



CITY OF FAIR OAKS RANCH CITY COUNCIL REGULAR MEETING

Thursday, June 20, 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>

AGENDA

OPEN MEETING

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

Council Present: Mayor Maxton and Council Members: Rhoden, Olvera, Koerner, and Parker

Council Absent: Council Members: Stroup and 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.**

Setterfeld Estates resident Christine Graham asked Council to consider how emergency services might be impeded by the road closure at Noble Lark and asked Council Member Olvera to recuse himself during this agenda item as he is a resident of the neighborhood.

Resident Sharon Brimhall explained that the City has not been transparent about the proposed community center and only involved citizens asking for feedback on the design and not whether the building was wanted by residents. She commended the City for the new website and inclusion of upcoming projects. Ms. Brimhall also noted her opposition to the closure of Noble Lark.

Resident Barry Brower explained that since the Noble Lark road closure, he feels that the residents have their street back and that neighbors are now able to walk through the neighborhood. He urged the Council to think of the safety of the residents.

PRESENTATIONS

4. **Presentation of Life Saving Recognition to Ms. Madison Gaugler and presentation of Fair Oaks Ranch Police Department's Life Saving Award to K-9 Officer David Magness.**

Tim Moring, Chief of Police, presented a Life Saving Award to K-9 Officer David Magness, and noted the Life Saving Recognition to Ms. Madison Gaugler, who was unable to be present at the meeting.

CONSENT AGENDA

5. **Approval of the June 4, 2024 Special City Council meeting minutes.**

6. **Approval of the June 6, 2024 Regular City Council meeting minutes.**

7. **Approval of the second 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 Ralf Fair Road and Honeycomb Rock generally known as Oak Bend Estates.

8. **Approval of the second 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.**
9. **Approval of the second 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.**
10. **Approval of a resolution authorizing the execution of an agreement with JCM Commercial Services LLC for sealcoating.**
11. **Approval of Council Member Stroup's absence from the June 6, 2024 Regular City Council meeting.**

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

VOTE: 5 - 0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

12. **Consideration and approval of a resolution by the City Council of the City of Fair Oaks Ranch, Texas authorizing and approving Publication of Notice of Intention to issue Certificates of Obligation; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12; and providing an effective date.**

Council Member Stroup arrived at 6:58 PM.

MOTION: Made by Council Member Rhoden, seconded by Council Member Stroup, that the City Council adopt a resolution authorizing and approving a Publication of Notice of Intent to issue Certificates of Obligation.

VOTE: 6 - 0; Motion Passed.

13. **Consideration and possible action approving a resolution supporting proposed policy amendments to the Unified Development Code and to the Mixed Use Village District Residential Component and directing the City Manager to schedule public hearings on proposed amendments.**

MOTION: Made by Council Member Olvera, seconded by Council Member Stroup, to approve a resolution supporting proposed policy amendments to the Unified Development Code and to the Mixed Use Village District Residential Component and directing the City Manager to proceed with scheduling public hearings on proposed Unified Development Code amendments.

VOTE: 6 - 0; Motion Passed.

14. Consideration and possible action approving a resolution authorizing the execution of an Interlocal Agreement between Boerne ISD and the City of Fair Oaks Ranch for the School Resource Officer Program.

MOTION: Made by Council Member Olvera, seconded by Council Member Parker, to approve a resolution authorizing the City Manager to sign the three-year agreement with Boerne ISD for two School Resource Officer positions for Fair Oaks Ranch and Van Raub Elementaries.

VOTE: 6 - 0; Motion Passed.

15. Consideration and possible action of approving the first reading of an ordinance of the City Council of the City of Fair Oaks Ranch, Texas establishing a Transportation Safety Advisory Committee, amending the City's Code of Ordinances, Chapter 1, Article 1.08 Boards, Commissions, and Committees, and providing for severability and repealing clauses, and an effective date.

MOTION: Made by Council Member Koerner, seconded by Council Member Stroup, to approve the first reading of an ordinance establishing the Fair Oaks Ranch Transportation Safety Advisory Committee.

VOTE: 6 - 0; Motion Passed.

WORKSHOP

16. FY 2024-25 General Fund Department Budget Workshop - Finance, Administration, Human Resources & Communications, Information Technology and Non-departmental/shared.

Summer Fleming, Director of Finance, provided a brief overview regarding the FY 2024-25 General Fund budget. Carole Vanzant, Assistant City Manager - Community Services, provided more details to the Council regarding Administration and answered questions of the Council. Joanna Merrill, IPMS-SCP, Director of Human Resources and Communications, provided more details regarding the Human Resources and Communications Department, and answered questions of the Council. Brian LeJeune, Information Technology Manager, provided an overview of the Information Technology budget and answered questions of the Council.

17. Noble Lark Drive at Dietz Elkhorn Road Closure.

Carole Vanzant, Assistant City Manager, introduced Michael Garza from Legacy Engineering who provided a presentation to Council regarding the Noble Lark road closure. After a discussion by the Council, staff was directed to bring back an agenda item on the access closure at a future meeting.

REPORTS FROM STAFF/COMMITTEES**18. Update on Request for Proposals for Municipal Solid Waste Collection, Disposal and Recycling Services**

Clayton Hoelscher, Procurement Manager, provided Council information regarding the request for proposals for Municipal Solid Waste Collection, Disposal and Recycling services. He explained that the City is negotiating with the top ranked companies and expects that a recommendation will be brought to the Council for action at its July 18, 2024 meeting.

REQUESTS AND ANNOUNCEMENTS**19. Announcements and reports by Mayor and Council Members.**

Council Member Koerner announced the Open House of the Fire Station #132 on Ralph Fair Road from 10:00 AM – 2:00 PM on Saturday, June 22, 2024 and urged residents to visit. The Fair Oaks Ranch Police Department will be present along with the Fire Department, Acadian EMS, and a special appearance from the Emergency Air Services helicopter.

Mayor Maxton announced that the City has once again partnered with the Country Club for the July 4th celebration. The event is scheduled for July 4, 2024 on the driving range and attendees can arrive as soon as 6:00 PM. The fireworks will begin at dark. He also announced that the annual road maintenance program has kicked off and is expected to be completed on July 18, 2024. GVTC has notified the City of their plans to install new fiberoptic cables beginning at the intersection of Fair Oaks Parkway and Ralph Fair Road. GVTC will move up the Parkway towards the Country Club. Mayor Maxton also reminded everyone that the regularly scheduled meeting on July 4, 2024 has been canceled in observance of Independence Day and the next meeting will be held on July 18, 2024.

20. Announcements by the City Manager.

N/A

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

Council Member Stroup asked to discuss the creation of a citizen committee to address the policy portion of the proposed Community Center.

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:

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.

RECONVENE INTO OPEN SESSION

N/A

ADJOURNMENT

Mayor Maxton adjourned the meeting at 9:29 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary