



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

Thursday, August 01, 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, and Olvera

Council Absent: Council Members: 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.**

Carole Willoughby, Chartwell resident, spoke against the community center. She presented a petition with 400 signatures opposing the facility. She also expressed disappointment that a committee has not been formed.

Mayor Maxton read letters from the following residents opposed to the proposed reopening of Noble Lark and Kalkallo: Marc and Brandi Friberg, Viv Serrano, Matt & Angela Sandidge, and Lynda Miller.

Mayor Maxton read a letter from Ryan Schnoke, as a representative of Front Gate HOA, in opposition to a possible permanent closure of Noble Lark at Dietz Elkhorn.

#### **PRESENTATIONS**

##### **4. Presentation of a 10-Year Service Award to: Richard Gonzalez, Police Sergeant.**

Joanna Merrill, IPMA-SCP, Director of HR and Communications, presented Police Sergeant Richard Gonzalez with a 10-Year Service Award.

##### **5. Introduction of new hire: Jim Williams, Assistant City Manager.**

Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, introduced new Assistant City Manager Jim Williams.

#### **CONSENT AGENDA**

##### **6. Approval of the July 18, 2024 Regular City Council meeting minutes.**

##### **7. Approval of a resolution authorizing the consolidation of the City's 457(b) deferred compensation plans from two providers, Mission Square and Nationwide, into a single**

**plan provider, Nationwide, and implementation of the proposed transition plan, investment policy, and committee charter.**

**8. Approval of the proposed FY 2024-25 Municipal Development District (MDD) Budget.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Olvera to approve the Consent Agenda.

VOTE: 4 - 0; Motion Passed.

**CONSIDERATION/DISCUSSION ITEMS**

**9. Consideration and possible action approving a resolution authorizing execution of an Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool to form a joint self-insurance pool to be named the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance Fund, expenditure of the required funds, and execution of all applicable documents by the City Manager.**

MOTION: Made by Council Member Olvera, seconded by Council Member Stroup to approve a resolution authorizing execution of an Interlocal Agreement with Texas Municipal League Intergovernmental Risk Pool.

VOTE: 4 - 0; Motion Passed.

**10. Consideration and possible action approving the first reading of an ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 1 "General Provisions," Article 1.06 "Emergency Management," Division 2 "Emergency Management Program;" and providing for a severability clause and effective date.**

MOTION: Made by Mayor Maxton, seconded by Council Member Rhoden to approve the first reading of the ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 1 "General Provisions," Article 1.06 "Emergency Management," Division 2 "Emergency Management Program;" and providing for a severability clause and effective date.

VOTE: 4 - 0; Motion Passed.

**11. Consideration and possible action approving the first reading of an ordinance authorizing the execution of a franchise agreement with Frontier Texas Ventures I, LLC for Solid Waste Collection and Disposal Services.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Stroup to approve the first reading of an ordinance authorizing the execution of a Franchise Agreement with Frontier Texas Ventures I, LLC, and execution of all applicable documents by the City Manager.

VOTE: 4 - 0; Motion Passed.

**12. Consideration and possible action on the first reading of an ordinance amending Ordinance 2015-12 removing no vehicle stopping, standing, or parking on the 28000 block of Chartwell Lane during school zone hours.**

MOTION: Made by Mayor Maxton, seconded by Council Member Olvera to approve the first reading of an ordinance amending Ordinance 2015-12 removing no vehicle stopping, standing, or parking on the 28000 block of Chartwell Lane during school zone hours.

VOTE: 4 - 0; Motion Passed.

**13. Consideration and possible action on the emergency approval of the first reading of an ordinance amending Chapter 12 "Traffic and Vehicles," Section 12.01.003 (1) of the City of Fair Oaks Ranch Code of Ordinances reducing the speed limit to 20 miles per hour on Kalkallo Drive and Noble Lark Drive.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Stroup to approve the first reading of an ordinance amending Chapter 12 Traffic and Vehicles, Article 12.01 General Provisions, Section 12.01.003 (1) of the City of Fair Oaks Ranch Code of Ordinances reducing the speed limit on Kalkallo Drive and Noble Lark Drive to 20 mph.

VOTE: 4 - 0; Motion Passed as Recorded:

Mayor Maxton – For; Council Member Stroup – For; Council Member Rhoden – For; Council Member Olvera – For.

**14. Consideration and possible action on the first reading of an ordinance amending Chapter 12 "Traffic and Vehicles," Section 12.01.002 of the City of Fair Oaks Ranch Code of Ordinances establishing stop signs at the intersection of Noble Lark Drive and Kalkallo Drive and removal of a yield sign from said intersection.**

MOTION: Made by Mayor Maxton, seconded by Council Member Stroup to approve the first reading on an ordinance amending Chapter 12 Traffic and Vehicles, Article 12.01 General Provisions, Section 12.01.002 of the City of Fair Oaks Ranch Code of Ordinances establishing stop signs at the intersection of Noble Lark Drive and Kalkallo Drive and removal of a yield sign from said intersection.

VOTE: 4 - 0; Motion Passed as Recorded:

Mayor Maxton – For; Council Member Stroup – For; Council Member Rhoden – For; Council Member Olvera – For.

*Mayor Maxton recessed the meeting at 8:48 PM*

*Mayor Maxton reconvened the meeting at 8:59 PM*

## **WORKSHOP**

*Mayor Maxton asked to address workshop item 16 on the Compensation Plan, before workshop item 15 on the FY 2024-25 Budget.*

**16. FY 2024-25 Compensation Plan Proposal.**

Scott M. Huizenga, ICMA-CM, City Manager and Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, led a workshop with Council regarding the FY 2024-25 Compensation Plan. Council directed staff to include the following positions to the proposed budget: City Planner and Project Manager.

**15. FY 2024-25 Budget Workshop.**

Summer Fleming, Director of Finance, led a workshop with Council regarding the FY 2024-25 budget.

**REPORTS FROM STAFF AND COMMITTEES****17. Quarterly Financial and Investment Report for the Quarter Ended June 30, 2024.**

Summer Fleming, Director of Finance, provided the Quarterly Financial and Investment Report for the Quarter Ended June 30, 2024

**REQUESTS AND ANNOUNCEMENTS****18. Announcements and reports by Mayor and Council Members.**

Council Member Olvera expressed gratitude to the Police Department for their attention to recent vehicle thefts on Noble Lark and Kalkallo for their excellent response time.

**19. Announcements by the City Manager.**

City Manager, Scott M. Huizenga, announced that the City has been made aware of a planned power outage at the Cibolo Bridge due to repairs by TxDOT during the week of August 12, 2024. CPS will notify the customers impacted by the outage.

**20. 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:

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

22. 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)**

23. 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 11:47 PM

ATTEST:

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Gregory C. Maxton, Mayor

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Christina Picioccio, TRMC, City Secretary