



CITY OF FAIR OAKS RANCH CITY COUNCIL REGULAR MEETING

Thursday, August 18, 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, Elizondo, Bliss, Koerner, Parker and Muenchow.

Council Absent: Council Member Bliss

With a quorum present, the meeting was called to order at 6:30 PM.

CITIZENS and GUEST FORUM

3. **Citizens to be heard.**

Julie Lovelace spoke in favor of the second Cost of Living Adjustment being considered in the budget and asked Council to consider giving an increase to at least a portion of staff if their concern comes from providing an adjustment to employees in the higher tiers. Ms. Lovelace told Council she would not take an adjustment so that there was no conflict of interest.

Nolan Kuehn, resident of 19 years, spoke of the danger to cyclists from the glass on the street because of the trash compactors conducting the bulk brush pickup and thanked City Manager, Tobin Maples, for discussing this in person with him recently. Mr. Kuehn also suggested a periodic Town Hall meeting to get input from residents.

Rich Senna, Boerne ISD Board Trustee, thanked Council, City Manager Tobin Maples, and Police Chief Tim Moring for working with the district to approve two School Resource Officers to ensure school safety.

CONSENT AGENDA

4. **Approval of the August 4, 2022 Regular City Council meeting minutes.**

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

VOTE: 7-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

5. **Consideration and possible action to accept applications for open positions on Boards, Committees, and Commissions and to set dates for interviews.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Koerner, to accept the applications of those that are seeking reappointment to their boards, committees, or commissions.

VOTE: 7-0; Motion Passed.

MOTION: Made by Council Member Koerner, seconded by Council Member Bliss, to forego interviews for the moving of alternates to a primary position for the Zoning Board of Adjustment.

VOTE: 6-1; Motion Passed. Council Member Elizondo voted nay.

Council designated August 31, 2022 at 6:00 PM and September 15, 2022 at 4:30 PM, if necessary, to interview the five new applicants interested in serving. There are no eligible applicants for the alternate position on the Board of Appeals but if an application is received at a later date it will be presented to Council at that time.

6. Consideration and possible action approving the first 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.

MOTION: Made by Council Member Muenchow, seconded by Council Member Parker, to approve the first 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.

VOTE: 7-0; Motion Passed.

7. Consideration and possible action approving the first 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 Parker, to approve the first 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.

VOTE: 7-0; Motion Passed.

8. Consideration and possible action regarding Stop Sign Alternatives for the Chartwell Intersection.

No action was taken by Council but direction was provided to staff to gather data such as feedback from Administrators at the school and Police Officers working the intersection on what they've observed thus far. Council Member Muenchow suggested a Town Hall meeting to gather additional feedback from the parents and other citizens driving through the intersection.

9. Submission of calculated FY 2022-23 property tax rates to the City Council.

Scott Huizenga, Assistant City Manager for Administrative Services, provided to Council a presentation on the calculated FY 2022-23 property tax rates inclusive of an overview of tax roll data.

- 10. Consideration and possible action approving a resolution setting the proposed maximum Fiscal Year 2022-23 ad valorem tax rate and setting the date to hold the proposed Fiscal Year 2022-23 budget public hearing as September 15, 2022, at 6:30 PM and setting the date to adopt said budget and the meeting to vote on tax rate as September 22, 2022.**

MOTION: Made by Mayor Maxton, seconded by Council Member Elizondo, to approve the resolution setting the maximum total ad valorem tax rate Council will consider for Fiscal Year 2022-23 is 35.18 cents per \$100 taxable value; and to hold the proposed Fiscal Year 2022-23 budget public hearing and tax rate public hearing on September 15, 2022, at 6:30 PM, and to adopt said budget and tax rate on September 22, 2022.

VOTE: 7-0; Motion Passed as recorded:

Mayor Maxton – For; Council Member Stroup – For; Council Member Elizondo – For; Council Member Bliss - For; Council Member Koerner - For; Council Member Parker – For; Council Member Muenchow – For.

11. Discussion regarding FY 2022-23 Budget.

Scott Huizenga, Assistant City Manager of Administrative Services led a discussion of the proposed budget with the Council. Senior Staff answered questions throughout discussion of the general fund. The utility fund would be discussed at the September 1, 2022 Council meeting.

MOTION: Made by Council Member Koerner, seconded by Council Member Elizondo, to add the fiscal year 3.2 percent Cost of Living Adjustment back into the budget as was voted on at the July 21, 2022 Council Meeting.

No vote was taken but direction was given to staff to bring an agenda item to the September 1, 2022 Council Meeting to discuss the distribution of Cost of Living Adjustments.

REQUESTS AND ANNOUNCEMENTS

12. Announcements and reports by Mayor and Council Members.

None.

13. Announcements by the City Manager.

None.

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

Council Member Koerner reiterated that she would like an agenda item regarding the allocation of a Cost of Living Adjustments.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 10:07 PM regarding:

Sec. 551.074 (Personnel Matters)

19. 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:

- 15. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
- 16. Cause No. 2022CI01978; Boerne Ranch Estates, LLC v. The City of Fair Oaks Ranch.
- 17. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.

Sec. 551.072 (Deliberation regarding real property)

- 18. 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

Council reconvened into Open Session at 11:57 PM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 11:57 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary