



CITY OF FAIR OAKS RANCH

CITY COUNCIL REGULAR MEETING

Thursday, September 02, 2021 at 6:30 PM

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

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

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.

PRESENTATIONS

4. Introduction of new employees: Jimmy Washer - Maintenance Technician, James Ramirez - Maintenance Technician, Harley Butler - Police Officer, Grant Watanabe - Director of Public Works & Engineering Services.

Joanna Merrill, IPMA-SCP, Director of Human Resources & Communications

5. Life Saving Award to Officers Alexander Willis & Eric De La Rosa.

Joanna Merrill, IPMA-SCP, Director of Human Resources & Communications

6. Presentation on the Open Meetings Act.

Dan Santee, City Attorney

CONSENT AGENDA

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion. Items may be removed by any Council Member by making such request prior to a motion and vote.

7. Approval of the August 19, 2021 Regular City Council meeting minutes.

Christina Picioccio, City Secretary

8. Approval of Council Member Muenchow's absence from the August 19, 2021 City Council meeting.

Christina Picioccio, City Secretary

9. Approval of Council Member Bliss' absence from the September 16, 2021 City Council meeting.

Christina Picioccio, City Secretary

CONSIDERATION/DISCUSSION ITEMS

10. Consideration and possible action approving the first reading of an Ordinance amending the Code of Ordinances, Chapter 1, General Provisions, Article 1.05 Records Management.

Christina Picioccio, City Secretary

11. Consideration and possible action authorizing the City Manager to execute a contract with Audio Visual Aids to purchase equipment for a Multiplatform Communications option for live streaming public meetings.

Joanna Merrill, IPMA-SCP, Director of Human Resources & Communications

REQUESTS AND ANNOUNCEMENTS

- 12. Announcements and reports by Mayor and Council Members.
- 13. Announcements by the City Manager.
- 14. Requests by Mayor and Council Members that items be placed on a future City Council agenda.

CONVENE INTO EXECUTIVE SESSION

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:

- 15. To receive legal advice and to receive and deliberate an offer of settlement for claims made on behalf of a real property owner against the City's operation of well K-2.
- 16. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
- 17. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

ADJOURNMENT

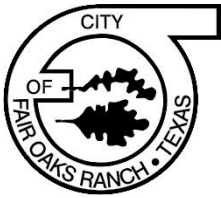
Signature of Agenda Approval: s/Tobin E. Maples

Tobin E. Maples, City Manager

I, Christina Picioccio, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, August 30, 2021 and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch City Hall is wheelchair accessible at the side entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to Texas Government Code Chapter 551. Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, August 19, 2021 at 6:30 PM

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

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton and Council Members: Stroup, Elizondo, Bliss, Koerner, and Parker

Council Absent: Council Member Muenchow

With a quorum present, the meeting was called to order at 6:30 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was led by Mayor Maxton.

CITIZENS and GUEST FORUM

3. There were no citizens to be heard.

PRESENTATIONS

4. Mayor Maxton swore in newly elected official, Michelle Bliss, Council Member Place 3.

CONSENT AGENDA

5. Approval of the August 5, 2021 Regular City Council meeting minutes.
6. Approval of the Front Gate Unit 6 Tree Preservation Plan.
7. Approval of a Preliminary Plat request from SA Front Gate, LLC for Front Gate Unit 6 proposing 44 single-family residential lots, generally located south of Dietz Elkhorn Road and north of Fair Oaks Parkway, City of Fair Oaks Ranch, Texas.
8. Approval of a Preliminary Plat request from Elkhorn Ridge SA, LLC for Elkhorn Ridge Unit 8 proposing 27 single-family residential lots, generally located north of the intersection of Dietz Elkhorn Road and Elkhorn Ridge, City of Fair Oaks Ranch, Texas.

MOTION: Made by Council Member Elizondo, seconded by Council Member Stroup, to approve the Consent Agenda.

VOTE: 6-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

9. **Consideration and possible action authorizing the City Manager to execute an Interlocal Agreement for Fire Protection, First Responder Emergency Medical Services, and other Emergency Response Services.**

MOTION: Made by Council Member Koerner, seconded by Council Member Stroup, to approve authorizing the City Manager to execute an Interlocal Agreement for Fire Protection, First Responder Emergency Medical Services, and other Emergency Response Services to include the amended sections in Article 7 regarding Insurance.

VOTE: 6-0; Motion Passed.

10. **Consideration and possible action confirming the proposed maximum Fiscal Year 2021-22 ad valorem tax rate, setting the date to hold the proposed Fiscal Year 2021-22 budget public hearing as September 16, 2021 at 6:30 PM and setting the date to adopt said budget and the meeting to vote on tax rate as September 23, 2021.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Parker, to propose that the maximum total ad valorem tax rate Council will consider for Fiscal Year 2021-22 is .3518 cents per \$100 taxable value; and to hold the proposed Fiscal Year 2021-22 budget public hearing on September 16, 2021 at 6:30 PM, and to adopt said budget and tax rate on September 23, 2021.

VOTE: 6-0; Motion Passed.

11. **Consideration and possible action appointing Council Members as members or liaisons to Boards or Committees.**

MOTION: Made by Mayor Maxton, seconded by Council Member Bliss, to approve the attachment assigning council members as members of liaisons to the identified boards or committees with the addition of an alternate liaison for BISD: Audit Committee Members: Roy Elizondo, Greg Maxton, and Chesley Muenchow; Branding Committee Members: Laura Koerner, Scott Parker, and Michelle Bliss; Wildlife Education Committee Members: Michelle Mliss, Scott Parker, and Chesley Muenchow; Liaison to Fire Department: Laura Koerner; Liaison to the Capital Improvements Advisory Committee: Emily Stroup; Liaison to Boerne Independent School District: Chesley Muenchow and Emily Stroup.

VOTE: 6-0; Motion Passed.

12. **Consideration and possible action to accept applications for open positions on Boards, Committees, and Commissions and to set dates for interviews.**

MOTION: Made by Council Member Koerner, seconded by Council Member Bliss, to accept the Boards, Committees, and Commissions applications and set the following dates for possible interviews: August 25, 2021 at 6:30 PM, August 30, 2021 at 6:30 PM, August 31, 2021 at 6:30 PM, and September 8, 2021 at 6:30 PM.

VOTE: 6-0; Motion Passed.

REPORTS FROM STAFF/COMMITTEES/COUNCIL

13. Joanna Merrill, IPMA-SCP, Director of Human Resources & Communications, provided to Council an update on the progress in finding a solution for multi-platform access and participation to in-person City Council meetings.

CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 7:46 PM 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:

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

City Council did not convene into Executive Session regarding:

14. To receive legal advice and to receive and deliberate an offer of settlement for claims made on behalf of a real property owner against the City's operation of well K-2.
16. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

Sec. 551.074 (Personnel Matters)

17. To perform annual evaluation of the City Manager.

RECONVENE INTO OPEN SESSION

Mayor Maxton reconvened into Open Session at 8:13 PM. No action was taken.

ADJOURNMENT

Mayor Maxton announced that he requested to add recurring items on the agenda that would allow Council and the City Manager to provide reports and updates when necessary

Mayor Maxton adjourned the meeting at 8:15 PM.

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, City Secretary



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
September 2, 2021

AGENDA TOPIC: Approval of Council Member Muenchow's absence from the August 19, 2021 Regular City Council Meeting.

DATE: September 2, 2021

DEPARTMENT: City Council

PRESENTED BY: Christina Picioccio, City Secretary

INTRODUCTION/BACKGROUND:

Council Member Muenchow's absence from the August 19, 2021, City Council meetings was due to personal reasons.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Complies with Section 3.09 of the Home Rule Charter

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda (I move to approve Council Member Muenchow's absence from the August 19, 2021 City Council Meeting.)



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
September 2, 2021

AGENDA TOPIC: Approval of Council Member Bliss' absence from the September 2, 2021 Regular City Council Meeting.

DATE: September 2, 2021

DEPARTMENT: City Council

PRESENTED BY: Christina Picioccio, City Secretary

INTRODUCTION/BACKGROUND:

Council Member Bliss' absence from the September 16, 2021, City Council meetings was due to personal reasons.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Complies with Section 3.09 of the Home Rule Charter

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

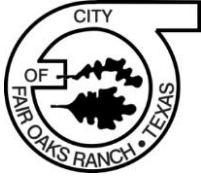
N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda (I move to approve Council Member Muenchow's absence from the September 2, 2021 City Council Meeting.)



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
September 2, 2021

AGENDA TOPIC: Consideration and possible action approving the first reading of an Ordinance amending the Code of Ordinances, Chapter 1, General Provisions, Article 1.05 Records Management

DATE: September 2, 2021

DEPARTMENT: City Secretary

PRESENTED BY: Christina Picioccio, City Secretary

INTRODUCTION/BACKGROUND:

Pursuant to City Ordinance 28.1 approved in 1990, the City Secretary serves as the Records Management Officer for the City. As such she shall develop and maintain a records management plan designed to reduce the costs and improve the efficiency of recordkeeping to adequately protect the essential records of the city and to properly preserve those records of the City Council that are of historical value.

The Texas State Library and Archives Commission (TSLAC) has developed their retention schedules to protect the municipal's public records and to contribute to more efficient government operations. The list of state schedules pertinent to a local government is listed below:

- Schedule EL (Records of Elections)
- Schedule GR (Records Common to All Governments)
- Schedule HR (Records of Public Health Agencies)
- Schedule LC (Records of Municipal Courts)
- Schedule PS (Records of Public Safety Agencies)
- Schedule PW (Records of Public Works and Services)
- Schedule TX (Records of Property Taxation)
- Schedule UT (Records of Utility Services)

The City adopted its first records management plan and Ordinance in 1990 and at that time created custom records schedules. New custom schedules were added regularly until 2010 when the Council approved the state schedules. Despite this, the City was still responsible to follow the custom schedules in addition to the state schedules. HB 1962 approved during the 86th Legislative Session in 2019 changed this process. TSLAC is no longer required to monitor and manage each city's records according to their filings, instead the records control schedules and amendments have been officially replaced by the written declaration of compliance – Form SLR 508 (Attached).

The purpose of this agenda item is for the City to declare the State Record Schedules identified above and to memorialize this by submitting a new Form SLR 508 to be on record at TSLAC. It is also the intent to update the Records Management Ordinance. As mentioned previously, our current Ordinance was approved in 1990, when the city was a Type A General Law City with a City Council form of government. As we are now a Home Rule Council-Manager form of government,

with defined policy and operational roles and responsibilities, we recommend that city council adopt this new policy proposal that designates staff as the responsible party for day-to-day operations in accordance with Council approved state retentions.

As Records Management Officer I have modernized the Records Management Plan to include management of electronic records, identification and preservation of vital records, and the incorporation a Disaster Prevention and Recovery Plan. Regarding electronic records, staff is currently exploring a software for digital document management inclusive of identifying records that have met their retention schedule.

Developing a Records Management Plan was incorporated into the FY 2019/2020 Strategic Action Plan (02-506-106). The city contracted with Records Consultants Inc. (RCI) to perform an annual audit of its paper records. Some of those records have met their schedule deadlines and are pending disposition. It is the intent of staff to contract with RCI to audit this year's records and provide disposition for all records that have met their scheduled destruction deadlines.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Benefits of an efficient records management program includes improved productivity, reduced costs, timely response to information requests, records protection, and authority to purge records as authorized by city council and state law.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

\$7,850 is budgeted to this endeavor to contract with Records Consultants Inc. (RCI) to perform an audit of its paper records and provide disposition for all records that have met their scheduled destruction deadlines consistent with Strategic Action Plan 02-506-106.

Additionally, funds will be utilized to purchase supplies for records storage and disaster preparation.

LEGAL ANALYSIS:

Approved as to form.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the first reading of an Ordinance amending the City's Code of Ordinances Chapter 1, General Provisions, Article 1.05 Records Management.



Part 1: Contact Information

Name of Local Government: City of Fair Oaks Ranch

Mailing Address: 7286 Dietz Elkhorn

City: Fair Oaks Ranch

ZIP code: 78015

Part 2: Local Government Certification

As records management officer for the local government named, I hereby declare records control schedules have been prepared for all records as required by Local Gov. Code §203.041(a) for use in our records management program. I certify that the schedules:

- Comply with the minimum requirements established on records retention schedules issued by the Texas State Library and Archives Commission (as checked below), including retention periods; and
- No retention period on the records control schedules is less than a retention period prescribed by a state or federal law, regulation, or rule of court.

As records management officer, I understand that I shall:

- Assist in establishing and developing policies and procedures for the records management program for the local government;
- Ensure compliance with other duties of records management officer pursuant to Local Gov. Code, §203.023;
- Ensure compliance with Electronic Standards and Procedures, 13 TAC 7, pursuant to Local Gov. Code, §205.002; and
- Ensure compliance with Microfilming Standards and Procedures, 13 TAC 7, pursuant to Local Gov. Code, §204.002.

I declare that this local government will comply with the retention schedule:

☒ Schedule GR (Records Common to All Governments)

I declare compliance with the following additional retention schedules issued by the commission:

(check all that apply):

- | | |
|---|--|
| ☐ Schedule CC (Records of County Clerks) | ☒ Schedule PS (Records of Public Safety Agencies) |
| ☐ Schedule DC (Records of District Clerks) | ☒ Schedule PW (Records of Public Works and Services) |
| ☒ Schedule EL (Records of Elections and Voter Registration) | ☐ Schedule SD (Records of Public School Districts) |
| ☒ Schedule HR (Records of Public Health Agencies) | ☒ Schedule TX (Records of Property Taxation) |
| ☐ Schedule JC (Records of Public Junior Colleges) | ☒ Schedule UT (Records of Utility Services) |
| ☒ Schedule LC (Records of Justice and Municipal Courts) | |

RMO Name and Title: Christina Picioccio, City Secretary

RMO Signature: _____ Date: _____

Part 3: Acceptance by Texas State Library and Archives Commission (*internal use only*)

This Declaration of Compliance has:

- ☐ been accepted for filing pursuant to Local Gov. Code §203.041(a)(2). A record appearing on a valid records control schedule may be disposed of at the expiration of its retention period without additional notice to the director and librarian as described in §202.001(a)(1), subject to the provisions of §203.041(d).
- ☐ been accepted for filing subject to the conditions stated in the accompanying letter.

Name and Title: Megan Carey, RMA Manager

Signature: _____ Date: _____

AN ORDINANCE**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH AMENDING THE CITY'S CODE OF ORDINANCES CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.05 RECORDS MANAGEMENT; PROVIDING FOR SEVERABILITY AND REPEAL CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Title 6, Subtitle C, Local Government Code (Local Government Records Act) provides that a municipality must establish by ordinance an active and continuing records management program to be administered by a Records Management Officer; and

WHEREAS, the City of Fair Oaks Ranch recognizes that review and amendment of current practices is warranted; and

WHEREAS, the City of Fair Oaks Ranch desires to amend its ordinance for that purpose and to prescribe policies consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

- PART 1. Chapter 1 "General Provisions" Article 1.05 "Records Management" is hereby amended as set forth in the attached Exhibit "A".
- PART 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.
- PART 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance and the remainder of this Ordinance shall be enforced as written.
- PART 4. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.
- PART 5. This Ordinance shall take effect on September 16, 2021, after its second reading and after passage.
- PART 6. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Fair Oaks Ranch under any section or provisions of any ordinances in effect at the time of passage of this Ordinance.

PART 7. The provisions of this Ordinance shall be cumulative of all ordinances not repealed by this Ordinance and ordinances governing or regulating the same subject matter as that covered herein.

PASSED and APPROVED on first reading this the 2nd day of September, 2021.

PASSED, APPROVED and ADOPTED on second reading this the 7th day of October, 2021.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney

Exhibit A

Chapter 1 “General Provisions” Article 1.05 “Records Management” is hereby amended as follows:

(Deletions shown as strikethrough and additions shown as underscore)

SECTION 1. DEFINITION OF ~~CITY~~ MUNICIPAL RECORDS.

All documents, papers, letters, books, maps, photographs, sound or video recordings, ~~microfilm, magnetic tape~~ electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to ~~it~~ them is open or restricted under the laws of the state, created or received by the City of Fair Oaks Ranch or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the City of Fair Oaks Ranch and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

SECTION 2. ADDITIONAL DEFINITIONS.

- (1) “Department Head” means the officer who by ordinance or administrative policy is in charge of an office of the City of Fair Oaks Ranch that creates or receives records.
- (2) “Essential Record” means any record of the City of Fair Oaks Ranch necessary to the resumption or continuation of its operations in an emergency or disaster, to the re-creation of the legal and financial status of the City of Fair Oaks Ranch, or to the protection and fulfillment of obligations to the people of the state.
- (3) “Permanent Record” means any record of the City of Fair Oaks Ranch for which the retention period on a records control schedule is given as permanent.
- (4) “Records Control Schedule” means a document prepared by or under the authority of the Records Management Officer listing the records maintained by the City of Fair Oaks Ranch, their retention periods, and other records disposition information that the records management program may require.
- (5) “Records Management” means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other records storage systems.
- ~~(6) “Records Liaison Officer” means the person designated in Section 10 of this ordinance.~~
- ~~(7) “Records Management Committee” means the committee established in Section 6 of this ordinance.~~

- (6) "Records Management Officer" means the person designated in Section 5 of this Ordinance.
- (7) "Records Management Plan" means the plan developed under Section ~~7~~ 6 of this ordinance.
- (8) "Retention Period" means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.

SECTION 3. ~~CITY RECORDS~~ MUNICIPAL RECORDS DECLARED PUBLIC PROPERTY.

All ~~City of Fair Oaks Ranch~~ municipal records as defined in Section 1 of this ordinance are hereby declared to be the property of the City of Fair Oaks Ranch. No ~~City~~ municipal official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

SECTION 4. POLICY.

It is hereby declared to be the policy of the City of Fair Oaks Ranch to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all ~~City~~ municipal records through a comprehensive system of integrated procedures for the management of records from their creation to ultimate disposition, consistent with the requirements of the Texas Local Government Records Act and accepted records management practice.

SECTION 5. DESIGNATION OF RECORDS MANAGEMENT OFFICER.

The City Secretary, and the successive holders of said office, shall serve as Records Management Officer for the City of Fair Oaks Ranch. As provided by state law, each successive holder of the office shall file his or her name with the director and librarian of the Texas State Library within thirty days of the initial designation or of taking up the office, as applicable.

~~SECTION 6. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE; DUTIES.~~

~~A Records Management Committee consisting of the City Council is hereby established. The committee shall;~~

- ~~(a) assist the Records Management Officer in the development of policies and procedures governing the records management program;~~
- ~~(b) review the performance of the program on a regular basis and propose changes and improvements if needed;~~
- ~~(c) review and approve records control schedules submitted by the Records Management Officer.~~
- ~~(d) give final approval to the destruction of records in accordance with approved records control schedules and~~
- ~~(e) actively support and promote the records management program of the City of Fair Oaks Ranch~~

**SECTION 7.6. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; ~~APPROVAL OF PLAN;~~
AUTHORITY OF PLAN.**

- (1) The Records Management Officer shall develop a records management plan for the City of Fair Oaks Ranch ~~for submission to the City Council of Fair Oaks Ranch~~ . The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record keeping, to adequately protect the essential records of the ~~City~~ municipality, and to properly preserve those records of the ~~City Council~~ municipality that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this ordinance effectively.
- (2) The records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of the City of Fair Oaks Ranch and records shall be created, maintained, stored, or disposed of in accordance with the plan.
- (3) ~~Once approved by the City Council~~ The Records Management Officer shall develop plans that encompass the duties and responsibilities of department heads and delegated employees to work in conjunction with the Records Management Officer in the performance of records control.
- (4) State law relating to the duties, other responsibilities, or record keeping requirements of a department head do not exempt the department head or the records in the department head's care from the application of this ordinance and the records management plan adopted under it and may not be used by the department head as a basis for refusal to participate in the records management program of the City of Fair Oaks Ranch.

~~SECTION 8. DUTIES OF RECORDS MANAGEMENT OFFICER.~~

~~In addition to other duties assigned in this ordinance, the Records Management Officer shall:~~

- ~~(1) administer the records management program and provide assistance to departments in its implementation;~~
- ~~(2) plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;~~
- ~~(3) in cooperation with department heads identify essential records and establish a disaster plan for each City office and department to ensure maximum availability of the records in order to re-establish operation quickly and with minimum disruption and expense;~~
- ~~(4) develop procedures to ensure the permanent preservation of the historically valuable records of the City Council.~~
- ~~(5) establish standards for filing and storage equipment and for record keeping supplies;~~
- ~~(6) study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for the City Council.~~

- ~~(7) provide records management advice and assistance to all departments by preparation of a manual or manuals of procedure and policy and by on-site consultation;~~
- ~~(8) monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and the City Council's records control schedules are in compliance with state regulations;~~
- ~~(9) disseminate to the City Council and department heads information concerning state laws and administrative rules relating to local government records;~~
- ~~(10) instruct Records Liaison Officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;~~
- ~~(11) direct Records Liaison Offices or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this ordinance.~~
- ~~(12) ensure that the maintenance, preservation, microfilming, destruction or other disposition of the City Council is carried out in accordance with the policies and procedures of the records management program and requirements of state law;~~
- ~~(13) maintain records on the volume of records destroyed under approved records control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;~~
- ~~(14) report annually to the City Council on the implementation of the records management plan in each department of the City of Fair Oaks Ranch including summaries of the statistical and fiscal data compiled under Subsection (13); and~~
- ~~(15) bring to the attention of the City Council noncompliance by department heads or other City Council personnel with the policies and procedures of the records management program or the Local Government Records Act.~~

~~Section 9. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS.~~

~~In addition to other duties assigned in this ordinance, department heads shall:~~

- ~~(1) cooperate with the Records Management Officer in carrying out the policies and procedures established in the City of Fair Oaks Ranch for the efficient and economical management of records and in carrying out the requirements of this ordinance.~~
- ~~(2) adequately document the transaction of government business and the services, programs, and duties for which the department head and his or her staff are responsible; and~~
- ~~(3) maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of the City of Fair Oaks Ranch and the requirements of this ordinance.~~

SECTION 7. ~~RECORDS CONTROL SCHEDULES TO BE DEVELOPED; ADOPTION OF STATE RECORDS CONTROL SCHEDULES; APPROVAL; FILING WITH STATE.~~

- ~~(1) (a) The Records Management Officer, in cooperation with department heads, shall prepare records control schedules on a department by department basis listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of the City records as the records management plan may require.~~
- ~~(2) (b) Each records control schedule shall be monitored and amended as needed by the records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state and this it continues to reflect the record keeping procedures and needs of the department and the records management program of the City of Fair Oaks Ranch.~~
- ~~(3) (c) Before its adoption a records control schedule or amended schedule for a department must be approved by the department head, the City Attorney and the Mayor.~~
- ~~(4) (d) Before its adoption a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.~~
- (1) In lieu of filing records control schedules, the City of Fair Oaks Ranch has adopted record control schedules issued by the Texas State Library and Archives Commission. A declaration of compliance with the records scheduling requirement of the Local Government Records Act shall be filed with the Texas State Library and Archives Commission by the records management officer (Form SLR 508).

SECTION 8. ~~IMPLEMENTATION OF RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE.~~

- (1) A records control schedule for a department that has been approved and adopted under Section 7 shall be implemented by department heads according to the policies and procedures of the records management plan.
- (2) A record whose retention period has expired on a records control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the record is pertinent to a pending lawsuit, or the department head requests in writing to the Records Management ~~Committee~~ Officer that the record be retained for an additional period.
- ~~(3) (c) Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the City Council.~~

SECTION 9. DESTRUCTION OF UNSCHEDULED RECORDS.

~~A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.~~

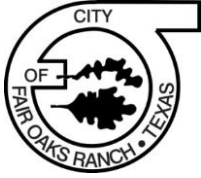
In order to destroy records that do not appear on schedules issued by the Texas State Library and Archives Commission and that have not been added by a filed supplemental records control schedule, a request for authorization to destroy unscheduled records (SLR 501) must be filed with the Texas State Library and Archives Commission.

SECTION ~~13~~ 10. RECORDS CENTER.

A records center, developed pursuant to the plan required by Section 7, shall be under the direct control and supervision of the Records Management Officer. Policies and procedures regulating the operation and use of the records center shall be contained in the records management plan developed under Section ~~7-6~~.

~~SECTION 14. MICROGRAPHIC.~~

~~Unless a micrographic program in a department is specifically exempted by order of the City Council, all microfilming of records will be centralized and under the direct supervision of the Records Management Officer. The records management plan will establish policies and procedures for the microfilming of the City's records, including policies to ensure that all the microfilming is done in accordance with standards and procedures for the microfilming of local government records established in rules of the Texas State Library and Archives Commission. The plan will also establish criteria for determining the eligibility of records for microfilming, and the protocols for ensuring that microfilming program that is exempted from the centralized operations is nevertheless, subject to periodic review by the records management officer as to cost effectiveness, administrative efficiency, and compliance with commission rules.~~



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
September 2, 2021

AGENDA TOPIC: Consideration and possible action authorizing the City Manager to execute a contract with Audio Visual Aids to purchase equipment for a Multiplatform Communications option for live streaming public meetings.

DATE: September 2, 2021

DEPARTMENT: Human Resources & Communications

PRESENTED BY: Joanna Merrill, IPMA-SCP, Director of Human Resources & Communications

INTRODUCTION/BACKGROUND:

Recently, staff was given a directive to provide council with information regarding an option to live stream public meetings as an initiative to provide transparency and accessibility to our community.

As a result, council approved for staff to move forward with researching a non-interactive livestreaming method that would be directed and managed by staff. With this guidance along with a recommendation from Council Member Muenchow and Council Member Parker to reach out to the City of Fredericksburg to discuss their process, staff was able to provide Council with an update at the previous council meeting to discuss their findings.

During the August 5th council meeting staff was able to present information regarding recommendations from other cities on how to best accomplish a project of this nature in a smooth and efficient manner to avoid some of the bumps in the road they experienced during their own implementation. One of those recommendations was for staff to enlist the services of a professional audio-visual consultant to assess our current needs and location challenges in order to provide the best mobile options for our circumstances.

With that knowledge in hand staff was able to consult Audio Visual Aids, which is the company that assisted the city several years ago with the setup that we currently have.

Staff's direction to the consultant was to design a concept that would meet several criteria including but not limited to ensuring the new system would be mobile/portable, reliable, durable if moving locations is required, and would be convertible to a hard mounted system when the time arose. Staff's goal was to provide a solution for our current situation, an option if the need to transition between locations for council meetings occurs, and a solution that would also help to minimize future costs once we are ready to hard mount a system into a permanent location.

Audio Visual Aids was able to take all of our questions, concerns, and requirements to design a mobile system that would assist with making all of the pieces fit together in a functional manner.

The new proposed design draft is estimated to cost approximately \$48,000 which would include all of the necessary equipment such as cameras, cabling, a portable equipment rack, wireless microphones, portable speakers for audience to hear council, 3 mobile display monitors/tv's (2 for the audience to view presentation information and 1 for council to view), along with the miscellaneous hardware/equipment needed to make the system able to livestream reliably. This

cost estimate also includes installation, labor, testing, and training along with a 3-year manufacturer's warranty and a 1-year labor and install warranty from Audio Visual Aid. The above estimate is a very high estimate at this time and does not currently reflect any possible discounts or tax exemptions that the city would be eligible for.

Due to the high work demand Audio Visual Aid is currently experiencing we do not have the final cost estimates to include with the agenda item, but we hope to have a handout with the final formalized quote for council to review at the meeting on September 2nd. Staff felt it was important for council to see what the maximum possible cost estimate would be based on the current recommendations to successfully implement livestreaming in a professional and sustainable manner. The consultant and staff are both very optimistic that once the final numbers are calculated that this cost estimate may decrease.

The timeline for completion and implementation may vary based on availability of equipment due to backlogged items as a result of COVID-19 demands, and we will not be able to provide an estimate until the orders are placed for each piece of equipment.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

- Will address opportunities to create an easily accessible and transparent option for citizens to participate in local government public meetings
- Will provide an opportunity to display professionalism and technological advancement in meeting service expectations

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

During a recent budget workshop council approved for \$50,000 to be added to the budget for this project.

Currently, based on the high preliminary estimate we have received this project is forecasted to come in under budget at \$43,635 with an overall savings of \$6,365. Savings are estimated to increase once all discounts and applicable tax exemptions are applied to the final quote.

LEGAL ANALYSIS:

To be completed when contract is received and prior to Council Action.

RECOMMENDATION/PROPOSED MOTION:

I move to authorize the City Manager to execute a contract not to exceed \$43,635 with Audio Visual Aids to purchase equipment for a Multiplatform Communications option for live streaming public meetings.

If we have not solidified the contract prior to the meeting, no formal action is required.