



CITY OF FAIR OAKS RANCH
AGENDA - CITY COUNCIL REGULAR MEETING
January 21, 2016; 7:00 PM
FAIR OAKS RANCH CITY HALL, 7286 DIETZ ELKHORN

I. ROLL CALL - DECLARATION OF A QUORUM

II. OPEN MEETING

Cub Scout Flag Ceremony.
Pledge of Allegiance by Cub Scouts Pack 109, Bears Den 3.

III. CEREMONIAL EVENT

- A. Proclamation honoring Cub Scouts Pack 109, Bears Den 3. PI
B. Mayor's Community Spirit Award Presentation to Mary Kennedy.

IV. CITIZENS and GUEST FORUM / PRESENTATIONS

To address the Council, please sign the Attendance Roster located on the table at the entrance of the Council Chamber. 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
B. City of San Antonio/Fair Oaks Ranch Water Policy Study Discussion by Roel Lopez, Director of Texas A&M Institute of Renewable Natural Resources.

V. 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 December 3, 2015 and December 17, 2015 Regular City Council Meeting Minutes. P2-P9
B. Approval of December 17, 2015 Special City Council Meeting Minutes. P10

VI. CONSIDERATION ITEMS

- A. Approval of Resolution determining the options in managing white tailed deer in Fair Oaks Ranch, establishing an annual budget amount and other matters thereof. P11-P21
- Alderman Manitzas &
- Alderwoman Havard
- B. Approval of Resolution appointing members to the Building Codes Board of Appeals. P22-P29
- Building Official
- C. Approval of letter to San Antonio Water System (SAWS) to provide service within City limits for the corner property located at Leslie Pfeiffer/I-10. P30-P32
- Public Works Director
- D. Approval of Resolution Authorizing the City to Post Notices at the Entrances to Buildings owned or leased by the City of Fair Oaks Ranch Prohibiting Concealed or Openly Carried Handguns into

an area that houses a Public Meeting of a Governmental Entity that is subject to the Open Meetings Act and to post the Notices Advising the Public of the Prohibition of Carrying a Handgun on Court Facilities in Buildings that House the Municipal Court and Court Offices making License Holders Aware of the Court Facilities.

- Police Chief P33-P37

E. Approval of the City of Fair Oaks Ranch FY 2015-2016 Work Plan.

P38-P40

- Interim City Administrator

VII. REPORTS FROM STAFF / COMMITTEES / COUNCIL

- 1) Interim Finance Officer – Investment Report and December Financials.
- 2) Public Works Director – Pape Dawson Roadway Construction Update.
- 3) Deputy City Administrator – Personnel Updates on animal control, utility technician, and the Maintenance Worker position; Notice of the upcoming Brush/Bulk Pick-up Service. P41-P42
- 4) City Administrator – Status of pending development agreement with Scott Felder Homes regarding the Owens property; Report on assessment of billing on the adopted December, 2014 Impact Fees. P43-45
- 5) Mayor's Report – Boerne ISD long range update; Water Conservation/Rain Barrel Workshops.
- 6) Council - Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

VIII. ADJOURNMENT

Signature of Agenda Approval: _____

I, Priscilla Abrego, 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. Said Notice was posted by 5:00 p.m., January 18, 2016 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 *Tex Gov't 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).

PROCLAMATION

WHEREAS *the Fair Oaks Ranch City Council recognizes the valuable contributions of the Cub Scouts of America to our community and to our nation; and*

WHEREAS *scouting provides the foundation, training and leadership skills that prepare our youth to be leaders of tomorrow; and*

WHEREAS *Cub Scouts, Pack 109, Den 3, entitled "The Bears" facilitated trash and gardening debris cleanup on December 20, 2015 at the Fair Oaks Ranch City Hall Campus; and*

WHEREAS *on January 21, 2016 the Bears conducted the Cub Scout flag ceremony for City Council and led Council in the pledge of allegiance; and*

WHEREAS *the City of Fair Oaks Ranch is proud of the Bears, as they exemplify values that make a community strong.*

NOW, THEREFORE, BE IT HEREBY PROCLAIMED, by the power vested in me as Mayor of Fair Oaks Ranch, Texas that:

January 22, 2016

be declared: **"Pack 109, Bears Den 3, Cub Scouts Day"**

in the City of Fair Oaks Ranch and call upon our citizens to join in the celebration of this achievement and acknowledge their special contribution to our community.

PROCLAIMED AND SIGNED this 21st day of January 2016.

Attest:

Cheryl Landman, Mayor

P. Abrego, City Secretary

MINUTES, DECEMBER 3, 2015
City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015

I. ROLL CALL

Council members present included Mayor Pro Tem Schmidt, Aldermen Damstra, Hartpence and Manitzas, and Alderwoman Havard. Having a quorum present, Mayor Landman called the regular City Council meeting to order at 9:30 a.m.

II. OPEN MEETING

Pledge of Allegiance was led by Tom Jaster, resident.

III. CITIZENS AND GUEST FORUM/PRESENTATION

Joe Dumenil, 8657 Willow Wind, the City's representative on the Trinity Glen Rose Groundwater District stated the Board is in the public phase of the future GMA 9 conditions evaluation and encouraged all to make comments during the phase of the evaluation.

Sandy Wisheart noted the purpose for residents moving here is because of the wildlife, especially deer. She feels limiting deer feed is a gestapo method and Council should consider education as the first method of deer management.

Sid Martinez, Alamo Area Metropolitan Planning Organization (AAMPO), discussed the MPO's mission, region of responsibility, committees, Policy Board, required public documents, Transportation Plan, roadway funded and unfunded breakdown, avenues of funding, the 2015 selected projects, call for projects development schedule, and various other MPO activities. When asked by Alderman Manitzas what common characteristics, if any, are used when choosing projects, Martinez responded the type of project. He noted the MPO does not implement the projects, they only assist with funding and that citizens need to lobby the appropriate entity if they wish to see a project considered, when asked by citizen Ken Nichols. Jonathan Bean, Texas Department of Transportation (TxDot), discussed current and future TxDot projects along IH10, structures of the organization, projected traffic on IH10, and the part one of the future expansion of 3351 from IH10 to Old Paseo Way. When asked by Mayor Pro Tem Schmidt, Bean noted he has been working and continues to work with the city's Public Works Director on the aesthetics of the Fair Oaks Parkway Bridge and city entrance lanes. Schmidt then asked if the Ralph Fair Road bridge over the Cibolo Creek could be built half at this time and completed at a later date as our current emergency needs by far exceeds traffic needs, to which Bean stated this is a good idea but needs to be correctly planned for future funding. Bean stated a city resolution supporting the need of a Bridge and submitting it to TxDot is a way to bring the Bridge consideration up front, when asked by Schmidt. Kevin Wolff, Bexar County Commissioner, stated the MPO has more submittals than funding available and as such the MPO looks at submittals as either short term (project is going to happen) or long term (it's on the wish list). He noted the MPO is a very important entity as half the transportation dollars come from them. When asked by Alderman Hartpence how appointments are made to the Board, Wolff stated the County Judge appoints the County representative, and San Antonio Mayor appoints San Antonio's representative. He named several regional appointments but did not provide how appointments are made for said regionals. When asked by Alderman Manitzas if it is well advised to collaborate with surrounding communities on projects, Wolff responded absolutely.

IV. CONSIDERATION ITEMS

A. Approval of Ordinance amending the Code of Ordinances, Appendix A - Fee Schedule, Commercial Water Rates

Public Works Director Emmons stated the newly adopted commercial rates created a major impact on the commercial establishments (Alderman Hartpence noted the rates had gone up 300%) and due to such, this proposed ordinance repeals the adopted rates and creates new commercial rates with a 5%

increase from the 2014 rates. He stated an evaluation of the commercial rates will be made during the fiscal year as these proposed rates are temporary and are lower than residential water rates. When asked by Mayor Pro Tem Schmidt what the time line is for reviewing and re-evaluating the commercial water rates, Mayor Landman noted staff is currently working on it but is waiting for the San Antonio water study as it is needed for the evaluation process.

MOTION: Made by Alderwoman Havard, seconded by Alderman Damstra to approve an Ordinance adopting new commercial water rates.

DISCUSSION: None

VOTE: 5-0

B. Approval of amending the General Fund and Debit Service Fund FY2015-16 budgets.

Deputy City Administrator Vanzant stated, due to Bexar County including the Woods of Fair Oaks Ranch subdivision in the 2015 property tax rolls, an ordinance is needed to accurately record the loss of revenue in the amount of \$210,232. Staff recommends covering the loss from the General Fund fund balance at the end of the fiscal year, if needed vs redoing the whole budget process including establishing a new tax rate. The error occurred as Bexar County Appraisal believed the properties were de-annexed from San Antonio and as such, making the City of Fair Oaks Ranch a "like kind entity" which allows for property taxation in the 2015 tax year.

MOTION: Made by Mayor Pro Tem Schmidt, seconded by Alderman Hartpence to approve an Ordinance amending the General Fund and Debit Service Fund FY2015/16 budgets.

DISCUSSION: None

VOTE: 5-0

C. Approval of amending the General Fund FY2015-16 budget by transferring \$20,000 from Contingency to Professional Services for the City Administrator recruitment services expenditure

Deputy City Administrator Vanzant stated, on November 12, 2015, the City Council authorized a contract with Chris Hartung Consulting for the recruitment services for a City Administrator. At that time it was noted the expenditure is budgeted in the "Other Department" in the General Fund, and for appropriate recording, the contract amount of \$20,000 should be moved to the "Administration Department". To do so, Council must approve an ordinance authorizing the transfer.

MOTION: Made by Alderwoman Havard, seconded by Alderman Manitzas to approve an Ordinance transferring \$20,000 from Contingency to Professional Services in the General Fund budget.

DISCUSSION: When asked by Alderman Hartpence, Vanzant stated the city's financial policy requires department -to-department budget transfers be approved, by ordinance, by Council.

VOTE: 5-0

D. Discussion of draft document used for structuring deliberations and decision making on deer management options

Alderman Manitzas lead the discussion on the draft document titled "Range of Options to be Considered in Managing White Tailed Deer in Fair Oaks Ranch". He reviewed each option providing the rankings from the recent Town Hall, pros and cons, and estimated cost. Options include no action, education program, no feed ordinance, trap/transport and process, trap/transport and translocate, sharpshooting, archery hunts, and sterilization. Council members made several suggestions to the document. Manitzas closed the discussion stating the City Council, at the January 21 meeting, will make a decision on which option/options will be used. The report will be added to the City's website.

E. Approval of Council's desire to proceed with changing the City's form of government from General Law Type A to Home Rule

City Attorney Zech reviewed what a city charter is, advantages of Home Rule vs General Law and the process of adopting Home Rule: form a Commission, create a proposed Charter, and hold an election on proposed Charter.

MOTION: Made by Alderwoman Havard, seconded by Alderman Hartpence to proceed with changing the City's form of government to Home Rule

DISCUSSION: None.

VOTE: 5-0

F. Discussion of outreach and engagement of community regarding Home Rule governance and process of appointing a Home Rule Commission

City Attorney Zech noted the first step is to determine which of the two processes in adopting a Home Rule Charter will be used: Election of Charter Commission or Appointment of Charter Commission. He noted the appointment can be done by citizen application or at will, by the Council, with no citizen input. Alderman Hartpence favors appointment through a public outreach. Alderman Manitzas concurred and further noted geographic representation is important. Council requested the City Administrator and Deputy City Administrator create a white paper to send to citizens re: the process of adoption along with an application for those desiring to serve on the Commission. When asked by Mayor Pro Tem Schmidt, the City Attorney recommended at least 9 Commission members but no more than 11 (personal opinion only).

V. REPORTS

A. Project Manager Ralph Wiesepape noted the steel studs are up on the public safety building. The next step is walls, followed by electrical, plumbing and a/c. The stormwater drainage system is completed. A tour of the building, for Council members, is scheduled for December 17 at 430 p.m. When asked by Mayor Pro Tem Schmidt if the project is on schedule, Wiesepape stated "slightly ahead of schedule".

B. Public Works Director Emmons stated the Battle Intense Mobility Project is 75% complete; support walls are now being tapered rather than straight line. He noted, due to the recent rains, some delay in the project has occurred. When asked by Mayor Pro Tem Schmidt if there will be an increase in cost due to the delay, Emmons stated no.

C. City Administrator Jahns presented a proposed RFQ to engage a qualified consultant to assist the City in the land use planning and development services and asked Council to provide their input to him no later than mid-December.

D. The following items were asked by Council for future meetings: an ordinance banning the use of cellphones, a city resolution to TxDOT supporting the improvement of the Cibolo Creek Bridge on FM3351 as soon as possible, and determination of legal responsibilities of city drainage failures after a subdivision has been accepted by the City - the development engineer and/or developer?

Mayor Landman adjourned the meeting at 1:10 p.m.

Mayor Cheryl Landman

ATTEST:

City Secretary P. Abrego

MINUTES, DECEMBER 17, 2015; 7:00 PM
CITY OF FAIR OAKS RANCH
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015

I. ROLL CALL – DECLARATION OF A QUORUM

Council Members Present: Alderman Damstra, Alderman Manitzas, Mayor Pro Tem Schmidt, Alderman Hartpence, and Alderwoman Havard.

Having a quorum present, Mayor Landman called the Regular City Council meeting to order at 7:00 p.m.

II. OPEN MEETING

Pledge of Allegiance was led by Frank Pickart, FOR resident.

III. CITIZENS & GUEST FORUM / PRESENTATIONS

Ken Nichols, 30143 Cibolo Run, requested for Council to consider wireless access to the internet for residents and offered his assistance to aid in this effort if needed. Mr. Nichols also expressed concern about gated communities and urged Council to evaluate the upcoming agenda topic.

IV. CONSENT AGENDA

Mayor Landman pulled the annual destruction of scheduled City/Utility records from the consent agenda and specified it will be brought back on a future agenda.

MOTION: Made by Alderwoman Havard, seconded by Alderman Manitzas to approve the November 5, 2015 and November 19, 2015 regular city council meeting minutes, November 12, 2015 special city council meeting minutes, and November 5, 2015 town hall minutes.

VOTE: 5-0; Motion Passed.

V. CONSIDERATION ITEMS

A. Approval of Alderman Schmidt's request to install edge lines on both sides of Keeneland Drive (Ralph Fair Road to Cibolo Creek Bridge) and Fair Oaks Parkway (Ralph Fair Road to Falls Terrace) at a minimum travel lane width of 12 feet and to appropriate the unbudgeted cost of \$12,012 and determine where the funds will be appropriated from.

Ron Emmons, Public Works Director stated the white lines on the road are called edge lines. On September 2, 2015 chip sealing the road was completed and by September 15, 2015 we were able to paint the stripes back on the road. Mr. Emmons opted not to paint the edge lines back on both sides of the road due to limited funding. Edge lines (solid white line) are for lane control creating a shoulder. Residents have been referring to these as golf cart lanes. These are not golf cart lanes and that is a misconception in our community. Staff does not recommend painting edge lines on the road.

MOTION: Made by Alderman Damstra, seconded by Alderman Manitzas to approve the request to install edge lines on both sides of Keeneland Drive and Fair Oaks Parkway at a minimum travel lane width of 12 feet and to appropriate the unbudgeted cost of \$12,012 and determine where the funds will be appropriated from.

2ND MOTION: Made by Mayor Pro Tem Schmidt, seconded by Alderman Hartpence to amend the motion requesting to install edge lines on both sides of Keeneland Drive and Fair Oaks Parkway as previously installed and determine where the funds will be appropriated from.

3rd MOTION: Made by Alderwoman Havard, no second received to approve the request to install edge lines on both sides of Keeneland Drive and Fair Oaks Parkway at a minimum travel lane width of 12 feet and to appropriate the cost of \$12,012.

4th MOTION: Made by Mayor Pro Tem Schmidt, seconded by Alderman Hartpence to approve the request to install edge lines on Keeneland Drive and Fair Oaks Parkway as were previously installed.

DISCUSSION: Alderman Damstra stated the edge lines represent much more than just golf lanes such as bike, walking, and running lanes too. Mayor Pro Tem Schmidt did not agree with staff's recommendation and would like the roads put back in their original condition. He asked Mr. Emmons why this issue was not brought back to Council for additional funding. Mr. Emmons responded it was a staff decision plus budget planning and other projects were occurring at the same time. Alderwoman Havard and Alderman Manitzas like the idea of a uniform lane width. Alderman Hartpence does not want to force golf carts out into the street and likes the white lines on the road to serve as a safety feature. Charlie Zech, City Attorney stated the City has no liability on putting the white lines down on the road.

Ken Nichols, 30143 Cibolo Run applauded Ron and Scott for addressing the Golf Cart issue and feels Council need to address it at some point soon and is concerned about Mayor Pro Tem Schmidt's request.

Donna Taylor, 31043 Keeneland Drive, sought clarification from Mayor Pro Tem Schmidt on his intent for the white lines since it is not in the budget. Mayor Pro Tem responded that Council was not informed of the lack of funding, would like the street put back in its original form, and the added perceived safety that keeps the car away from the pedestrian. Mrs. Taylor added that the funds were not in the budget nor did they make it into the budget, the public's perception on the edge lines, and stated there is a difference between roads and streets. She also added that the population is only going to continue to grow and we do not want to misconstrue that our streets are multipurpose.

VOTE: 3-2; 4th Motion Passed As Amended

(Aye: Mayor Pro Tem Schmidt, Alderman Hartpence and Alderman Damstra
Naye: Alderman Manitzas and Alderwoman Havard).

B. Approval of authorizing the City Administrator to sign an Agreement with Fencecrete America, Inc. for a replacement fence at the Wastewater Treatment Plant for \$43,700 and to appropriate unbudgeted funds of \$8,700 from the Utilities Fund fund balance.

Ron Emmons, Public Works Director stated the west fence at the wastewater treatment center has deteriorated and is need of replacement. This fence is approximately twenty years old and is the original fence that was installed on the property.

MOTION: Made by Mayor Pro Tem Schmidt, seconded by Alderman Damstra to approve the City Administrator to sign an Agreement with Fencecrete America, Inc. for a replacement fence at the Wastewater Treatment Plant for \$43,700 and to appropriate unbudgeted funds of \$8,700 from the Utilities Fund fund balance.

DISCUSSION: None

VOTE: 5-0; Motion Passed

C. Approval of authorizing the Interim City Administrator to sign an Agreement with Davey Trees for tree pruning services at City Hall Complex and on Fair Oaks Parkway for \$19,150 and to appropriate the unbudgeted funds of \$9,310 from the general fund contingency.

