



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, September 01, 2022 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, Koerner, Parker and Muenchow.

Council Absent: Council Members: Elizondo and Bliss

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.

Kitty Engstrom, Raintree Woods resident, spoke on the spread of oak wilt. She noticed a large amount of pruning in anticipation of the bulk brush pickup and the lack of contractors sealing wounds to avoid the spread. She urged Council to implementing penalties to encourage compliance.

Denise Deaver, Boerne resident, spoke of her concern regarding an item in the proposed budget regarding Ammann Road.

Lance Kyle, Cascade Caverns, spoke against a possible Ammann road project due to sensitivity in this area and the possibility of damaging geological features due to road improvements.

PRESENTATIONS

4. **Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, presented 5-Year Service Awards to Police Officers: Nathan Domenech and Lacey Gonzalez.**
5. **Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, presented 10-year Service Awards to Police Sergeant, Paul Zepeda.**
6. **Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, introduced new employee, Garrett Sharp, Utility Technician.**

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 6:49 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:

21. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

RECONVENE INTO OPEN SESSION

City Council reconvened into Open Session at 7:20 PM. No action was taken.

CONSENT AGENDA

7. **Approval of the August 18, 2022 Regular City Council meeting minutes.**
8. **Approval of Council Member Elizondo's absence from the September 1, 2022 Regular City Council Meeting.**
9. **Approval of the second reading of an Ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 12 "Traffic and Vehicles" Article 01.033 "Prima Facie Speed Limits" adding 25 mph speed limits and establishing stop signs on streets within the Front Gate Subdivision.**
10. **Approval of the second reading of an Ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 12 "Traffic and Vehicles" Article 01.033 "Prima Facie Speed Limits" adding 25 mph speed limits and establishing stop signs on streets within the Elkhorn Ridge Subdivision.**

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

VOTE: 5-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

11. **Consideration and possible action approving the first reading of an Ordinance approving the first amendment to the City's exclusive franchise agreement with Republic Services for the collection, hauling, and disposal of residential garbage and refuse waste in the City of Fair Oaks Ranch.**

Tobin Maples, AICP, City Manager, informed Council that there was no need to act on this item. Republic Services representative, Tom Armstrong, explained that the document had not been finally approved by Republic Services and asked that the City approve a temporary extension agreement.

12. **Consideration and possible action approving a Resolution authorizing the execution of an Advance Funding Agreement with TxDOT for a Highway Safety Improvement Program (HSIP) project and authorizing the City Manager to execute applicable documents.**

MOTION: Made by Council Member Parker, seconded by Council Member Koerner, to approve a Resolution authorizing the execution of an Advances Funding Agreement with TxDOT for a Highway Safety Improvement Program (HSIP) project and authorizing the City Manager to execute applicable documents.

VOTE: 5-0; Motion Passed.

13. **Consideration and possible action authorizing the City Manager to execute Interlocal Agreements to allow for cooperative purchasing.**

MOTION: Made by Council Member Muenchow, seconded by Council Member Stroup, to authorize the City Manager to execute Interlocal Agreements to allow for cooperative purchasing with the following parties: City of Helotes, National Cooperative Purchasing Alliance, Region 8 Education Service Center (The Interlocal Purchasing System, Texas Comptroller of Public Accounts (Texas SmartBuy).

VOTE: 5-0; Motion Passed.

14. **Consideration and possible action approving an Interlocal Agreement with the City of Boerne for Animal Services in FY 2022-2023 and authorizing the City Manager to execute the agreement.**

MOTION: Made by Council Member Parker, seconded by Council Member Muenchow, to approve an Interlocal Agreement with the City of Boerne for Animal Services in FY 2022-2023 and authorizing the City Manager to execute the agreement.

VOTE: 5-0; Motion Passed.

15. **Discussion of Cost of Living Adjustments (COLAs) and Compensation Study.**

Scott Huizenga, Assistant City Manager, Administrative Services led Council in a discussion of Cost of Living Adjustments and the City's Compensation Study. Council directed Staff to provide more information on how the city calculates compensation adjustments. Mayor Maxton requested more information regarding the disparity of having staff that is below the living wage threshold.

16. **Discussion regarding FY 2022-23 Budget.**

Scott Huizenga, Assistant City Manager, Administrative Services, led a discussion regarding the FY 2022-23 proposed budget.

REPORTS FROM STAFF AND COMMITTEES

17. **Presentation of Financial Update and Quarterly Investment Report for Q3 of Fiscal Year 2021-22.**

Scott Huizenga, Assistant City Manager, Administrative Services, provided to Council a presentation on the Financial Update and Quarterly Investment Report for Q3 of Fiscal Year 2021-22.

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

Council Member Stroup reminded everyone that the Back the Badge 5K would be taking place on September 10, 2022.

Katie Schweitzer, P.E., Manager of Engineering Services, notified Council that the annual Household Hazardous Waste event would take place on Saturday, September 10, 2022.

Mayor Maxton informed everyone that the City would be switching the notification system from CodeRed to Regroup with a month of overlap and urged all residents to sign up and to also spread the word to other residents.

19. Announcements by the City Manager.

N/A

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

Mayor Maxton reiterated that he would like more information on “living wage” from the discussion earlier in the meeting regarding Cost of Living Adjustments.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 8:53 PM regarding:

Sec. 551.074 (Personnel Matters)

25. To perform the annual evaluation of the City Secretary.
26. To perform the annual evaluation of the City Manager.

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:

22. Cause No. 2022CI01978; Boerne Ranch Estates, LLC v. The City of Fair Oaks Ranch.
23. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.

Sec. 551.072 (Deliberation regarding real property)

24. 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 11:39 PM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 11:39 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary