



CITY OF FAIR OAKS RANCH

CITY COUNCIL REGULAR MEETING

Thursday, April 07, 2022 at 6:30 PM

Public Safety Building, 7286 Dietz Elkhorn, Fair Oaks Ranch

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton and Council Members: Stroup, Elizondo, Bliss, Koerner, and Parker

Council Absent: Council Member 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 – There were no citizens to be heard.

PRESENTATIONS

4. Tobin E. Maples, City Manager, presented a Five-Year Service Award to Eric J. Guajardo, Utilities Clerk.
7. Tobin E. Maples, City Manager, introduced new employee: Robert Ortiz, Code Compliance Officer.

This item was presented out of order at the request of City Manager, Tobin Maples.

5. Tobin E. Maples, City Manager, recognized Ernest W. Champion for being selected as the Water Environment Association of Texas Outstanding Municipal Operator of the Year.
6. Tobin E. Maples, City Manager, recognized the Fair Oaks Ranch Utilities Division for receiving the Water Environment Association of Texas Municipal Wastewater Treatment Plant of the Year Award Category 1.
8. Paul Mebane, CIAC Chairperson, provided to Council the Capital Improvements Advisory Committee Semiannual Report.

CONSENT AGENDA

9. **Approval of the March 17, 2022 Regular City Council meeting minutes.**
10. **Approval of Council Member Bliss' absence from the March 17, 2022 Regular City Council Meeting.**

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

VOTE: 6-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

11. **Consideration and possible action approving a Resolution to appoint a member to fill the Fair Oaks Ranch Municipal Development District Board of Directors' Place 3 unexpired term.**

MOTION: Made by Council Member Bliss, seconded by Council Member Koerner, to appoint David Fairhurst to fill the unexpired term for Place 3 on the Municipal Development District Board of Directors.

VOTE: 6-0; Motion Passed.

12. **Consideration and possible action authorizing the City Manager to sign a Construction Agreement with Intermountain Slurry Seal for the City's Annual Street Maintenance and Repair Program.**

MOTION: Made by Council Member Parker, seconded by Council Member Elizondo, to authorize the City Manager to sign a Construction Agreement with Intermountain Slurry Seal in the amount of \$650,355.00 with a 5% contingency in the amount of \$ 32,517.75 for a total value not to exceed \$ 682,872.75.

VOTE: 6-0; Motion Passed.

13. **Discussion and possible action regarding a City Council Strategic Visioning Retreat.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Stroup, to authorize the City Manager to finalize a contract and scope of services with SGR for a 2022 City Council Strategic Visioning Retreat.

VOTE: 6-0; Motion Passed.

REQUESTS AND ANNOUNCEMENTS

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

Council Member Stroup stated that the FORHA Easter Egg Hunt, the weekend prior, was a success with over 350 attendees. Council Member Stroup also announced that BISD Superintendent Price will be at Fair Oaks Elementary School, 5:30 PM on Monday to provide a presentation regarding a bond.

Council Member Koerner reminded everyone that April is Autism Awareness month and shared that the Leon Springs Fire Department is wearing a special shirt during their shifts to commemorate it. She thanks Council for their donations which provided the shirts at no cost to the LSFD staff.

Council Member Parker thanked City Staff for their role in putting on the State of the City event and its success.

15. **Announcements by the City Manager.**

City Manager, Tobin Maples, announced that staff is working to get the Public Safety Training Room ready for live streaming at the April 21, 2022 Council meeting. Mr. Maples mentioned plans to bring an item to a future Council meeting regarding the Utility Rate Study. Mr. Maples informed all that he is hoping to have a draft Fire Utilization Study report to present to Council soon. Starting at the April

21,2022 Council meeting, the Public Works Department will be the first department to present a quarterly report followed by other departments in the future.

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

There were no requests made by council for future agenda items.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 7:12 PM regarding:

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body hereby convenes into closed session:

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:

- 17. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
- 18. Cause No. 2022CI011978; Boerne Ranch Estates, LLC v. The City of Fair Oaks Ranch.
- 19. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.

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

City Council reconvened into Open Session at 7:26 PM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 7:27 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary