



CITY OF FAIR OAKS RANCH

CITY COUNCIL REGULAR MEETING

Thursday, May 19, 2022 at 6:30 PM

Public Safety Training Room in the Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton and Council Members: Elizondo, Koerner, Parker and Muenchow

Council Absent: Council Members: Stroup 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

Levi Garrett and Charles Valdez, of Frontier Waste, introduced themselves to Council and notified that they are ready to provide a proposal should Fair Oaks Ranch decide to request them for waste services.

Sharon Brimhall, citizen, spoke about her 2022 tax bill and the rate which the City collects. She spoke in favor of the tax freeze and exemption items and recommended the City hire more people to answer phone calls.

Mayor Maxton read an email from Amy Higgins, citizen, wherein she asked for the City to consider taking care of flooding in the more populated areas rather than softening the curve on Amman Road. Ms. Higgins also asked for townhall meetings to educate the City on the master plan.

PRESENTATIONS

4. Julio Colunga, Assistant Director of Public Works and Grant Watanabe, Director of Public Works & Engineering Services, provided to Council an Annual Street Maintenance Plan Update.

At the request of Mayor Maxton, and to allow time for the consultant to be present, Item 5 was moved to the end of the agenda.

6. Mayor Maxton read a Proclamation in recognition of Public Works Week, May 15 – 21, 2022.
7. Mayor Maxton read a Proclamation in recognition of Police Week and Peace Officers Memorial Day, May 9 – 15, 2022.

CONSENT AGENDA

8. **Approval of the May 5, 2022 Regular City Council meeting minutes.**
9. **Approval of the second reading of an Ordinance adopting Fiscal Year 2021-22 Budget Amendment for the Chartwell and Dietz Elkhorn Intersection Project.**

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

VOTE: 4-1; Motion Passed. Council Member Muenchow voted Nay.

CONSIDERATION/DISCUSSION ITEMS

10. **Consideration and possible action approving the first reading of an Ordinance amending ad valorem exemptions on residence homesteads.**

MOTION: Made by Mayor Maxton, seconded by Council Member Koerner, to approve the first reading of an ordinance amending ad valorem tax exemptions as follows:

- An amount equal to the greater of ten percent (10%) or fifty thousand dollars (\$50,000) exemption for residents aged 65 and over.

MOTION TO AMEND: Made by Council Member Koerner, seconded by Council Member Muenchow, to amend the motion by adding:

- An amount equal to the greater of ten percent (10%) or fifty thousand dollars (\$50,000) exemption for residents qualifying as disabled.

MOTION TO AMEND #2: Made by Council Member Koerner, seconded by Council Member Muenchow, to amend the motion by adding the following as the first exemption:

- Five thousand dollars (\$5,000) exemption for residence homesteads.

VOTE ON 2ND AMENDMENT: 5-0; Motion Passed.

VOTE ON 1ST AMENDMENT: 4-1; Motion Passed. Council Member Elizondo voted Nay.

VOTE ON AMENDED MOTION: 4-1; Motion Passed. Council Member Elizondo voted Nay.

11. **Consideration and possible action approving the first reading of an Ordinance adopting a tax freeze for qualifying disabled homesteads and/or individuals over the age of sixty-five (65).**

MOTION: Made by Council Member Koerner, seconded by Council Member Elizondo, to approve the first reading of an Ordinance adopting a limitation on the ad valorem taxation of residence homestead of disabled individuals for tax years commencing in 2022.

VOTE: 5-0; Motion Passed.

PRESENTATION (*Out of order at the Mayor's Request*)

5. Grant Watanabe, P.E., Director of Public Works & Engineering Services and Mike Garza, P.E., PTOE, RSP1, General Engineering Consultant, Legacy Engineering Group, provided to Council a presentation on Highway Safety Improvement Program (HSIP) Potential Opportunities Available for the City of Fair Oaks Ranch.

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 Elizondo asked Staff to present to Council a proposed communication plan, to possibly include a townhall meeting(s) to provide the community a refresher on road programs and stormwater.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 8:28 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:

15. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
16. Cause No. 2022CI011978; 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.

Sec. 551.074 (Personnel Matter)

19. To review objectives surrounding evaluation of City Manager.

RECONVENE INTO OPEN SESSION

City Council reconvened into Open Session at 10:16 PM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 10:17 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary