



## **CITY OF FAIR OAKS RANCH**

# **CITY COUNCIL REGULAR MEETING**

Thursday, March 17, 2022 at 6:30 PM

City Hall Council Chambers, 7286 Dietz Elkhorn, Fair Oaks Ranch

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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, Elizondo, Koerner, Parker, and Muenchow

Council Absent: Council Member Bliss

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**

*To address the Council, please sign the Attendance Roster located on the table at the entrance of the Council Chambers. In accordance with the Open Meetings Act, Council may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.*

3. Citizens to be heard - Mark Dorazio, candidate for Texas House Precinct 122, spoke of important issues to him and asked for support as the most conservative candidate in his race.

### **CONSENT AGENDA**

4. **Approval of the March 3, 2022 Special City Council meeting minutes.**
5. **Approval of the March 3, 2022 Regular City Council meeting minutes.**
6. **Approval of the second reading of an Ordinance adopting Fiscal Year 2021-22 Budget Amendments.**
7. **Approval of a Resolution adopting the Rules of Procedure of the Fair Oaks Ranch Zoning Board of Adjustment.**
8. **Approval of Stone Creek Ranch Unit 2C Tree Plan.**
9. **Approval of a Preliminary Plat request from Green Land Ventures Ltd., for Stone Creek Ranch Unit 2C proposing 54 single-family residential lots, generally located northwest of the intersection of Rolling Acres Trail and Ammann Road, City of Fair Oaks Ranch, Texas.**
10. **Approval of Council Member Bliss' absence from the May 19, 2022 Regular City Council Meeting.**

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

VOTE: 6-0; Motion Passed.

### **CONSIDERATION/DISCUSSION ITEMS**

11. **Consideration and possible action approving a First Amendment to the Memorandum of Understanding between the City of Fair Oaks Ranch and Fair Oaks Ranch Homeowners Association to include additional annual FORHA community events and authorizing the City Manager to execute the Amendment.**

MOTION: Made by Council Member Stroup, seconded by Council Member Koerner, to approve the First Amendment to the Memorandum of Understanding between the City and FORHA to include additional annual FORHA community events and to authorize the City Manager to execute the Amendment.

VOTE: 6-0; Motion Passed.

12. **Discussion and possible action regarding the draft City Council Code of Ethics Ordinance.**

Council agreed to move forward by having Council review the code and provide a redline version with comments on the document to the City Secretary no later than April 1, 2022 for compilation. The City Secretary, will in turn, send all comments/questions to the City Attorney after which there will be a review at the first May Council meeting. The question of whether inclusion of other boards and commissions will be considered at a later time. Mayor Maxton also asked for consideration of the Code of Conduct and whether it should be one document or the two separate documents.

13. **Discussion and possible action on the Civic Center Project.**

After a discussion amongst Council members staff was asked to begin looking into reinvigorating this project and to get pricing quotes for Council to consider again at a future meeting.

### **REPORTS FROM STAFF AND COUNCIL**

14. Scott Huizenga, Assistant City Manager of Administrative Services, provided to Council a presentation of the Popular Annual Financial Report for the fiscal year ended September 30, 2021.

### **REQUESTS AND ANNOUNCEMENTS**

15. **Announcements and reports by Mayor and Council Members.**

Mayor Maxton announced the State of the City event on March 24, 2022 and invited guests to purchase tickets as there's a limited amount left. The Mayor also announced the passing of resident, R.W. Pratt at the age of 99. Mayor Maxton also reminded all of the FORHA sponsored Easter Egg Hunt on April 3, 2022 from 2 PM – 4 PM at Vestal Park. Lastly the Mayor informed all that the last meeting of the Council to be held in the City's Council Chambers due to upcoming renovations. The new venue will be the Police Training Room until further notice.

16. **Announcements by the City Manager.**

City Manager Tobin Maples, let all present know that the install of livestreaming equipment will begin next week. Mr. Maples also informed all that the Code Compliance Officer and Environmental

Program Manager have been hired. Mr. Maples also let all present know that the wastewater treatment plant study kickoff meeting has taken place.

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

There were no requests made by council for future agenda items.

**CONVENE INTO EXECUTIVE SESSION**

City Council convened into Executive Session at 7:55 PM regarding:

*Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body hereby convenes into closed session:*

**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:

18. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

19. Cause No. 2022CI011978; Boerne Ranch Estates, LLC v. The City of Fair Oaks Ranch.

**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.

**RECONVENE INTO OPEN SESSION**

City Council reconvened into Open Session at 8:07 PM. No action was taken.

**ADJOURNMENT**

Mayor Maxton adjourned the meeting at 8:08 PM.

ATTEST:

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Gregory C. Maxton, Mayor

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Christina Picioccio, City Secretary