reminded residents that the City's Solid Waste provider is officially changing to Frontier Waste on September 30, 2024.

**16. Announcements by the City Manager.**

City Manager Scott Huizenga informed the Council that the City has been in regular communication with Frontier Waste over the past two weeks in preparation for the upcoming service transition. He noted that residents who have not already received letters from Frontier Waste Solutions should expect them by early next week. The cart exchange is scheduled for the week of September 23, 2024, on residents' regular collection days. Mr. Huizenga confirmed that there will be no changes to the current collection schedule. He also highlighted service improvements, including the ability for residents to schedule monthly brush and bulk pickups, as well as hazardous household waste pickups, by appointment with Frontier. Additional payment options for residents will also be available. Mr. Huizenga expressed gratitude to the Communications Department for posting all relevant information on the City's website and thanked staff members assisting residents with questions during the transition. He also announced that the last annual hazardous household waste collection by Republic Services will take place on September 14, 2024, at Cibolo Creek Church from 8:00 AM to 11:00 AM.

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

N/A

**CONVENE INTO EXECUTIVE SESSION**

City Council did not convene into closed session 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:

18. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.
19. Discussion related to possible terms and conditions necessary to resolve disputes that have been the subject of ongoing litigation with the development commonly known as Boerne Ranch Estates, LLC, aka Fair Oaks Meadows.

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

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**

N/A

**ADJOURNMENT**

Mayor Maxton adjourned the meeting at 8:05 PM.

ATTEST:

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Gregory C. Maxton, Mayor

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Christina Picioccio, TRMC, City Secretary