

CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
August 1, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Manitzas, Mayor Pro Tem Elizondo
Council Members: Hartpence, Havard, Koerner, and Maxton

Absent: Council Member Patel

B. The pledge of allegiance was led by Citizen Bob Singh.

With a quorum present, the Mayor called the City Council meeting to order at 9:32 AM.

Mayor Manitzas announced that to address Council, two guest sign in sheets were available; one for general comments (IIA) and one for the discussion regarding development of 344.65-acre property commonly known as the Pfeiffer Tract/The Reserve (IV D).

II. CITIZENS and GUEST FORUM / PRESENTATIONS

- A. No citizens were heard on general matters.
- B. Mayor Manitzas presented a 5 year service award to Police Sergeant Christopher Griffin.
- C. Mayor Manitzas introduced the city's newest employee, Liliana Calvo who will be serving as the Police Administrative Clerk.
- D. Mayor Manitzas presented the Employee of the Quarter Award to Police Officer Lacey Gonzalez.
- E. Debbie Landrum, Court Administrator was recognized in achieving the Level III Certification; one of 100 Court Administrator's in the state.

III. CONSENT AGENDA

- A. Approval of July 18, 2019 Special City Council Meeting Minutes.
- B. Approval of July 18, 2019 Regular City Council Meeting Minutes.
- C. Approval of Council Member Patel's absence for the August 1, 2019 council Meeting.
- D. Approval of the second reading of an Ordinance repealing and replacing Appendix A "Master Fee Schedule" Article A2.000 "Development/Building Fees; of the City's Code of Ordinances.
- E. Approval of the second reading of an Ordinance amending various provisions in the Code of Ordinances to comply with the Home Rule Charter.

The Mayor presented the Consent Agenda and with no discussion, the Consent Agenda was approved by unanimous consent.

IV. DISCUSSION/CONSIDERATION ITEMS

A. Discussion and possible action on donating educational gifts to the Fair Oaks Ranch and the Van Raub Elementary Schools.

MOTION: Made by Council Member Koerner, seconded by Council Member Havard to approve the purchase, not to exceed \$700, for wildlife education materials and gift them to the Fair Oaks Ranch Elementary and Van Raub Elementary Schools. .

VOTE: 6-0; Motion Passed

B. Discussion and possible action to approve the proposed 2019-2020 Municipal Development District (MDD) budget.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence to approve the FY 2019-2020 MDD Budget as presented.

VOTE: 6-0; Motion Passed.

C. Consideration and possible action on appointing members to the Boerne-Fair Oaks Ranch-Kendall County Transportation Planning Committee.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Havard to approve a Resolution appointing Dan Banks and Marcus Garcia as members to the Boerne-Fair Oaks Ranch-Kendall County Transportation Planning Committee.

VOTE: 6-0; Motion Passed.

D. Discussion regarding the Development of the approximately 344.65-acre property commonly known as the Pfeiffer Tract/The Reserve.

Rob Killen, Land Use Attorney representing developers interested in developing the approximate 344.65 -acre property commonly known as the Pfeiffer Tract/The Reserve brought preliminary plans for council, staff and the community to review and to provide input. The plan presented calls for 585 lots as well as a 30 bed assisted living facility, preschool, and age targeted sections of the city. Discussion encompassed: definition of "high density residential, size of lot frontage, Kendall County subdivision regulations, ground water from site requirement, density restrictions, and impacts on roadways.

Citizen Comments:

Teal Harris, citizen, spoke in opposition to dense development citing its' negative impacts on water & home values and called for the city "to be good stewards of the land".

Rich Nichols, citizen, indicated that greater than 114 homes will be unacceptable to Fair Oaks Ranch citizens. He encouraged the developer to stay within Cow Creek and Kendall County regulations and come back with a low density development plan.

Frank Trapasso, citizen, recounted the history of the previous attempt to develop this property and the resulting opposition which put the Mayor and many of the current council members in their seats. He recommended not approving any plan that exceeds 86 homes and for the city to have legal representation.

M.E. Paulson, citizen, noted concern about decreasing home values, especially in Stone Creek.

Bob Singh, citizen expressed concern with Stone Creek Ranch property values and requested that the water tower be moved to down the road.

Donna Taylor, citizen and environmental research scientist, spoke of the Cow Creek Groundwater Conservation district limitations on the availability of ground water to 34 AF/Year before

negatively impacting others which is equivalent to 86 homes. She expressed concerns whether Cow Creek wells will support a high density development now and in the future.

James Chism, citizen, signed up to speak, but left the meeting prior to being called on.

The following citizens were present and signed up regarding this agenda item, but did not wish to speak: Bill Scorpio, Hank Hattoy, Mark Barronton, Jasen Lopez, Theresa Pappall, Hardy Bass, Carolyn Knopf, Amy Higgins, Shirley Wolfe, Alex Dean, George Zachery, Amancio Cantu, Bobbie French, Nicole Gallegos, Ken Nichols, Susan Mullins, Jim Jeffery, Ana Forster, and David Pappal.

E. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement with Freese and Nichols, Inc. for engineering and consulting services for Water and Wastewater System Capital Improvement Plan and Maximum Impact Fees Update.

MOTION: Made by Council Member Maxton, seconded by Mayor Pro Tem Elizondo to authorize the City Manager to sign a professional Services Agreement with Freese and Nichols, Inc., for engineering consulting services for Water and Wastewater System Capital Improvement Plan and Maximum Impact Fees Update.

VOTE: 6-0; Motion Passed.

F. Discussion and possible action regarding council chamber's sound system and recording capabilities.

Council Member Hartpence questioned the status of the council chamber sound system and recording capabilities noting that action minutes do not provide enough details of the meetings. Council expressed desire for transparency for citizens unable to attend meetings as well as integration of upgrades within the scope of the campus renovations instead of a separate project. Assistant City Manager Vanzant noted that sound and recording improvements are included within campus upgrade scope and will include recording, speakers, and microphones to capture public comments.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. Carole Vanzant, Assistant City Administrator, presented Council the Penalty Clause Committee Report and resulting Ordinance to enforce a criminal penalty for violations of provisions of the City Charter. Council directed staff to move forward with presenting the Ordinance to Council at a future meeting.
- B. Ron Emmons P.E., Public Works Director, provided an update on the FY 2018-19 capital improvement projects schedule.
- C. Director of Finance, Sarah Buckelew, provided the quarterly financial and investment reports. The next budget workshop meeting is scheduled for August 8, 2019 at 3:00 PM.

VI. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive Session regarding:

- A. 551.071 (Consultation with Attorney) - 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.
- B. 551.071 (Consultation with Attorney) - to receive legal advice regarding claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
- C. 551.071 (Consultation with Attorney) - to receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

VII. RECONVENE INTO OPEN SESSION

Not applicable.

VIII. ADJOURNMENT

Mayor Pro Tem Elizondo requested that a Legislative Update be scheduled at a future meeting.

Mayor Manitzas requested that Council Member Patel report to the Council on the Texas Environmental Superconference she attended.

Council Member Koerner requested an update on the TxDOT/Ralph Fair Road timeline.

Mayor Manitzas adjourned the meeting at 11:53 AM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary