



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, September 15, 2022 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, Elizondo, Koerner, Parker and Muenchow.

Council Absent: Council Member 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 – No citizens signed up to be heard.

PRESENTATIONS

4. Mayor Maxton presented a Proclamation in recognition of Human Resources Professional's Day on September 26, 2022.
5. Mayor Maxton presented a Proclamation in recognition of Information Technology Professional's Day on September 20, 2022.
6. Joanna Merrill, IPMS-SCP, Director of Human Resources and Communications, introduced new employee(s): David Perez Jr., Police Officer (not present); Rosie Vela, Director of Finance.

PUBLIC HEARING

7. Conduct a Public Hearing on the Fiscal Year 2022-2023 Proposed Budget and Tax Rate.
 - A. Opening comments from the Mayor – The Mayor thanked staff for the quality service from the Finance Department despite not having a Finance Director. Mayor welcomed the new Finance Director, introduced earlier and listed the awards and achievements by the Department.
 - B. Comments from the City Manager – The City Manager reiterated his appreciation to the Finance Department and also recognized Council for their assistance in preparing the budget as well as Senior Staff for their participation in the process.
 - C. Presentation of the Proposed Budget and Tax Rate by Assistant City Manager of Administrative Services, Scott Huizenga.

- D. Open the Public Hearing and receive citizen testimony at 6:51 PM – No citizens spoke.
- E. Close the Public Hearing at 6:52 PM.
- F. Receive Comments from the Mayor and City Council – Council did not provide any comments.

CONSENT AGENDA

- 8. **Approval of the August 31, 2022 City Council Special Meeting minutes.**
- 9. **Approval of the September 1, 2022 Regular City Council meeting minutes.**
- 10. **Approval of a resolution reaffirming the City's Investment Policy.**

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

VOTE: 6-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

- 11. **Consideration and possible action adopting the FY 2022-23 Pay Schedule for General Government and Police Employees.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Koerner, to approve an across-the-board adjustment of 3.2% to the adopted Pay Schedule for General Government and Police Employees for FY 2022-23.

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

- 12. **Consideration and possible action approving the first reading of an Ordinance adopting the City budget for fiscal year beginning October 1, 2022 and ending September 30, 2023.**

MOTION: Made by Council Member Stroup, seconded by Council Member Muenchow, to remove the Ammann Road Reconstruction design funds of \$365,286 and place back into the Unallocated Fund.

VOTE: 6-0; Motion Passed.

MOTION: Made by Council Member Elizondo, seconded by Council Member Koerner, to approve the 2022-23 Fiscal Year Budget Ordinance.

VOTE: 5-1; Motion Passed as recorded:

Mayor Maxton – For; Council Member Stroup – For; Council Member Elizondo – For; Council Member Koerner – For; Council Member Parker – For; Council Member Muenchow – Against.

13. Consideration and possible action on an Ordinance levying ad valorem taxes for use and support of the municipal government of the City of Fair Oaks Ranch for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

MOTION: Made by Council Member Elizondo, seconded by Mayor Maxton, that the property tax rate be increased by the adoption of a tax rate 32.91 cents per \$100 taxable valuation, which is effectively a 1.01% increase in the tax rate.

VOTE: 5-1; Motion Passed as recorded:

Mayor Maxton – For; Council Member Stroup – For; Council Member Elizondo – For; Council Member Koerner – For; Council Member Parker – For; Council Member Muenchow – Against.

14. Consideration and possible action approving a Resolution to appoint members to fill places on the City of Fair Oaks Ranch Board of Appeals.

MOTION: Made by Council Member Muenchow, seconded by Council Member Parker, to approve a Resolution reaffirming Jenks Boston to Place 2 on the City of Fair Oaks Ranch Board of Appeals.

VOTE: 6-0; Motion Passed

15. Consideration and possible action approving a Resolution to appoint members to fill places on the City of Fair Oaks Ranch Capital Improvements Advisory Committee (CIAC).

MOTION: Made by Council Member Koerner, seconded by Council Member Stroup, to approve a Resolution reaffirming Dana Green to Place 4, Paul Mebane to Place 5, and Marcus Garcia to Place 6 on the City of Fair Oaks Ranch Capital Improvements Advisory Committee.

VOTE: 6-0; Motion Passed

16. Consideration and possible action approving a Resolution to appoint members to fill places on the City of Fair Oaks Ranch Municipal Development District Board of Directors (MDD).

MOTION: Made by Council Member Parker, seconded by Council Member Muenchow, to approve a Resolution reaffirming members Roy Elizondo to Place 1, Laura Koerner to Place 2, Nicholas DiCianni to Place 4, and Mike Lovelace to Place 5 on the City of Fair Oaks Ranch Municipal Development District Board of Directors.

VOTE: 6-0; Motion Passed

17. Consideration and possible action approving a Resolution to appoint members to fill places on the City of Fair Oaks Ranch Zoning Board of Adjustment.

MOTION: Made by Council Member Elizondo, seconded by Council Member Stroup, to approve a Resolution reaffirming Dean Gaubatz to Place 2, Laurence "Rich" Nichols to Place 3, and J.C. Taylor to Place 5 and further appointing Jonathan Lisenby to Place 4 and Al McDavid to the second Alternate Position on the City of Fair Oaks Ranch Zoning Board of Adjustment.

VOTE: 5-0; Motion Passed. Council Member Muenchow abstained.

REQUESTS AND ANNOUNCEMENTS

18. Announcements and reports by Mayor and Council Members.

Council Member Koerner congratulated the Fair Oaks Ranch Police Department for winning the Back the Badge 5K again. She also recognized Council Member Stroup coming in 2nd Place for her age group.

Mayor Maxton recognized Council Member Koerner for winning her age group in the Back the Badge 5K. The Mayor recognized staff, and especially Environmental Program Manager, Kelsey Delgado, for their work in putting on a successful Household Hazardous Waste event for residents. Mayor Maxton also expressed gratitude for the team from Republic Services for their help in making this event a success.

19. Announcements by the City Manager.

None

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

None.

CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of City Council convened into Executive Session at 7:54 PM regarding:

Sec. 552.074 (Personnel Matters)

24. To perform the annual evaluation of the City Manager.

City Council did not convene into Executive Session regarding:

Sec. 551.071 (Consultation with Attorney

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.

Sec. 552.072 (Deliberation regarding real property)

23. 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

City Council reconvened into Open Session at 9:01 PM. No action was taken.

ADJOURNMENT

Mayor Maxton adjourned the meeting at 9:02 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, TRMC, City Secretary