



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, July 06, 2023 at 6:30 PM

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

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

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton and Council Members: Stroup, Rhoden, 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

Resident Al Schmidt spoke in support of the civic center project due to the necessity for a dedicated Council Chambers. Mr. Schmidt expressed that the title “Civic Center” is misleading as he estimates it will mostly be used by the City. He urged the Council to determine the buildings use as soon as possible and suggested that the MDD help fund maintenance of the building.

CONSENT AGENDA

4. Approval of the June 15, 2023 Regular City Council meeting minutes.

5. Approval of the June 23, 2023 Special City Council meeting minutes.

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

VOTE: 7-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

6. 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 1.07 “Trees And Shrubs” to include updated definitions, and to add new sections defining the authority and responsibility of public trees.

MOTION: Made by Council Member Bliss, seconded by Council Member Parker, to approve an ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 1 “General Provisions,” Article 1.07 “Trees and Shrubs” to include updated definitions, and to add new sections defining the authority and responsibility of public trees.

VOTE: 7-0; Motion Passed.

7. **Consideration and possible action approving a resolution authorizing the execution of an Amendment to the Chapter 377 Project Funding Agreement between the Fair Oaks Ranch Municipal Development District (MDD) and the City of Fair Oaks Ranch for development of a Civic Center, and execution of all applicable documents by the City Manager.**

MOTION: Made by Council Member Muenchow, seconded by Council Member Stroup, to approve a resolution authorizing the execution of an Amendment to the Chapter 377 Project Funding Agreement between the Fair Oaks Ranch Municipal Development District and the City of Fair Oaks Ranch for development of a civic center, and execution of all applicable documents by the City Manager.

VOTE: 7-0; Motion Passed.

8. **Discussion and possible action to shape and frame the Q3 Town Hall meeting.**

MOTION: Made by Council Member Stroup, seconded by Council Member Koerner, that the next town hall topics be the Dietz Elkhorn Corridor Study, and Multimodal Connectivity on August 29, 2023.

VOTE: 7-0; Motion Passed.

WORKSHOP

9. **FY 2023-24 General Fund Department Budget Workshop - Administration, Human Resources & Communications, Finance, Information Technology and Non-Departmental/Shared.**

Julie Lovelace, Interim Accounting Manager, led the FY 2023-24 Budget Workshop, after which the following staff members provided departmental presentations and answered questions of the Council: Carole Vanzant, Assistant City Manager, Community Services; Joanna Merrill, IPMS-SCP, Director of Human Resources and Communications; Summer Fleming, Interim Finance Director; and Brian LeJeune, IT Manager.

REQUESTS AND ANNOUNCEMENTS

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

Council Members Bliss, Parker, Koerner, and Mayor Maxton each expressed gratitude to City Staff for their hard work in making the Fourth of July event a success. The new laser show allowed the program to eliminate the loud booming fireworks. Council Members also noticed that there were less residents illegally setting off fireworks as well.

Mayor Maxton thanked the Fair Oaks Ranch Country Club for the use of their location. He specifically recognized the Public Works team for their hard work leading up to the event. Mayor Maxton announced that the estimate of attendees was between 3000-3,500. Mayor Maxton reminded everyone that Bulk/Brush Pickup begins on July 31, 2023 for Sector 1, August 7, 2023 for Sector 2, and August 14, 2023 for Sector 3. Mayor Maxton also reminded anyone who is willing to volunteer for committees, commissions, or boards to submit applications to the City Secretary's office by August 9, 2023.

11. Announcements by the City Manager.

Interim City Manager, Scott M. Huizenga, expressed appreciation for everyone involved in the Fourth of July event. He called out the maintenance team led by Jimmy Washer, for their work leading up to the event. Staff members on the maintenance team are Mark Kosta, Cliff McClendon, and Keith Ott. Mr. Huizenga also thanked the Police Department for the excellent traffic control, and the Human Resources & Communications department for their work organizing and executing the celebration.

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

None.

CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive 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:

- 13. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.**
- 14. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.**
- 15. 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)

- 16. 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 8:51 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary
