



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, April 04, 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>

MINUTES

OPEN MEETING

1. **Roll Call - Declaration of a Quorum**

Council Present: Mayor Maxton and Council Members: Stroup, Rhoden, Olvera, Koerner, Parker, and Muenchow

With a quorum present, the meeting was called to order at 6:31 PM.

2. **Pledge of Allegiance** – The Pledge of Allegiance was led by Arrow of Light cub scout members visiting the meeting.

CITIZENS and GUEST FORUM

3. **Citizens to be heard** - None

PRESENTATIONS

4. **Presentation of a 5-Year Service Award to: Brian LeJeune, Information Technology Manager.**

This presentation was deferred to the next City Council meeting due to the recipient not being present.

CONSENT AGENDA

5. **Approval of the March 21, 2024 Regular City Council meeting minutes.**
6. **Approval of Council Member Stroup’s absence from the March 21, 2024 Regular City Council meeting.**
7. **Approval of Council Member Muenchow’s absence from the March 21, 2024 Regular City Council meeting.**

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

VOTE: 7-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS**8. Consideration and possible action approving a resolution authorizing the execution of an agreement with IWC Oil & Refinery, LLC for on-site fuel delivery.**

MOTION: Made by Council Member Koerner, seconded by Council Member Rhoden, to approve a resolution authorizing the execution of an agreement with IWC Oil & Refinery, LLC for on-site fuel delivery, expenditure of the required funds, and execution of all applicable documents by the City Manager.

VOTE: 7-0; Motion Passed.

9. Consideration and possible action to approve a resolution for the Fair Oaks Ranch Municipal Court to adopt a Confidentiality Policy & Agreement.

MOTION: Made by Council Member Stroup, seconded by Council Member Olvera, to approve a resolution adopting a Confidentiality Policy and Agreement for the Fair Oaks Ranch Municipal Court.

VOTE: 7-0; Motion Passed.

Mayor Maxton requested that the CIAC semiannual report be moved out of order. Council concurred.

REPORTS FROM STAFF AND COMMITTEES**14. Semiannual Report from the Capital Improvements Advisory Committee (CIAC).**

Paul Mebane, CIAC Chairperson, provided to Council a semiannual report from the CIAC March 21, 2024 meeting.

WORKSHOP**10. Solid Waste Franchise Agreement.**

Carole Vanzant, CPM, Assistant City Manager, presented the proposed Republic Services renewal terms regarding the current solid waste management agreement. Not accepting the terms, Council provided staff direction to put out a request for proposals for a new franchise agreement.

11. Tree Mitigation Fund Policy and Oak Wilt Program Workshop.

Kelsey Delgado, Environmental Program Manager, led a workshop with Council regarding the Tree Mitigation Fund Policy and Oak Wilt Program.

12. Planning and Zoning Commission Rules of Procedure - Rule 2.2

Christina Picioccio, TRMC, City Secretary, led a workshop with Council regarding Rule 2.2 of the Planning and Zoning Commission Rules of Procedure. Council provided staff direction to remove the words "real property owners" as a requirement to serve. The ordinance establishing the P&Z will be updated as well as the P&Z Rules of Procedure resolution. Both will be brought back to City Council approval at a future meeting.

13. Unified Development Code Policy Amendments for Prioritized Categories 1-7.

Lee Muniz, P.E. CFM, Manager of Engineering Services, led a workshop with Council regarding Unified Development Code Policy Amendments for Prioritized Categories 1-7. Council accepted the following P&Z recommendations on sections: 5.5 (3), 5.6 (1), 5.6 (6), 5.6 (7) 6.5 (5) e i, 6.6 (3) b, 9.2 (5), 9.4 (2) a vi and vii, and 9.7 (1) c ii and iii. Council requested additional information for sections 6.6 (3) e and f, and 9.7 (1) c ii and iii. Council did not accept the recommendations for sections 6.7 (3) b, 6.7 (4) c iv, and 6.7 (5) b.

REQUESTS AND ANNOUNCEMENTS**15. Announcements and reports by Mayor and Council Members.**

Council Member Stroup congratulated the Seton Hall Pirates on their NIT Championship.

Council Member Parker reminded everyone that FORHA is hosting a GVTC sponsored Shred Day on Saturday, April 6, 2024 from 9:00 AM – 12:00 PM at Fair Oaks Ranch Elementary.

Mayor Maxton announced the April 9, 2024 Town Hall meeting beginning at 6:30 PM in the Spring Creek United Methodist Church sanctuary to discuss the upcoming special elections for Street Repairs Sales & Use Tax Reauthorization and Road Reconstruction Projects making up the General Obligation Bond.

16. Announcements by the City Manager.

City Manager Scott Huizenga announced that the City had been granted the designation “Tree City USA” by the Arbor Day Foundation.

17. 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 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:

- 18. To receive legal advice from Special Counsel and the City Attorney regarding the City’s ground water rights.**
- 19. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.**
- 20. 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)

21. **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 8:27 PM

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary