

VIA TELEPHONE CONFERENCE



**CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL TELECONFERENCE
September 24, 2020 1:00 PM
Via Teleconference
7286 Dietz Elkhorn, Fair Oaks Ranch**

THERE EXISTS A PUBLIC HEALTH EMERGENCY RELATED TO THE COVID-19 VIRUS THAT NECESSITATES A MEETING OF THE CITY COUNCIL TO TAKE PLACE VIA VIDEO CONFERENCE PURSUANT TO GOVERNMENT CODE CHAPTER 551.125, AS MODIFIED BY EXECUTIVE ORDER OF THE GOVERNOR

You can dial in using your phone:

United States (Local #): 210-714-4201

(Toll-Free #): 1-800-717-4201

*****Due to costs incurred by the city for each minute for each caller using the Toll Free line please consider using the Toll Number if your phone plan covers long distance calls.***

Conference ID: 2443302 #

If you wish to address the Council, please select *5 on your phone; this will place you in a queue for speaking. At the appropriate time the City Secretary will call upon each individual separately.

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

If you wish to address the Council, please raise your hand on your computer or if calling in select *3 on your phone; this will place you in a queue for speaking. At the appropriate time the City Secretary will call upon each individual separately. 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.

A. Citizens to be heard.

III. 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.

A. Approval of the second reading of an Ordinance amending the Fair Oaks Ranch Code of Ordinances Chapter 3 Article 3.16.04 Membership of Board.

Laura Koerner, Council Member

Pgs. 4-7

B. Approval of the second reading of an Ordinance amending the City's Code of Ordinances, Chapter 13, "Utilities", Article 13.08 Water and Wastewater Impact Fees,

Division 1, Section 13.08.004 “Definitions” and Section 13.08.018 “Functions of Advisory Committee” – 120 “Exemption from Ordinance”.

Laura Koerner, Council Member

Pgs. 8-13

IV. CONSIDERATION/DISCUSSION ITEMS

- A. Approval of the second reading of an Ordinance adopting the City budget for fiscal year beginning October 1, 2020 and ending September 30, 2021.
Sarah Buckelew, CPA, Finance Director Pgs. 14-55
- B. Approval of the second reading of an Ordinance levying a property tax rate of \$.3735 per \$100 taxable valuation on property in the City of Fair Oaks Ranch for tax year 2020; and determining due and delinquent dates.
Sarah Buckelew, CPA, Finance Director Pgs. 56-59
- C. Consideration and possible action approving a Resolution ratifying the property tax increase reflected in the FY 2020-21 general fund and debt service fund budgets.
Sarah Buckelew, CPA, Finance Director Pgs. 60-100
- D. Consideration and possible action adopting a resolution authorizing the creation of an employee benefits trust and designating all City Council Members as Trustees of said Trust.
Sarah Buckelew, CPA, Finance Director Pgs. 101-119
Dan Santee, Legal Counsel
- E. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for City Planning Consultant Services.
Katherine Schweitzer, P.E., Manager of Engineering Services Pgs. 120-135
- F. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for General Engineering Consultant Services.
Katherine Schweitzer, P.E., Manager of Engineering Services Pgs. 136-160

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. None

VI. 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:

- A. 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:
 - 1. Claims made on behalf of a real property owner against the City’s operation of the K-3 Trinity Glen Rose Water Well.

2. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
3. 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.
4. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Kuitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.
5. Cause No. 2020CI15746; Boerne Ranch Estates, LLC vs. the City of Fair Oaks Ranch, Texas.

VII. RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

VIII. ADJOURNMENT

Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

Signature of Agenda Approval: _____

C. Vanzant

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 1:00 PM, September 21, 2020 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).