Carole Vanzant, Deputy City Administrator stated there is a large amount of ball moss in the trees at the City Hall complex and Fair Oaks Parkway at the request of Mayor Landman and Mayor Pro Tem Schmidt staff received a quote from Davey Trees. Mayor Landman added ball moss will not kill a tree but does not allow the sunlight to come down through the trees.

MOTION: Made by Mayor Pro Tem Schmidt, seconded by Alderman Hartpence to approve authorizing the Interim City Administrator to sign an Agreement with Davey Trees for tree pruning services at City Hall Complex and on Fair Oaks Parkway for \$19,150 and to appropriate the unbudgeted funds of \$9,310 from the general fund contingency.

2nd Motion: Made by Alderwoman Havard, seconded by Alderman Manitzas to approve authorizing the Interim City Administrator to sign an Agreement with Davey Trees for tree pruning services at City Hall Complex and on Fair Oaks Parkway not to exceed \$19,150 and to appropriate the unbudgeted funds of \$9,310 from the general fund contingency with the understanding that the lowest cost method will be utilized meaning spraying versus hand method.

DISCUSSION: Alderwoman Havard sought clarification on the quote if it was hand removal or spraying. Alderwoman Havard added that spraying the trees is a more cost effective method and added that the City could benefit from a beatification committee.

Jim Havard, 8617 Delta Dawn Lane, informed Council that Oak Trees should be pruned twice a year (winter & summer) and the best method is spraying versus plucking ball moss.

VOTE: 5-0; 2nd Motion Passed As Amended

D. Approval of Ordinance establishing an agreement between the City of Fair Oaks Ranch Texas and The Woods at Fair Oaks Ranch Homeowners Association, Inc. for the purpose of providing traffic enforcement on private roads in The Woods at Fair Oaks Ranch subdivision.

Scott Rubin, Police Chief stated the 2001 legislation gave Cities the right to enforce traffic at the request of the Homeowners Association (HOA). The Woods subdivision has sent a request to enforce traffic. Currently the City provides all other services to the Woods but the authority to write tickets.

MOTION: Made by Alderman Manitzas, seconded by Alderman Damstra to approve the Ordinance establishing an agreement between the City of Fair Oaks Ranch Texas and the Woods at Fair Oaks Ranch Homeowners Association, Inc. for the purpose of providing traffic enforcement on private roads in The Woods at Fair Oaks Ranch subdivision.

DISCUSSION: Ken Nichols, 30143 Cibolo Run inquired as to what other HOA's have requested this protection and what is the cost for signage. Chief Rubin responded Raintree Woods and in this case there will be no cost for signage as the signs are already posted.

Amy Vogel, 28831 Pfeiffer's Gate announced the Front Gate does not have this in place. Mayor Landman informed her the HOA would have to request traffic enforcement on private roads.

VOTE: 5-0; Motion Passed

E. Approval of Ordinance establishing stop signs within the Woods at Fair Oaks Ranch subdivision, Fair Oaks Ranch, Texas.

Scott Rubin, Police Chief stated every stop sign has to be approved by Ordinance in order to give a ticket.

MOTION: Made by Alderman Hartpence, seconded by Mayor Pro Tem Schmidt to approve the Ordinance establishing stop signs within the Woods at Fair Oaks Ranch subdivision.

DISCUSSION: Ken Nichols, 30143 Cibolo Run inquired who pays for the signs to be replaced. Mayor Landman responded the HOA reimburses the City.

VOTE: 5-0; Motion Passed

F. Approval of Ordinance setting the speed limit to 25 MPH in the Woods at Fair Oaks Ranch subdivision, Fair Oaks Ranch, Texas.

Scott Rubin, Police Chief stated prima facie speed limit is 30 mph. He drove through the neighborhood and the recommendation is to reduce the speed limit to 25 mph.

MOTION: Made by Alderman Manitzas, seconded by Alderwoman Havard to approve the Ordinance setting the speed limit to 25 MPH in the Woods at Fair Oaks Ranch subdivision.

DISCUSSION: Ken Nichols, 30143 Cibolo Run inquired if there would be any loss to the City. Chief Rubin responded not at all the signage is already in place.

VOTE: 5-0; Motion Passed

G. Approval of Ordinance establishing stop signs within Trailside subdivision, Fair Oaks Ranch, Texas.

Scott Rubin, Police Chief stated Trailside is not a gated community, signs are already in place, and we are now passing the Ordinance.

MOTION: Made by Alderwoman Havard, seconded by Alderman Damstra to approve the Ordinance establishing stop signs within Trailside subdivision.

DISCUSSION: None

VOTE: 5-0; Motion Passed

H. Approval of Interlocal Agreement with Kendall County for Subdivision Regulation within the Extraterritorial Jurisdiction of the City of Fair Oaks Ranch.

Carole Vanzant, Deputy City Administrator stated at the Kendall County Commissioners court meeting the Commissioners approved our interlocal agreement. The agreement authorizes Kendall County to enforce their subdivision regulations within the City's ETJ until December 2015. Thereafter renewal of the agreement is on an annual basis. The agreement also provides for a ninety day non-renewal notice.

MOTION: Made by Alderman Hartpence, seconded by Alderwoman Damstra to approve

the interlocal agreement with Kendall County for Subdivision Regulation within the Extraterritorial Jurisdiction of the City of Fair Oaks Ranch.

DISCUSSION: None

VOTE: 5-0; Motion Passed

VI. CONVENE INTO CLOSED SESSION

Pursuant to Section 551.071 of the Open Meetings Act, Texas Gov't Code, Consultation with Attorney, a quorum of the governing body convened into closed session at 8:38 p.m. to consult with Attorneys on legal issues regarding the City's authority regarding variances and/or encroachments in the drainage way, located in the Woods at Fair Oaks Ranch subdivision.

VII. RECONVENE INTO OPEN SESSION

Council reconvened into open session at 8:56 p.m.

VIII. REPORTS FROM STAFF / COMMITTEES / COUNCIL

Carole Vanzant, Deputy City Administrator provided Council with an update on the City's Holiday Schedule and Republic's Holiday/Christmas Tree Trash Pickup.

Council – Requests from City Council members to place items on a future agenda.

1. Mayor Pro Tem Schmidt – Would like a report on the Pape Dawson Street Bond Update.
2. Mayor Pro Tem Schmidt – Golf Cart Rules.
3. Mayor Pro Tem Schmidt – Front Gate Police Protection.
4. Mayor Pro Tem Schmidt – Drainage encroachment ordinance.

IX. ADJOURNMENT

Mayor Landman adjourned the meeting at 9:00 p.m.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary

MINUTES, DECEMBER 17, 2015; 4:30 PM
CITY OF FAIR OAKS RANCH
7286 DIETZ ELKHORN
FAIR OAKS RANCH, TEXAS 78015

I. CALL TO ORDER

Council Members Present: Alderwoman Havard, Alderman Manitzas, Alderman Damstra, Alderman Hartpence, and Mayor Pro Tem Schmidt.

Having a quorum present, Mayor Landman called the Special Council meeting to order at 4:30 p.m.

II. TOUR OF PUBLIC SAFETY BUILDING

Members of the City Council and select staff toured the restricted construction site of the public safety building. Because of safety issues on the construction site, the tour was restricted to the public officials and select staff.

III. CONVENE INTO COUNCIL CHAMBERS

At 5:04 p.m., Mayor Landman, Council, and select staff convened into the Council Chambers.

IV. DISCUSSION/PRESENTATION/CITIZEN and GUEST FORUM

Report from Ralph Wiesepape, Project Manager.

Ralph Wiesepape, Project Manager stated sheathing will begin tomorrow followed by stucco. All of the steel work should be completed within two weeks. The next phase will consist of plumbing and electrical work. The buildings outside signage will be eight inch bronze letters to match the rest of the building's exterior and the new building will offer approximately 17 vehicle parking slots. Scott Rubin, Police Chief announced to Council that he would like the building completely finished before the Police Department moves into the new facility.

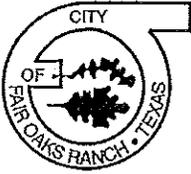
V. ADJOURNMENT

Mayor Landman adjourned the meeting at 5:15 p.m.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Council Deliberation of Choices to be use in Managing White Tailed Deer

START/END DATE: January 21, 2016

DEPARTMENT: Administration

PRESENTED BY: Alderman Manitzas and Alderwoman Havard

INTRODUCTION/BACKGROUND:

This is the decision making step in the plan set by council resolution in May, 2015 to address managing white tailed deer. We have completed the previous steps of reserving funds in the budget (\$50,000), staging a Town Hall meeting to solicit citizen input, receiving citizen comments by email and phone calls, and agreeing as a council on the range of action items for consideration including agreeing on pros, cons, and estimated costs of the alternatives. The goal for the council deliberation is to decide on what option(s) are to be pursued and to formalize that decision as a council resolution. There will be follow up steps to be taken as a result of the decisions made.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Provide a resolution to a community concern that has been discussed for at least 15 years through three formal studies. We have no doubt this issue will continue to be discussed, but the citizens have clearly indicated that they expect council to reach some decision(s).
2. Provide a framework and parameters within which the community can work to address this long-standing issue. This will provide a basis for forward movement within guidelines approved by council and with a budget commitment from council to support the actions.
3. Reach agreement among council members on a period of time during which the actions decided upon will be implemented and agreement that no additional formal action will be undertaken by council until the expiration of the agreed upon time period. We would expect to evaluate results at the end of that time period and determine what future actions should be taken.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

From responses in the Town Hall Meeting and individual comments received from citizens by the aldermen, the majority of the citizens have expressed a willingness to spend not more than \$50,000 per year to address this issue. This is also the amount currently budgeted. We will use this amount for planning guidance.

LEGAL ANALYSIS:

There is no legal analysis required at this point. It is possible, depending on courses of action taken, that a need for legal analysis that is presently unknown could arise.

RECOMMENDATION/PROPOSED MOTION:

I move to pass a resolution adopting Option(s) number _____ presented in the attached document titled "Range of Options to be Considered in Managing White Tailed Deer in Fair Oaks Ranch", as edited by council, for implementation. Additionally, I move that responsibility for implementation of these recommendations be assigned to the City Administrator as part of that office's ongoing work plan. Council requests that the City Administrator bring a proposed implementation plan to council within 60 days. Council also requests that actions implemented be in place for at least _____ years prior to taking this subject up for major review.

Range of Options to be Considered in Managing White Tailed Deer in Fair Oaks Ranch

Option	Pros	Cons	Incremental Estimated Annual Cost	Notes
<p>1. No action (Status Quo)</p> <p>#5 choice at Town Hall</p> <p>2010 Ad Hoc Committee survey open-ended questions had some support for Status Quo</p>	<p>a. No cost</p> <p>b. No administrative impact</p> <p>c. Satisfies residents who think we should be doing nothing with the deer.</p>	<p>a. Does not satisfy stated desires of community majority as expressed in Town Hall, previous Ad Hoc Citizen studies, and emails received by aldermen</p> <p>b. 2010 Ad Hoc survey showed 58% of 943 responders wanted fewer deer and 42% wanted same or more</p> <p>c. 9% picked as one of their top three choices in Town Hall meeting</p>	<p>\$0</p>	

<p>2. Education program</p> <p>#3 choice at Town Hall</p> <p>Open ended responses to 2010 Ad Hoc committee survey indicated support for education</p>	<p>a. Improves citizen knowledge level</p> <p>b. Helps replace emotional rhetoric with informed discussion</p> <p>c. With proper funding, can inform community members</p> <p>d. May alter behavior in some citizens</p> <p>e. Supports a graduated approach recommended by a number of citizens</p> <p>f. Provides continuing venue for citizen engagement</p> <p>g. Could consider webinars as tool to make information more accessible</p> <p>h. Could potentially use HOA gatherings (FORHA annual meeting for example) as education venue if HOAs agreed</p> <p>i. 15% picked as one of their top three choices in Town Hall meeting</p>	<p>a. Will not satisfy citizens who want deer removed</p> <p>b. Requires continuing involvement from staff, council, TPW and citizen volunteers</p> <p>c. No estimate in Texas A&M Kingsville on time to reach targeted population</p>	<p>\$36,000</p> <p>(Assumes three programs per year including mail outs and meeting costs; see note 1)</p>	<p>1</p>
---	---	--	--	----------

<p>3. Feeding Ordinance</p> <p>a. No feeding or</p> <p>b. No feeding of corn</p> <p>#1 choice at Town Hall</p> <p>2010 Ad Hoc Committee survey showed about same % feeding now as in 2010.</p> <p>Open-ended responses in 2010 survey showed some support for no feeding.</p>	<p>a. Provides tool to drive change in behavior</p> <p>b. Provides active path for citizens who perceive a problem in their neighborhood</p> <p>c. Can reduce concentration of deer by taking away attraction of food</p> <p>c. Provides range of choices in form of ordinance and fines</p> <p>d. Promoting use of police dispatch number provides enforcement tool and captures data for future analysis</p> <p>e. Promotes health of deer</p> <p>f. 23% picked as one of their top three choices in Town Hall meeting</p>	<p>a. Enforcement is not easy per Chief Rubin's discussions with other cities enacting ordinances</p> <p>b. Has been politically unsustainable in some cities</p> <p>c. Enforcement requires a complainant (police officer or citizen observing feeding) to act as a witness in a court proceeding</p> <p>d. Existing "nuisance" ordinance has been used very little; education program may make use more likely</p> <p>e. No estimate in Texas A&M Kingsville on time to reach targeted population</p>	<p>\$1,000</p> <p>Jury trials could add cost</p>	<p>2</p>
<p>4. Trap, Transport & Process (TTP)</p>	<p>a. Active step to reduce population favored by some citizens; would produce some level of immediate result when implemented</p>	<p>a. Some citizens object on humane grounds</p> <p>b. Cost exceeds what a majority of citizens willing to accept as expressed in</p>	<p>\$73,000</p> <p>+</p> <p>Admin costs of city staff</p>	<p>3, 6</p>

<p>#2 choice at Town Hall</p>	<p>b. May be possible to sell Axis trapped but both ability to do this in the future and future market value for Axis deer are significant unknowns c. 20% picked as one of their top three choices in Town Hall meeting</p>	<p>both Town Hall meeting and in individual communication received by aldermen from citizens c. Requires permits. Can only be utilized a few months per year as defined by TPW hunting season. d. City owns no land. Have to get permission for enough suitable private land acceptable to the trapper e. Axis deer may fill in where white tailed deer removed f. Other white tailed deer may migrate in from outside FOR g. Cost estimate does not include administrative costs for city to do coordination with landowners, trappers, TPW. Must have city staff involved for continuity. Some cities have added a position to manage</p>	
-------------------------------	---	--	--

<p>5. Trap, Transport, & Translocate (TTT) #4 choice at Town Hall</p>	<p>a. Active step to reduce population favored by some citizens; would produce some level of immediate result when implemented b. 15% picked as one of their top three choices in Town Hall meeting</p>	<p>program. h. Requires 9 years to reach population targeted per Texas A&M Kingsville study</p> <p>a. Some citizens object on humane grounds b. Cost exceeds what a majority of citizens willing to accept as expressed in both Town Hall meeting and in individual communication received by aldermen from citizens c. Requires permit. Can only address a few months per year as defined by TPW. d. City owns no land. Have to get permission for enough suitable private land acceptable to the trapper e. Axis deer may fill in where white tailed deer removed f. Other white tailed deer may migrate in from outside FOR</p>	<p>No estimate provided in A&M Kingsville study. Reasonable to assume cost would be at least as much and probably somewhat greater than TTP option. \$73,000 + + Admin costs of city staff</p>	<p>6</p>
---	---	--	--	----------

<p>6. Sharpshooting</p> <p>#7 choice at Town Hall</p>	<p>a. Fairly effective results in some areas of country</p> <p>b. May provide some immediate relief</p>	<p>g. City admin costs</p> <p>h. Relocation could be difficult per TPW rep</p> <p>i. No estimate in A&M Kingsville study on time to reach target population</p>	<p>a. Safety is an issue due to urban setting</p> <p>b. Requires permit</p> <p>c. City owns no land. Have to get permission for enough private land suitable for sharpshooting</p> <p>d. Humane issue for some residents</p> <p>e. Cost exceeds what majority of citizens have indicated is acceptable</p> <p>f. Requires 9 years to reach population targeted in Texas A&M Kingsville study</p> <p>g. Requires ordinance modification regarding discharging firearms</p> <p>h. 6% picked as one of their top three choices in Town</p>	<p>\$85,000</p> <p>+</p> <p>Would have costs to qualify hunters, provide police oversight to manage safety issues, increased liability insurance costs, costs to dispose of deer, test sample, and health inspection</p>	<p>4, 6</p>
---	---	---	---	--	-------------

<p>7. Organized archery hunts</p> <p>#6 choice at Town Hall</p>	<p>a. Fairly effective results in more rural areas of country</p>	<p>Hall meeting</p> <p>a. Safety is an issue due to urban setting</p> <p>b. Requires permit</p> <p>c. Public land used in other states not available; have to get permission for enough suitable private land to safely conduct hunts</p> <p>d. Humane issue for some residents</p> <p>e. Wounded animals may have to be tracked onto private property</p> <p>f. No estimate on time to reach targeted population in Texas A&M Kingsville study</p> <p>g. 9% picked as one of their top three choices in Town Hall meeting</p>	<p>No cost estimate in Kingsville A&M report. Would have costs to qualify hunters, provide police oversight to manage safety issues, increased liability insurance costs, costs to dispose of deer, test sample, and health inspection</p>	
---	---	--	--	--

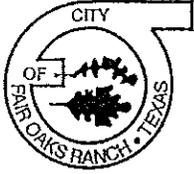
<p>8. Sterilization choices (Surgical/immuno-contraception</p>	<p>#8 and #9 choices at Town Hall</p>	<p>a. Somewhat more humane from standpoint of some residents; some residents would object due to requirement to capture first</p>	<p>a. Requires permit which has never been approved in Texas by TPW b. Effectiveness is questionable from comments in A&M Kingsville study c. No visible results for several years. . Would require estimated 18-20 years to reach targeted population in A&M – Kingsville study d. Cost is very much in excess of what citizens indicate they are willing to support e. Less than 3% picked as one of their top three choices in Town Hall meeting</p>	<p>\$110,000 - \$146,000 depending on method per Texas A&M – Kingsville study</p>	<p>5, 6</p>
--	---------------------------------------	---	---	---	-------------

Notes:

1. Continuing education estimate assumes **three sessions per year** with the following action items in each sessions:

Professional quality mail out to all FOR households with relevant wildlife mgmt. topic	\$9,000
(3000 households times about \$3 per copy for printing and mailing)	
Hosted meeting with qualified educational speakers; includes location and some staff time	2,000
Miscellaneous materials and advertising for educational sessions	1,000

2. Allow moderate incremental cost for police/court costs
3. Cost estimate from 2014 Texas A&M – Kingsville study
4. Cost estimate from 2014 Texas A&M – Kingsville study
5. Cost estimate from 2014 Texas A&M – Kingsville study
6. 30% of citizens selected spend no money on managing deer; 41% selected spend up to \$50,000 annually.



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approving Resolution appointing members to the Building Codes Board of Appeals in the City of Fair Oaks Ranch, Texas.

START/END DATE: January 21, 2016

DEPARTMENT: Building Codes

PRESENTED BY: Building Official

INTRODUCTION/BACKGROUND:

The Building Code Board of Appeals hears and decides appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the International Building Code, International Residential Code for One and Two Family Dwellings, International Energy International Mechanical Code, International Fuel Gas Code, International Fire Code, Conservation Code, International Plumbing Code, and National Electric Code. The Board shall be appointed by the Fair Oaks Ranch City Council and shall hold office at its pleasure to assist in their function in performing duties to the Building Codes Chapter of the Code of Ordinances and Chapter 211.010 of the Local Government Code. The Board shall adopt rules of procedure for conducting its business and will be composed of no fewer than three members who are qualified by experience and training to matters relating to building construction and are not employees of the jurisdiction with one alternate member who shall be called by the Board Chairperson to hear appeals during the absence or disqualification of a member.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

N/A

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

I recommend to approve the Resolution appointing members to the Building Codes Board of Appeals.

**A RESOLUTION
APPOINTING MEMBERS TO THE BUILDING CODES BOARD OF APPEALS
IN THE CITY OF FAIR OAKS RANCH, TEXAS**

WHEREAS, the Building Code Board of Appeals hears and decides appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the International Building Code, International Residential Code for One and Two Family Dwellings, International Energy International Mechanical Code, International Fuel Gas Code, International Fire Code, Conservation Code, International Plumbing Code, and National Electric Code; and,

WHEREAS, the Board shall be appointed by the Fair Oaks Ranch City Council and shall hold office at its pleasure; and,

WHEREAS, members have been asked to join the Building Code Board of Appeals to serve at the pleasure of the City Council to assist in their function in performing duties to the Building Codes Chapter of the Code of Ordinances and Chapter 211.010 of the Local Government Code; and,

WHEREAS, the Board shall adopt rules of procedure for conducting its business; and,

WHEREAS, the City Council of Fair Oaks Ranch has determined that the Committee will be composed of no fewer than three members who are qualified by experience and training to matters relating to building construction and are not employees of the jurisdiction with one alternate member who shall be called by the Board Chairperson to hear appeals during the absence or disqualification of a member.

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

Darrell White, Commercial Contractor
Jenks Boston, Home Builder
Walter Wong, Architect

is hereby appointed to the Building Codes Board of Appeals with the following alternate member:

Earl Hamilton, Master Plumber

PASSED AND APPROVED THIS THE 21st DAY OF JANUARY, 2016

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary

Bio For:

Darrell White
32052 Scarteen
Fair Oaks Ranch, Texas 78015

Darrell White joined Bartlett Cocke Jr. Construction Co. in 1974, as a carpenter apprentice working at 4001 N. New Braunfels Condominium Tower. Except for one short period in the late 70's, Darrell has been part of the Bartlett Cocke team. Darrell worked his way up from Carpenter, to Carpenter Forman, Superintendent, Sr. Superintendent, Project Manager and now Sr. Project Manager and Employee Owner.

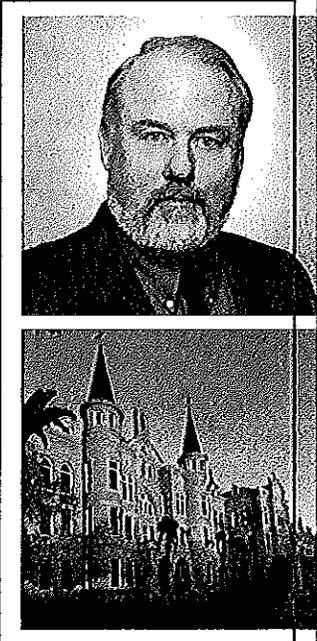
As a Senior Project Manager, Darrell is involved in and/or oversees all aspects of projects from early on in the procurement process, through the construction and close out at the end of projects, and all phases in between. Typically Darrell is overseeing and managing four or five projects at any one time. Starting at the bottom, and working his way up through the field, and into management provides Darrell with the knowledge needed to work with Bartlett Cocke Staff, Subcontractors, Architects, Engineers and Owners.

Darrell was a member of the Boerne Vol. Fire Department for 21 years, serving 16 of those years as either the Treasurer or President. After retiring from the fire department, Darrell served on the ABC South Texas Chapter Board of Directors, Executive Committee, and served as the Chair in 2012.

Darrell (and Judy) were very involved in the Kendall County Women's Shelter, where Darrell served on the Capital Campaign and Board of Directors. The Shelter Building was constructed by Bartlett Cocke, and Darrell was the Project Manager for the construction.

Darrell and Judy continue to support the St. Mark Early Learning Center, even though all of their grand daughters have moved on to public school.

Darrell enjoys hunting and fishing with family and friends, spending time with family in Colorado, weekends at the lake house and gardening. Darrell and Judy (his wife of 29 years) live in Fair Oaks with their poodle Max.



Darrell White

Senior Project Manager

Darrell White has worked as both a Superintendent and Project Manager, which gives him a well rounded perspective into all aspects of construction management. Today, Darrell works as a Senior Project Manager, overseeing multi-million dollar projects for various sectors; including corporate, healthcare, government, K-12 and higher education. With more than 37 years of construction experience, he is an effective and reliable Project Manager who possesses a comprehensive understanding of how a project comes together from start to finish.

Darrell brings a depth of experience to a construction project that is unequalled. He was recognized by the American Subcontractors Association in 2004 as the Outstanding Project Manager. In 2000, Darrell was awarded the Associated General Contractors' Safe Superintendent of the Year distinction. Having both Project Manager and Superintendent experience allows Darrell to fully understand all aspects of construction management.

As the Senior Project Manager, Darrell will be responsible for providing project oversight and coordination. He will specifically provide management and oversight of monthly project review meetings, submittal reviews, expediting the project schedule, project communications, Requests for Information, subcontractor proposal requests, subcontractor buyouts, labor and material deliveries, pay applications and change request pricing.

Darrell is an employee-owner of Bartlett Cocke General Contractors.

Experience

Alamo Heights 2005 Bond Program – \$42,007,760

Alamo Heights ISD, San Antonio, TX; 67,000 SF, new construction / 44,000 SF, renovation; new fine arts center and science center; ASA Outstanding Project (over \$10 million)

Churchill High School P.E. & Athletics Additions & Renovations – \$ 30,727,176

North East ISD, San Antonio, TX; 69,925 SF, new athletic facility including soccer field & tennis courts; re-orientation of the baseball field and relocation of the shot-put and discus throw areas

Byron P. Steele High School – \$32,966,000

Schertz-Cibolo-Universal City ISD, Cibolo, TX; 320,000 SF, new high school; "school within a school" concept utilizing a main mall with 4 wings that house their own administrative area; 2,000 student capacity

Broadway National Bank Operations Building – \$15,813,800

San Antonio, TX, 78,000 SF, new office space, data center, employee cafe and large conference room with A/V system; includes demolition of existing motor bank

Our Lady of the Lake University, Main Building Redevelopment – \$18,458,769

San Antonio, TX; 89,000 SF, historic building renovation and restoration; BIM utilization; green rated flooring; reclamation and reuse of historic architectural woodwork and doors; 2010 ASA Project of the Year (Between \$10 -\$20 million)

BARTLETT COCKE
GENERAL CONTRACTORS

CAREER SUMMARY

31 years with Bartlett Cocke
37 years total experience

REFERENCES

Our Lady of the Lake University
Darrell Glasscock
Director of Physical Plant
210.434.6711 x2358

Alamo Heights ISD
Mike Hagar
Business Manager
210.822.3374

CITY OF RESIDENCE

San Antonio, TX

Del Mar College Health Sciences & Emerging Technology Center – \$28,222,949
Corpus Christi, TX, 180,000 SF, building featuring multi-function lecture/laboratory classrooms to support dental, nursing, occupational and physical therapy studies; 2007 ABC Excellence in Construction Award

Patricia Blattman Elementary School – \$9,909,000
Northside ISD, San Antonio, TX; 83,150 SF, new elementary school

Clara Driscoll Middle School – \$9,815,000
North East ISD, San Antonio, TX; 157,400 SF, middle school with 68 classrooms, cafeteria, gyms, fields & parking

Boerne ISD 1999 Bond Program – \$25,750,000
Boerne ISD, Boerne, TX; 82,000 SF, new elementary school / 138,000 SF, new junior high school, 8 campus additions and renovations

Larkspur Elementary School Addition & Renovations – \$9,096,000
North East ISD, San Antonio, TX; 44,919 SF, additions and renovations with 23 classrooms and associated teacher support area

South Texas Blood & Tissue Center, Phase III – \$11,600,000
San Antonio, TX; 44,000 SF, new two-story donor center and office space; 2008 Excellence in Construction Award (Healthcare \$10 - 25 Million)

Citicorp Data Systems, Inc. – \$12,738,000
San Antonio, TX; 151,000 SF, Building II, new three-story Service Center with connecting overpass walkway to Building I

CitiCorp Data Systems, Inc. – \$12,124,000
San Antonio, TX; 165,000 SF, Building III, new 3-story building; double redundant MEP systems; non-traditional building methods such as starting masonry from the top & working down, using high-performance early-strength concrete

Citicorp Data Systems, Inc. – \$9,881,000
San Antonio, TX; 125,000 SF, New two-story Service Center, built in 6 months including master planning and design/build Fast-Track

City of San Antonio Wolff Municipal Baseball Stadium – \$8,400,000
San Antonio, TX; 85,000 SF, 6000 seat baseball stadium, built in 194 calendar days including 25 acres of site development

Jaffe Aerospace Corporation – \$6,393,000
125,000 SF, New building including hangar space for two 707's & office & shop

Parkside Office Building – \$2,300,000
35,000 SF, 3-story office building shell
25,000 SF, 2-level parking garage

Alamo Heights 2010 Bond Program – \$32,000,000
Alamo Heights ISD, San Antonio, TX; additions and renovations to all campuses

Kendall County Women's Shelter – \$1,520,000
Boerne, TX; 6,950 SF additions and renovations

THE BOSTON COMPANY
31201 KEENELAND DRIVE
FAIR OAKS RANCH, TEXAS
78015

December 28, 2015

Jenks E. Boston builder bio:

I am a second generation builder and have been involved in residential custom home building in south Texas since moving to Fair Oaks Ranch in 1995. I was a project manager for Baker and Anderson Custom Homes from 1995 to 1998 and production manager at Burdick Custom Homes from 1998 to 2006. In 2006, my wife Laura and I started The Boston Company. We are engaged in high end custom home building and remodeling. During the last 20 years, I have built over 100 high end /custom homes in the San Antonio and Texas Hill Country area.

Jenks E. Boston

Walter Wong received his Bachelor of Architecture degree from the University of Texas at Austin in 1980. He is a licensed Architect in the state of Texas with over 35 years of design experience in multi-use, commercial, financial, hotel, health care, educational and residential projects.

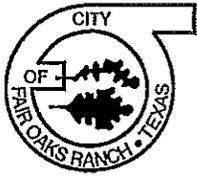
As president of his own architectural firm, Walter Wong, Architect, his designs have received numerous local and state-wide design awards. Some of his notable local commercial designs include the USAA Federal Savings Bank and the UTHSCSA Student Service and Academic Administration Buildings in San Antonio, as well as the City of Fair Oaks Ranch Administration, Fire Station, and Maintenance Buildings. He now specializes in residential design and is responsible for over 600 custom homes, with approximately 250 homes in the City of Fair Oaks Ranch.

Walter and his family moved to Fair Oaks Ranch in 1994 where he has served as chairman of the Blackjack Estates Architectural Control Committee.

Earl Hamilton Bio

Earl Hamilton is a long time residence of Fair Oaks Ranch. Earl graduate from Texas A&M University with a Bachelor of Science degree. Earl was the President and CEO of Hamilton Plumbing Co. which was in business for over 40 years. Earl is currently retired but maintains his Master Plumbing License designation. Mr. Earl Hamilton would be honored to serve on the Building Codes Board of Appeals.





CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Letter to SAWS to Provide Service within City Limits

START/END DATE: 12/23/2015 to Present

DEPARTMENT: Public Works

PRESENTED BY: Project Engineer

INTRODUCTION/BACKGROUND:

On December 23, 2015 the City's Public Works Department received a request to provide a letter to San Antonio Water System (SAWS) that would permit them to provide water and wastewater service to a property at the corner of Leslie Pfeiffer Drive and IH-10W. The request was made by LJA Engineering as part of their Utility Service Agreement (USA) application with SAWS. The property is located at 28312 Leslie Pfeiffer Drive and contains a 4.105 acre tract of undeveloped land. This property is located on or in close proximity to our CCNs 11246 and 20497.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The 4.105 acre tract of land is planned for future commercial development. Current City water infrastructure in this area has inadequate fire flow supply for commercial development and this lot does not have access to City wastewater service.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

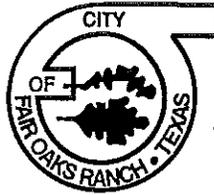
None

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

I move to authorize staff to furnish a letter to SAWS that permits extension of their water/wastewater services to 28312 Leslie Pfeiffer Drive, Fair Oaks Ranch, TX, 78015.



Draft

7286 Dietz Elkhorn · Fair Oaks Ranch, Texas 78015 · (210) 698-0900 · (866) 258-2505

January 22, 2016

Sam Mills, P.E.
San Antonio Water System
2800 US. HWY 281 North
San Antonio, TX 78212

RE: Water and Wastewater Service Approval
Leslie Pfeiffer Drive and IH-10 West

Dear Mr. Mills,

The following letter serves to grant authorization to San Antonio Water System to provide water and wastewater services within the City of Fair Oaks Ranch's Certificate of Convenience and Necessity, CCN #11246 and 20497, at the following location:

Address: 28312 Leslie Pfeiffer Drive, Fair Oaks Ranch, TX 78015

Plat Title: Pfeiffer Ranch Corners, Unit 2

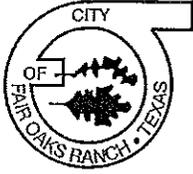
Legal Description: Being 4.105 acres, more or less, out of Maria F. Hernandez Survey No. 420, abstract No. 314, County Block 4709, as recorded in volume 7020, page 571 of the official public records, Bexar County, Texas.

The City of Fair Oaks Ranch provides written consent for this, and only this, location at this time. Please call me at (210)698-0900 if you require any other documentation.

Sincerely,

Adrian M. Garcia, P.E.
City of Fair Oaks Ranch

cc: Ronald C. Emmons, P.E., (via E-mail)
Marcus Jahns, Interim City Administrator (via E-mail)
Priscilla G. Flores, P.E., LJA Engineering, Inc. (via E-mail)



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Resolution Authorizing the City to Post Notices at the Entrances to Buildings owned or leased by the City of Fair Oaks Ranch Prohibiting Concealed or Openly Carried Handguns into an area that houses a Public Meeting of a Governmental Entity that is subject to the Open Meetings Act and to post the Notices Advising the Public of the Prohibition of Carry a Handgun on Court Facilities in Buildings that House the Municipal Court and Court Offices making License Holders Aware of the Court Facilities.

START/END DATE: January 21, 2016

DEPARTMENT: Police Department

PRESENTED BY: Police Chief

INTRODUCTION/BACKGROUND:

The State of Texas has passed House Bill 910 which became effective on January 1, 2016 allowing the concealed or open carrying of handguns by license holders, allowing license holders to carry handguns in public areas to include buildings owned or leased by a governmental entity.

The Texas Penal Code Section 30.06 and 30.07 provide statutory notice that a license holder they may not carry a handgun either concealed or openly carried into any room which houses a meeting of a governmental entity that is subject to the Open Meetings Act if notices are properly posted.

The Texas Penal Code 46.03 also permits the City of Fair Oaks Ranch (City) to prohibit a handgun license holder from carrying a handgun in portions of a building utilized by a government Court or offices which are essential to the Court operations and to make the determination as to which portions of the building are essential.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City believes it is beneficial for the safety of all participants and attendees to prohibit the carrying of handguns in the Municipal Court, Court Offices or a Governmental Meeting that is subject to the Open Meetings Act and place such statutory notices in compliance with the new laws at all the relevant locations in the City.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

LEGAL ANALYSIS:

Approved to Form by the City Attorney.

PROPOSED MOTION:

I move to approve the Resolution authorizing the City to Post Notices at the Entrances to Buildings owned or leased by the City of Fair Oaks Ranch Prohibiting Concealed or Openly Carried Handguns into an area that houses a Public Meeting of a Governmental Entity that is subject to the Open Meetings Act and to post the Notices Advising the Public of the Prohibition of Carry a Handgun on Court Facilities in Buildings that House the Municipal Court and Court Offices making License Holders Aware of the Court Facilities.

RESOLUTION NO. 2016-xx

A RESOLUTION AUTHORIZING THE CITY TO POST NOTICES AT THE ENTRANCES TO BUILDINGS OWNED OR LEASED BY THE CITY OF FAIR OAKS RANCH PROHIBITING CONCEALED OR OPENLY CARRIED HANDGUNS INTO ANY AREA THAT HOUSES A PUBLIC MEETING OF A GOVERNMENTAL ENTITY THAT IS SUBJECT TO THE OPEN MEETINGS ACT AND TO POST THE NOTICES ADVISING THE PUBLIC OF THE PROHIBITION OF CARRYING A HANDGUN ON COURT FACILITIES IN BUILDINGS THAT HOUSE THE MUNICIPAL COURT AND COURT OFFICES MAKING LICENSE HOLDERS AWARE OF THE COURT FACILITIES.

WHEREAS, the State of Texas has passed House Bill 910 which becomes effective January 1, 2016 allowing the concealed or open carrying of handguns by license holders, allowing license holders to carry handguns in public areas to include buildings owned or leased by a governmental entity; and

WHEREAS, the Texas Penal Code Section 30.06 and 30.07 provide statutory notice that a license holder they may not carry a handgun either concealed or openly carried into any room which houses a meeting of a governmental entity that is subject to the Open Meetings Act if notices are properly posted; and

WHEREAS, the Texas Penal Code 46.03 also permits the City of Fair Oaks Ranch (City) to prohibit a handgun license holder from carrying a handgun in portions of a building utilized by a government Court or offices which are essential to the Court operations and to make the determination as to which portions of the building are essential; and

WHEREAS, the Attorney General has determined the new regulations require the City to confer with the government Court about which portions of the building are essential for the Court and Court offices; and

WHEREAS, the City believes it is beneficial for the safety of all participants and attendees to prohibit the carrying of handguns in the Municipal Court, Court Offices or a Governmental Meeting that is subject to the Open Meetings Act and place such statutory notices in compliance with the new laws at all the relevant locations in the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FAIR OAKS RANCH, BEXAR COUNTY TEXAS:

Section 1. The City recognizes Penal Code 30.06, 30.07 and 46.03 as the applicable statutory regulations and notice requirements for Municipal Courts, Court offices and rooms subject to the Open Meetings Act as well as the subsequent Attorney General opinions interpreting such statutes in light of first impression scenarios.

Section 2. The City has consulted with the Municipal Court and hereby prohibits handgun license holders from carrying in City courtrooms, Court offices and portions of the building identified as essential functions to the Court and Court offices. Exhibit A reflects the specific

language for the signage that will provide notice to the public for the relevant locations of Court and Court offices.

Section 3. The City also prohibits handgun license holders from carrying in rooms that are subject to the Open Meetings Act. Exhibit B reflects the specific statutory language for the signage to be posted outside of any room(s) where the governmental entity meetings are held subject to the Open Meetings Act.

Section 4. The City Council directs the Interim City Administrator or his designee to post the requisite signs as stated above.

Section 5. This Resolution is effective immediately upon passage and repeals any prior resolutions, policies or practices inconsistent or in conflict with this Resolution.

PASSED AND APPROVED this _____ day of _____ 2016.

Cheryl Landman, Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

Exhibit A

Sign to be posted outside entrance of City Hall



This building houses Municipal Court and Municipal Court offices. All weapons are prohibited pursuant to Penal Code Section 46.03(a)(3) while court is in session and court offices are open for business. Municipal Court and Municipal Court offices conduct business Monday-Friday 8:00 A.M. – 5:00 P.M. An offense under Penal Code Section 46.03(a)(3) is a third degree felony.

La corte municipal y las oficinas de la corte municipal se encuentran en este edificio. Conforme a la sección 46.03(a)(3) del código Penal, está prohibido cargar armas cuando la corte está en sesión o cuando las oficinas de la corte municipal están realizando negocios. La corte y las oficinas de la corte municipal están realizando negocios de lunes a viernes de las 8:00 am a las 5:00 pm. Una ofensa bajo este código es un delito grave de tercer grado.

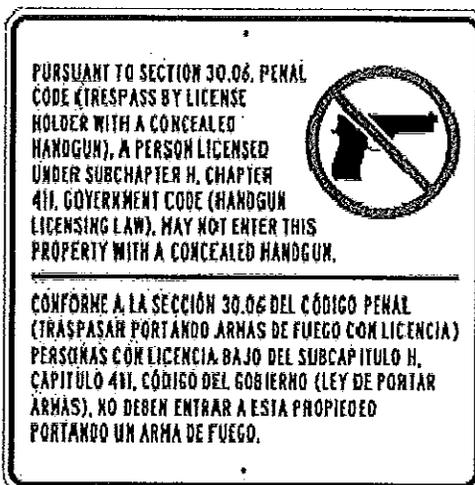


Exhibit B

Signs to be posted outside of room (City Council Chamber) where the governmental entity meetings are held subject to the Open Meetings Act.

Work Plan
FY 2015-16
City of Fair Oaks Ranch



GOVERNANCE

- Develop community vision, goals and strategies to be utilized as a base for updating strategic plan, Home Rule Charter, comprehensive plan and other planning efforts.
- Home Rule
 - Write paper explaining what Home Rule is, how it works, process etc. Council is currently compiling this information and anticipates distributing to Council at the February 7 City Council Meeting.
 - Determine structure, recruit and appoint a commission. Although there has been discussion regarding the number of commission members no Council decision has been made. Other parameters may include balanced geographic representation of all areas of the City, diverse professional backgrounds of members.
 - Open participation.
 - Draft proposed charter.
 - Anticipated charter election May 2017.



GOVERNANCE (Continued)

- City Administrator Recruitment
 - Prepare brochure: Chris Hartung Consulting (complete)
 - Distribute brochure and advertise position (complete)
 - Consultant screen resumes and submit to Council
 - Short list applicants
 - Council conduct interviews
 - Council reach a consensus and present offer to selected applicant
 - Negotiate terms of employment
 - Council makes appointment
 - Transition



DEVELOPMENT

- Revise 2007 Comprehensive Plan
 - Update Comprehensive Plan for administrative changes.
 - Update Land Use Map for new development inside the city limits.
 - Council establish parameters for new development inside the city limits and in the ETJ
- Zoning Inside the city limits
 - Utilizing the Revised Comprehensive Plan and Land Use Map adopt the necessary ordinances to establish zoning and land use inside the city limits.
 - Create and appoint a Zoning Commission.
- Extension of Water and Sewer CCNs in ETJ
- Revision of Subdivision Regulations



DEVELOPMENT (Continued)

- Negotiate Development Agreement for Owens Property with Scott Felder Homes
- Negotiate Inter-local Agreement with Bexar County regarding Plat Review and Subdivision Regulation in the ETJ
- Monitor Reserve Development Agreement with Mr. Pfeiffer (Pending)
 - Contested TCEQ Hearing before Administrative Judge regarding a sewer discharge permit is scheduled on March 6, 2016 in Austin. Staff will attend but not oppose the permit in accordance with the Reserve Development Agreement. FORU has also withdrawn its application for extending its CCNs into the Reserve based upon the Development Agreement and State statutes as approved by Council.



PUBLIC WORKS

- 2014 Street Bond Projects.
 - Complete engineering (Pape Dawson)
 - Community outreach (Pape Dawson & Public Works) Community outreach was initiated in January 2016.
 - Begin construction (Summer 2016)
- Update and revise 5 Year Capital Improvement Program.
- Ralph Fair Road Bridge Resolution to Tx DOT.
- Municipal Campus Complex Planning including parking.
- Boerne ISD Mulch Site Replacement.



UTILITIES

- Water
 - Water Capacity Study. Study completed by Grant Snyder. Follow-up with City Council regarding next steps.
 - TCEQ Compliance with Infrastructure Documentation
 - Water Rate Work Session with City Council
 - SAWS Franchise Agreement
- WASTEWATER
 - Treatment Plant Infrastructure Condition Assessment
 - Sludge Disposal
 - Odor Abatement
 - Treatment Plant Options



ENVIRONMENTAL

- Deer Management.
- Storm-water Management Implementation.
- Solid Waste RFP and Contract Negotiation.
- Hazardous Waste Pick-up.
- Oak Wilt Ordinance.



ADMINISTRATION

- Revamp and Streamline Budget Process.
- Audio/Visual Capabilities in Council Chambers.
- Wireless Internet Access -- should be in place February 2016
- Digitize City Records & Management.
- Review and Revise Financial Policies as appropriate.
- Review and Revise Investment Policies as appropriate.
- Employee Evaluation Form



**IMPORTANT INFORMATION
REGARDING BI-ANNUAL BULK/BRUSH PICKUP SERVICE**

The City of Fair Oaks Ranch contracts with Republic Services to provide a bi-annual bulk/brush pickup service. The pickup is "by the rules" as stated under **Quick Reference**. Republic Service will not pickup any pile that has excess brush, commingled brush/metal objects, items not placed out by the appropriate time/date, or piles placed near obstructions to the crane on their truck. Those passed by will need to be moved out of the city right of way or make arrangements with Republic Services or other private contractor for immediate pickup. Any resident placing bulk/brush items out either prior to or after their authorized date as noted below or for not moving items if passed by will be issued a summons for violating City Ordinance and will appear in court to pay the appropriate fine.

This is your official notice of your scheduled pickup time as noted below. *Please make note of the dates for your sector as this is the only notice you will receive for the pickup.* DO NOT PUT ITEMS OUT PRIOR TO YOUR SECTOR'S START DATE AS THIS IS A VIOLATION OF CITY ORDINANCE, AND WILL RESULT IN A CITATION BEING ISSUED AND MAY RESULT IN A FINE OF NOT MORE THAN \$2000 FOR EACH DAY OF THE VIOLATION. The items must be placed at the curb in front of your property, but not in the street. The pickup schedule is divided into three (3) sectors with one assigned bulk/brush pickup per sector:

- Sector 1 All residential homes South of (Below) Dietz Elkhorn - Not including homes ON Dietz Elkhorn
- Sector 2 All residential homes between Cibolo Creek and Dietz Elkhorn (Including homes on Dietz Elkhorn)
- Sector 3 All residential homes North of Cibolo Creek plus Deer Meadow Estates

BULK/BRUSH PICKUP SCHEDULE

- SECTOR:** The area where you live in the City as described above.
- START DATE:** The first day that you can put items at the curb for pickup starting at 5:00 AM.
- END DATE:** The last day to put out items at the curb - no later than Midnight the day before Pickup Begins.
- PICKUP DATE:** The day that brush/bulk trash pickup starts in your sector.

SECTOR	START DATE to PUT ITEMS OUT	END DATE to PUT ITEMS Out	PICKUP STARTS
1	January 23, 2016	January 31, 2016	February 1, 2016
2	January 30, 2016	February 7, 2016	February 8, 2016
3	February 6, 2016	February 14, 2016	February 16, 2016

Please follow the instructions listed under **QUICK REFERENCE** to ensure a complete and timely pickup by Republic Services. Failure to follow these instructions may result in items not being picked up and having to pay an additional fee for a special pickup. With your cooperation, your sector should be cleared of trash within four (4) weeks.

There are a few issues listed below that need special attention:

Contractors that you hire for brush or tree trimming must remove the trimmed waste as it will not be picked up by Republic Services. If your contractor does not want to haul the trimmings off you may contact Republic Services at 210-304-2700 / 800-275-4234 for a price estimate to remove the contractor's waste.

Brush piles larger than fifteen (15) feet in length, six (6) feet in width, and six (6) feet in height will not be picked up and will be subject to additional charges.

Hazardous Materials (batteries, oil, gasoline, tires, paint, etc.) will not be picked up and placing them in the street right of way is a violation of city ordinance (See backside of this notice for additional information, or visit city's website).

Illegal Dumping (i.e. trash on vacant lots) is a violation of State Law with fines and/or jail penalties. Please place your brush/bulk trash on your own property.

The City's goal is to ensure a speedy and effective brush/bulk trash removal with the intent of keeping our beautiful city a great place to live and visit. This can only be accomplished with your cooperation. Your neighbors, the Mayor and the City Council respectfully ask for your personal commitment to help achieve such.

QUICK REFERENCE

1. Place items out no later than Midnight the day before pickup is to begin in your sector. If you miss your pickup, contact Republic Services for information on receiving a special pickup. Items must be placed at the curb in front of your residence only (not on street).
2. Keep all bulk items separated three feet from brush and shrubbery trimmings especially scrap iron, wire, metal, etc. to avoid equipment damage. Do not place bulk items near fences, mail boxes, water meters, telephone pedestals, fire hydrants, under trees or other low hanging lines as the trash truck cannot safely pick up items there.
3. Remove gasoline/oil/propane/butane from items being discarded, i.e. lawn mowers, small engines, bar-b-que pits, gas cans, etc.

When hiring a contractor to cut and trim your trees, shrubs, etc. or to replace decks, carpets, etc. please make arrangements for the Contractor to remove the waste. Otherwise, you need to contact Republic Services for a price quote to remove the waste for you.

Items containing FREON are not acceptable by State Law. Republic Services can only accept freezers, refrigerators, air conditioners, and other applicable appliances with a state approved certificate from a licensed technician disclosing removal of the Freon. Each appliance must have the proper certificate attached when placed at the curb for pickup. No Exceptions. Call a/c firms, appliance companies, refrigerant removal firms, etc. for information and costs.

Following items ARE NOT acceptable so PLEASE DO NOT put these out for pick up!

Tires	Batteries	Waste oil	Gasoline	Pool Chemicals	Household Chemicals
Acids	Poisons	Paints*	Solvents	Auto Fluids	Pesticides
Glass such as windows and doors			Electronics such as TV's, Computers, Monitors, or Any electronic equipment		

These items are considered hazardous waste creating legal problems, health & safety concerns as well as machinery problems. Please take an active role in disposing of your hazardous wastes responsibly. The following can provide helpful information for you: 1-800-CLEANUP or www.earth911.org.

*Only dried paint is acceptable. Paint must be a solid before placing on curb.

CITY OF FAIR OAKS RANCH
7286 DIETZ ELKHORN
FAIR OAKS RANCH, TX 78015
(210) 698-0900
Email: cityhall@fairoaksranchtx.org

REPUBLIC SERVICES
4542 SE LOOP 410
SAN ANTONIO, TX 78222
(800) 275-4234

Ron Emmons

From: Habib Erkan <habib.erkana@rampage-sa.com>
Sent: Tuesday, January 12, 2016 4:29 PM
To: Ron Emmons
Cc: Charles Zech
Subject: FW: Meeting on Impact Fees
Attachments: Change of Impact Fee Emails.pdf

Mr Emmons:

This is in regards to your email to Charlie Zech regarding impact fees. Therein you ask our office to address Garry Manitzas' inquiries, as stated in his email sent to you on January 4, 2015. 2016

As a preliminary matter the opinions stated below are based on the assumption that the ordinance approving the new impact fees was effective on December 19, 2014.

To summarize the fact scenario, ²⁰¹⁴ the City revised its impact fee assessments for water and sewer to be effective on December 19, 2015. Our office confirmed that the assessment applied to plats recorded after the effective date and collected at the time of building permit issuance (inside corporate limits) and at the time of application for an individual meter connection (extraterritorial jurisdiction). See Texas Local Government Code Section 395.616(d).

However, inadvertently, some subdivision plats were allowed to be recorded after the effective date without being assessed the new impact fees. Mr. Manitzas noted that, without City Council's approval staff advised the developers of those subdivisions that the City would not seek the collection of the difference between the prior and current assessment.

Based on the forgoing, Mr Manitzas proffers two questions to us, which for our mutual convenience shall be restated and answered as follows:

Question One: Is there any legal basis or legal requirement for the city to attempt to recover the unbilled impact fees given that we have already communicated to the developers that we are not going to seek reimbursement? (Even if we have a valid legal basis, there is a good argument to be made that the developers have likely set sale prices relying on our representations that we were not going to seek reimbursement. This poses an ethical issue that may lead us to not attempt recovery even if we can legally.)

Response: In essence the question relates to the City's ability, and obligation, to submit a corrected assessment to Developers that states the current assessment amounts. We note that this decision was made without authorization from City Council. Consequently, this matter falls under the general rule that municipalities cannot be estopped in the exercise of its governmental function. See, *Trudy's Texas Star, Inc. v City of Austin*, 307 S.W. 894 (Tex. App. – Austin 2010, no pet.)

It is our opinion that the City can issue a corrected statement that contains the current assessment amount. Arguably, if this was a matter between private parties, the Developers could argue detrimental reliance or promissory estoppel. However, in instances such as this, where the city is exercising a governmental function, it is immune from such defenses. The case we found that is most like this situation is *Tara Partners, Ltd. v. City of S. Houston*, 282 S.W.3d 564 (Tex. App.—Houston [14th Dist.] 2009, pet. denied). In that case the court held: "City was not equitably estopped from asserting that alleged settlement agreement between owner and city, which

was handwritten and signed by city's attorney, regarding the refund of disputed water rate charges paid by owner, was unenforceable due to governmental immunity, as the settlement agreement was not binding on the city until a resolution was passed by a majority vote at a city council meeting, and owner was charged with notice of the limits of the authority of the city's attorney.” Id at 580.

As for the second part of the question, relating to whether or not the city is obligated to submit a corrected assessment, we will address the answer in our response to question two.

Question two: Have our errors in assessments created any other potential downstream legal risks that we may need to mitigate? Concerns here might be in the form of other developers discovering what we did and taking exception to their having to pay a different rate.

Response: There are no cases or attorney general opinions that we can cite that address this specific fact scenario. As you are aware, impact fee per service unit are calculate by the formula set out in Texas Local Government Code Section 395.05(a). As the fee per service unit is based on the assumption that a certain number of service units will be paying the impact fee any deviation will need to be made up somewhere. The City cannot make up the loss caused by not collecting the correct impact fee by imposing the difference on future development.

Our advice is to present this matter to City Council and ask that body if it wishes to ratify staff's decision. If City Council determines it will ratify staff's decision, it should do so be resolution setting out the particular findings it did so. Such findings can include reference to the staff's action and developers' reliance on that action in setting lot prices etc. Just keep in mind that the city council is not required by law to ratify staff's action or recognize the developers' reliance and the resolution should make this clear as well.

Other matters. Mr. Manitzas also questions the city's allowing developers' to either record plats before acceptance of public infrastructure by giving financial surety, or recording plats after acceptance of public infrastructure and its impact on the administration of impact fees. One way other municipalities have addressed this is, in the ordinance adoption new fee assessments, acknowledging those plats that have been approved, but not recorded, and apply the prior assessments to those plats.

Conclusion: Based on the information we have been provided it is our opinion that city staff was not authorized to excuse the payment of the new impact fee assessments because of "errors" in the collection of such fees. However, City Council could, but is not required to, ratify such action. Should City Council fail to ratify the action of city staff, the subdivision plat impact fee assessments should be corrected.

Cheers,

Habib H. Erkan, Jr.



A Professional Corporation

2517 N. Main Avenue

San Antonio, Texas 78212

Office: (210) 227-3243

Fax #: (210) 225-4481

Cell #: (210) 445-4164

Email: habib.erkhan@rampage-sa.com

CITY OF FAIR OAKS RANCH

UNBILLED IMPACT FEES
2015

Subdivision	# Lots	Assessed Impact Fee Due	Actual Impact Fee Paid	Remaining Impact Fee Owed
Setterfeld Estates Unit 2	10	\$69,500.00	\$26,765.30	\$42,734.70
Trailside - Unit 13	2	\$13,900.00	\$5,353.06	\$8,546.94
River Valley - Unit 14	7	\$48,650.00	\$18,735.71	\$29,914.29
Totals:	19	\$132,050.00	\$50,854.07	\$81,195.93