



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, June 06, 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: Rhoden, Olvera, Koerner, Parker, and Muenchow

Council Absent: Council Member Stroup

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.

Wes Pieper, resident, spoke regarding property tax exemptions for residents over 65 and how they will pay a higher percent of the property tax as the exemption value deteriorates.

Sharon Brimhall, resident, spoke against the Community Center project and asked for additional information on the guidelines for use or rental of the building. Ms. Brimhall urged Council to stop the project until a comprehensive plan is made available to residents.

4. Honorary Mayor of the Day - Charlie Cox.

Gregory C. Maxton, Mayor, announced that 5th grade student, Charlie Cox, served as honorary Mayor.

CONSENT AGENDA

5. Approval of the May 15, 2024 Special City Council meeting minutes.

6. Approval of the May 16, 2024 Regular City Council meeting minutes.

7. Approval of the second reading of an ordinance establishing stop signs at various intersections within the corporate limits of the City; authorizing the codification of street stop and yield signs in Chapter 12; Section 12.01 of the City's Code of Ordinances; prescribing for a penalty of not less than \$25 nor more than \$500; providing for an effective date; and providing for the publication of the caption hereof.

8. Approval and possible action approving the first reading of an ordinance amending the budget of the City of Fair Oaks Ranch for FY 2023-24 to fund \$10,000 toward the Oak Wilt Program.

9. Approval of Council Member Muenchow's absence from the May 16, 2024 Regular City Council meeting.

Council Member Koerner requested to move Item #7 to Consideration after item # 13.

MOTION: Made by Council Member Muenchow, seconded by Council Member Parker, to approve the Consent Agenda. (Items 5, 6, 8, and 9)

VOTE: 6 - 0; Motion Passed.

PUBLIC HEARINGS

10. **The City of Fair Oaks Ranch City Council will conduct a public hearing to receive public testimony on a proposed amendment to the Comprehensive Plan (CPA No. 2024-01) to change the land use classification from Rural Residential (RR) to Neighborhood Residential (NR) for approximately 149 acres generally located northwest of the intersection of Ralph Fair Road and Honeycomb Rock, platted as Oak Bend Estates.**
 - a. Mayor Maxton opened the public hearing at 6:41 PM.
 - b. Lee Muñiz, CFM, Manager of Engineering Services, provided a presentation regarding the FLUM Amendment request.
 - c. Applicant representative Ashley Fairmond provided comments to Council regarding the FLUM Amendment request.
 - d. City Council received no public testimony for or against the proposed FLUM Amendment request.
 - e. Mayor Maxton closed public comments at 6:50 PM.
 - f. City Council discussed the request, inclusive of questions to staff
 - g. The public hearing was adjourned with no formal action.

11. **The City of Fair Oaks Ranch City Council will conduct a public hearing to receive public testimony on a rezoning application (ZC 2024-01) submitted by applicant Sitterle Homes on behalf of the owner of Oak Bend Forest, L.C. to change the zoning classification from Rural Residential (RR) to Neighborhood Residential (NR) for 149 acres generally located northwest of the intersection of Ralph Fair Road and Honeycomb Rock, platted as Oak Bend Estates.**
 - a. Mayor Maxton opened the public hearing at 6:53 PM.
 - b. Lee Muñiz, CFM, Manager of Engineering Services, provided to Council a presentation of the proposed zone change application.
 - c. The applicant did not provide a presentation of the proposed zone change application.
 - d. City Council received no public testimony for or against the proposed zone change application.
 - e. Mayor Maxton closed public comments at 6:56 PM.
 - f. City Council did not discuss the request, inclusive of questions to the applicant and staff
 - g. The public hearing was adjourned with no formal action.

CONSIDERATION/DISCUSSION ITEMS

- 12. Consideration and possible action approving the first reading of an ordinance of the City Council of the City of Fair Oaks Ranch, Texas amending the Comprehensive Plan to change the land use classification from Rural Residential (RR) to Neighborhood Residential (NR) for approximately 149 acres generally located along the north side of Ralph Fair Road and Honeycomb Rock generally known as Oak Bend Estates.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Koerner, to approve the first reading of an ordinance amending the Comprehensive Plan changing the land use classification from Rural Residential (RR) to Neighborhood Residential (NR) of approximately 149 acres generally located along the north side of Ralph Fair Road and Honeycomb Rock generally known as Oak Bend Estates.

VOTE: 6 - 0; Motion Passed.

- 13. Consideration and possible action approving the first reading of an ordinance of the City Council of the City of Fair Oaks Ranch, Texas amending the zoning classification from Rural Residential (RR) to Neighborhood Residential (NR) for 149 acres generally located along the north side of Ralph Fair Road and Honeycomb Rock generally known as Oak Bend Estates.**

MOTION: Made by Council Member Muenchow, seconded by Council Member Olvera, to approve the first reading of an ordinance amending the zoning classification from Rural Residential (RR) to Neighborhood Residential (NR) of approximately 149 acres generally located along the north side of Ralph Fair Road and Honeycomb Rock generally known as Oak Bend Estates.

VOTE: 6 - 0; Motion Passed.

- 7. Approval of the second reading of an ordinance establishing stop signs at various intersections within the corporate limits of the City; authorizing the codification of street stop and yield signs in Chapter 12; Section 12.01 of the City's Code of Ordinances; prescribing for a penalty of not less than \$25 nor more than \$500; providing for an effective date; and providing for the publication of the caption hereof.**

MOTION: Made by Council Member Koerner, seconded by Council Member Muenchow, to approve the second reading of the ordinance establishing street stop and yield signs at various city intersections and authorizing the codification of said into the city's Code of Ordinances, Chapter 12.

AMENDING MOTION: Made by Council Member Koerner, seconded by Council Member Muenchow, to amend the motion to remove the addition of a stop sign at Battle Intense and High Eschelon.

AMENDED MOTION

VOTE: 4 - 2; Motion Passed. (Mayor Maxton and Council Member Rhoden Voted Nay)

MAIN MOTION AS

AMENDED VOTE: 5 - 1; Motion Passed. (Mayor Maxton Voted Nay)

14. Consideration and possible action approving a resolution authorizing the City Manager to sign a Participation Agreement with the Alamo Regional Security Operations Center.

MOTION: Made by Council Member Olvera, seconded by Council Member Rhoden, to approve a resolution authorizing the City Manager to execute a participation agreement with the City of San Antonio and CPS Energy for the Alamo Regional Security Operations Center.

VOTE: 6 - 0; Motion Passed.

WORKSHOP**15. Standards of Cover and Utilization Analysis for Fire & EMS services.**

Tim Moring, Chief of Police, introduced Joe Pozzo, Senior Manager for Fire and EMS at Center for Public Safety Management, who provided to Council a presentation regarding their analysis of Standards of Cover and Utilization for Fire & EMS Services for the City of Fair Oaks Ranch.

Mayor Maxton recessed the meeting at 8:45 PM.

City Council reconvened the meeting at 8:57 PM.

16. FY 2024-25 General Fund Department Budget Workshop - Public Safety and Public Works.

Summer Fleming, Director of Finance, provided a brief overview regarding the FY 2024-25 General Fund budget. Tim Moring, Chief of Police, provided more details to Council regarding Public Safety and answered questions of Council. Grant Watanabe, P.E., Director of Public Works & Engineering Services, provided more details regarding Public Works and answered questions of Council.

Council Member Muenchow left the meeting at 9:29 PM.

REQUESTS AND ANNOUNCEMENTS**17. Announcements and reports by Mayor and Council Members.**

Council Member Koerner announced that June 12th is Women's Veterans Day. She acknowledged Christina Picioccio, City Secretary, as a woman veteran and thanked her for her service. Council Member Koerner encouraged everyone to thank a woman veteran on that day and provided a brief history.

Mayor Maxton urged residents to conserve water and warned that the lake and well levels are at the same level today than they usually are at the end of summer. He reminded everyone that the City never came out of Stage 2 Drought restrictions and that Stage 3 would be far more restrictive and how serious the conditions are with so much heat expected in the upcoming months. Mayor Maxton also announced the passing of Fair Oaks Ranch resident Ralph Fair Jr., the father of our City, at the age of ninety on May 29, 2024. A celebration of life ceremony is planned for June 14, 2024 at 2:00 PM at First Baptist Church in Boerne. The Fair family invited all residents to attend.

18. Announcements by the City Manager.

N/A

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

N/A

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:

20. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.
21. 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)

22. 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 10:15 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary