



**CITY OF FAIR OAKS RANCH**  
**CITY COUNCIL REGULAR MEETING**

Thursday, June 01, 2023 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>

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**MINUTES**

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**OPEN MEETING**

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

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

Council Absent: Council Member: Rhoden

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

**2. Pledge of Allegiance** – The Pledge of Allegiance was recited in unison.

**CITIZENS and GUEST FORUM**

**3. Citizens to be heard** – None.

**PRESENTATIONS**

4. Mayor Maxton and Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications, presented to Assistant City Manager of Community Services, Carole Vanzant, a 25-Year Service Award.

**CONSENT AGENDA**

5. **Approval of the May 12, 2023 Special City Council meeting minutes.**
6. **Approval of the May 18, 2023 Regular City Council meeting minutes.**
7. **Approval of a Final Plat request from Green Land Ventures Ltd., for Stone Creek Ranch Unit 2C, a 65.894-acre tract zoned Existing Residential 2 (R2), proposing 53 single-family residential lots, generally located north-west of the intersection of Rolling Acres Trail and Ammann Road, City of Fair Oaks Ranch, Texas.**
8. **Approval of Council Member Bliss's absence from the May 18, 2023, Regular City Council meetings.**

9. **Approval of a Resolution authorizing the City Manager to sign an updated Regional Mutual Aid Agreement between the City of Fair Oaks Ranch, Texas and local government entities and local organizations within the geographic areas covered by the Alamo Area Council of Governments for emergency assistance during emergency events.**

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

VOTE: 6-0; Motion Passed.

#### **CONSIDERATION/DISCUSSION ITEMS**

10. **Consideration and possible action approving a structure for wastewater service rates and fees.**

MOTION: Made by Council Member Koerner, seconded by Council Member Bliss, to approve Scenario 2 of the Utility Rate Study which establishes a wastewater service availability charge, a volumetric rate per 1,000 gallons as determined by average winter consumption and maintains all current fee types.

VOTE: 6-0; Motion Passed.

11. **Consideration and possible action establishing the City's co-sponsorship of a 4th of July Parade with the Fair Oaks Ranch Homeowners' Association; and approving a resolution declaring the parade a public purpose, authorizing street closures for the event, and authorizing the City Manager to execute a Memorandum of Understanding with FORHA.**

MOTION: Made by Council Member Parker, seconded by Council Member Muenchow, to postpone indefinitely the consideration and action of co-sponsoring with FORHA a 4th of July 2023 parade.

VOTE: 6-0; Motion Passed.

12. **Consideration and possible action terminating the declaration of local disaster and providing for an effective date.**

MOTION: Made by Council Member Bliss, seconded by Council Member Koerner, to approve a resolution terminating the declaration of local disaster and providing an effective date of June 1, 2023 for termination.

VOTE: 6-0; Motion Passed.

#### **WORKSHOP**

13. **Strategic Communications Plan Update.**

Casey Parker, Multimedia Communications Officer, led a workshop with Council on the Strategic Communications Plan update.

**REQUESTS AND ANNOUNCEMENTS****14. Announcements and reports by Mayor and Council Members.**

Council Member Stroup announced that the Junior Police Academy would begin June 5, 2023. Chief Moring added that there have been 47 children scheduled to attend – an increase from 39 in 2022.

Council Member Koerner informed everyone that the City has received \$100,194.21 from the Texas Comptroller as a reimbursement for Disabled Veteran Exemption Relief program. Council Member Koerner expects that the City will submit for reimbursement annually.

Mayor Maxton announced that the City has rescinded the Stage 1 designation in the Drought Contingency Plan. The City is not under any contingency which he attributed to the recent rain but also the conservation efforts of the citizens. He urged residents to continue to conserve water to maintain operations without drought contingency. Mayor Maxton also updated the Council on the remodeling project for City Hall. Staff is expected to move back in the building by June 15, 2023. The construction and clean up is expected to be completed by the end of June. Mayor Maxton also reminded citizens to be aware of large equipment in the City over the next few months for the annual street maintenance program.

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

Scott M. Huizenga, Interim City Manager, reminded Council that the budget deliberations will begin at the June 15, 2023 regularly scheduled Council meeting. The discussions will be spread over several meetings and a final schedule will be provided to everyone the week of June 5, 2023. One special meeting is scheduled for Friday, June 23, 2023 to discuss the Strategic Action Plan.

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

Council Member Koerner requested a discussion item to discuss the City Manager position.

**CONVENE INTO EXECUTIVE SESSION**

*City Council convened into Executive Session at 7:37 PM 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:

19. 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)**

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.

*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:

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

### **RECONVENE INTO OPEN SESSION**

City Council reconvened into Open Session at 9:04 PM.

MOTION: Made by Council Member Muenchow, seconded by Council Member Parker, to authorize the Mayor and Interim City Manager to draft a letter related to the consideration for future location of water and wastewater system improvements.

VOTE: 6-0; Motion Passed.

### **ADJOURNMENT**

Mayor Maxton adjourned the meeting at 9:05 PM.

ATTEST:

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Gregory C. Maxton, Mayor

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Christina Picioccio, TRMC, City Secretary