



CITY OF FAIR OAKS RANCH CITY COUNCIL REGULAR MEETING

Thursday, August 3, 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>

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

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

Council Absent: Council Member Koerner

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.

Mayor Maxton read a letter from resident, Karen Trimble, regarding concerns over water demands from new developments in the City. Ms. Trimble expressed concern that culverts can't handle drainage efficiently and noted that the water has damaged her fence on two separate occasions as a result of water running through her property as newer homes are built.

CONSENT AGENDA

- 4. Approval of the July 19, 2023, Special City Council meeting minutes.**
- 5. Approval of the July 20, 2023, Regular City Council meeting minutes.**
- 6. Approval of the second reading of an ordinance amending the City of Fair Oaks Ranch Code of Ordinances, Appendix A, "Fee Schedule;" Article A7.000 (a) and (b) "Wastewater Service Charges."**
- 7. Approval of a resolution authorizing the execution of a purchase order with Caldwell Country Ford for two Ford F250's.**
- 8. Approval of Council Member Bliss's absence from the July 20, 2023, and August 3, 2023, Regular City Council meetings.**

Council Member Bliss asked to pull item 8 from consent for discussion.

MOTION: Made by Council Member Muenchow, seconded by Council Member Rhoden, to approve the Consent Agenda (Items 4-7).

VOTE: 6-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS**8. Approval of Council Member Bliss's absence from the July 20, 2023, and August 3, 2023, Regular City Council meetings.**

Council Member Bliss explained that due to a change in schedule she no longer needs an excused absence for August 3, 2023

MOTION: Made by Mayor Maxton, seconded by Council Member Muenchow, to approve Council Member Bliss's absence from the July 20, 2023, Regular City Council meeting.

VOTE: 6-0; Motion Passed.

9. Consideration and possible action approving the first reading of an ordinance amending the City of Fair Oaks Ranch Code of Ordinances, Chapter 1 "General Provisions," Article 1.07 "Trees and Shrubs" to include updated definitions and the responsibility of public trees.

MOTION: Made by Council Member Stroup, seconded by Council Member Muenchow, to approve an ordinance amending the City of Fair Oaks Ranch Code of Ordinances Chapter 1 "General Provisions," Article 1.07 "Trees and Shrubs" to include updated definitions and the responsibility of public trees.

VOTE: 6-0; Motion Passed.

10. Consideration and possible action approving the first reading of an ordinance authorizing Restricted Prior Service Credit for employees who are members of the Texas Municipal Retirement System (TMRS).

MOTION: Made by Council Member Parker, seconded by Council Member Bliss, to approve an ordinance authorizing Restricted Prior Service Credit for employees who are members of the Texas Municipal Retirement System (TMRS).

VOTE: 5-1; Motion Passed. Council Member Muenchow voted nay.

WORKSHOP**11. FY 2023-24 Compensation Plan Workshop.**

Scott M. Huizenga, Interim City Manager, led a workshop regarding the compensation plan for fiscal year 2023-24. Council provided feedback to staff on the details to incorporate into the final draft of the budget.

12. FY 2023-24 Budget Workshop.

Scott M. Huizenga, Interim City Manager, led a workshop regarding the FY 2023-24 Budget. Council provided guidance to staff on details for the final budget draft.

13. Subdivision and Land Development Fee Workshop.

Grant Watanabe, P.E., Director of Public Works & Engineering Services., led a discussion regarding possible updates to Subdivision and Land Development fees. Council asked questions and heard from Jonathan Bursey and Justin Krobot from Urbanist Inc. regarding tree mitigation.

REPORTS FROM STAFF AND COMMITTEES**14. Submission of calculated FY 2023-24 property tax rates to the City Council.**

Summer Fleming, Interim Finance Director, informed Council that the City is still waiting on information to complete the calculations for property tax rates. Once received, a worksheet will be posted on the City's Truth in Taxation webpage and this item will be brought back at the August 17, 2023, council meeting.

15. Presentation of the Quarterly Financial Update for the Nine Months Ended June 30, 2023.

Summer Fleming, Interim Finance Director, provided a presentation on the Quarterly Financial Update for the nine months ended June 30, 2023

16. Presentation of the Quarterly Investment Report for the Quarter Ended June 30, 2023.

Summer Fleming, Interim Finance Director, provided a presentation on the Quarterly Investment Report for the quarter ended June 30, 2023.

17. Update on Boards and Commissions applications.

Christina Picioccio, TRMC, City Secretary, provided Council an update on the status of responses from incumbents and new applicants for board and commission appointments. Council will accept and schedule interviews, if necessary, at the August 17, 2023, meeting.

REQUESTS AND ANNOUNCEMENTS**18. Announcements and reports by Mayor and Council Members.**

Council Member Stroup reminded everyone that school is starting up again next week and asked residents to stay aware.

Mayor Maxton announced that Bill Champion, Water/Wastewater Operator II, has achieved his 15-year service award and provided details of his service with the City. Mayor Maxton also informed all present that Sandra Gorski, Public Works Administrative Assistant, is retiring effective August 4, 2023, after nearly ten years of service. Mayor Maxton encouraged all residents to conserve water due to the quick and unexpected drop in water well levels. As of Tuesday, July 13, 2023, the City entered into Stage 2 Drought Contingency as a result of the City being at the center of an exceptional drought area.

19. Announcements by the City Manager.

None.

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

Council Member Bliss requested an agenda item to reevaluate the watering days schedule.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 11:45 PM regarding:

Sec. 551.074 (Personnel Matters)

25. **The City Council will meet in closed session pursuant to Texas Government Code Section 551.074, personnel matters, to deliberate the re-appointment, evaluation, and duties of a public officer; to wit: Judge Kimberly S. Keller.**

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:

21. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
22. Case No. 22-090-451; Vincent A. Caldarola, MD vs. City of Fair Oaks Ranch, Texas.
23. 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)

24. 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.

Council Member Stroup left the meeting at 12:45 AM.

RECONVENE INTO OPEN SESSION

City Council reconvened into Open Session at 12:49 AM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 12:49 AM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary