



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, May 16, 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, and Parker

Council Absent: Council Member Muenchow

With a quorum present, the meeting was called to order at 6:32 PM.

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

CITIZENS and GUEST FORUM

3. Citizens to be heard -

Teal Harris, resident, expressed gratitude to the City Council for their volunteerism. Ms. Harris also opined that the members of the Planning & Zoning Commission should be comprised of only tax paying citizens because the Commission makes decisions.

Mayor Maxton read a letter from resident, Al Schmidt, opposing the gateway feature and its proposed location.

Mayor Maxton read a letter from Nicole Gallegos who urged Council to reject a rule change that would not allow public comments received in writing.

PRESENTATIONS

4. Swearing in of elected officials: Gregory C. Maxton, Mayor and Emily Stroup, Council Member Place 1.

Laura Koerner, Mayor Pro Tem, swore in elected official, Gregory C. Maxton, Mayor. Council Member Stroup will be sworn in at a future date.

5. Public Works Week Proclamation.

Gregory C. Maxton, Mayor, presented a proclamation in honor of Public Works Week, May 19 – 25, 2024.

CONSENT AGENDA

6. Approval of the April 9, 2024 Town Hall meeting minutes.

7. Approval of the May 2, 2024 Regular City Council meeting minutes.

8. **Approval of the second reading of an ordinance amending Ordinance 2018-03 by removing the real property ownership requirement in Section 1 Planning and Zoning Commission, Item #3; and providing an effective date.**
9. **Approval of a resolution amending Resolution 2024-15 by removing the real property ownership requirement in Section 2.0 Creation and Membership, line 2.2; and providing an effective date.**
10. **Approval of a resolution authorizing the execution of an agreement with Intermountain Slurry Seal, Inc. for micro-surfacing.**
11. **Approval of a resolution authorizing the execution of an agreement with Pavement Restoration, Inc. for asphalt rejuvenator.**
12. **Approval of Council Member Stroup's absence from the April 18, 2024 Regular City Council meeting.**

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

VOTE: 5 - 0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

13. **Consideration and possible action electing a Council Member to serve as Mayor Pro Tem at the first regular City Council meeting following each regular city election.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Olvera, to elect Laura Koerner as Mayor Pro Tem.

VOTE: 5 - 0; Motion Passed.

14. **Consideration and possible action approving a resolution authorizing the execution of an agreement with E-Z Bel Construction, LLC for the Tivoli Way Drainage Improvements Project.**

MOTION: Made by Council Member Parker, seconded by Council Member Olvera, to approve a resolution authorizing the execution of an agreement with E-Z Bel Construction, LLC for \$1,376,743.00 with a 5% contingency in the amount of \$68,837.15 for a total value not to exceed \$1,445,580.15, expenditure of the required funds, and execution of all applicable documents by the City Manager.

VOTE: 5 - 0; Motion Passed.

15. **Consideration and possible action approving the first reading of an ordinance establishing stop signs at various intersections within the corporate limits of the City and authorizing the codification of street stop and yield signs in Chapter 12 of the City's Code of Ordinances.**

MOTION: Made by Council Member Rhoden, seconded by Council Member Olvera, to approve the first 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.

VOTE: 5 - 0; Motion Passed.

Council Member Stroup arrived at 7:11 PM

- 16. Consideration and possible action approving a resolution authorizing execution of an agreement for design services of a Gateway Feature, expenditure of the required funds, and execution of all applicable documents by the City Manager and directing the City Manager to submit a grant application to the Municipal Development District.**

MOTION: Made by Council Member Parker, seconded by Council Member Koerner, to approve a resolution authorizing the execution of an agreement for design services of a Gateway Feature, expenditure of the required funds, and execution of all applicable documents by the City Manager and directing the City Manager to submit a grant application to the Municipal Development District.

AMENDING MOTION: Made by Council Member Stroup, seconded by Council Member Rhoden, to amend the motion by adding the following at the end: "that will include the costs of design and construction."

AMENDING MOTION

VOTE: 5-1; Motion Passed. (Council Member Olvera Voted Nay)

MAIN MOTION AS

AMENDED VOTE: 5-1; Motion Passed. (Council Member Olvera Voted Nay)

WORKSHOP

- 17. FY 2025-29 Five-Year Financial Plan.**

Summer Fleming, Director of Finance, led a workshop regarding the FY 2025-29 five-year financial plan.

- 18. Compensation Plan.**

Joanna Merrill, IPMA-SCP, Director of HR & Communications, led a workshop regarding the City's compensation plan.

REPORTS FROM STAFF AND COMMITTEES

- 19. 2024 Boards and Commissions.**

Christina Picioccio, TRMC, City Secretary, provided a report to Council regarding Boards & Commissions, terms ending on September 30, 2024, and a schedule for filling those positions.

REQUESTS AND ANNOUNCEMENTS

- 20. Announcements and reports by Mayor and Council Members.**

Mayor Maxton, informed residents that Early Voting in the Primary Runoff election will take place from May 20-24, 2024. He also specified that the Public Safety Training Room of the Police Station would be a poll location for Bexar County residents only.

21. Announcements by the City Manager.

City Manager, Scott Huizenga, ICMA-CM, provided Council a brief overview of the next few meetings and the expectation that the next steps for the general obligation bonds will begin at the June 20, 2024 meeting.

22. 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:

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

24. 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)

25. 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 9:43 PM

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary