

# The FAIR OAKS Gazette

January 2019

Volume 9 Issue 1



NEWS FOR THE RESIDENTS OF FAIR OAKS RANCH

## FROM THE MAYOR'S DESK... JANUARY 2019

### UPDATE ON CITY OF FAIR OAKS RANCH ANNEXATION LAWSUIT

I reported to you last month that the lawsuit initiated by ten residents who were annexed, seeking to invalidate annexations completed November 2017, was dismissed in 150th District Court in Bexar County by the Honorable Renee A. Yanta, District Judge. Subsequently the judge filed a Findings of Fact and Conclusions of Law on December 3, 2018. This document summarizes the facts and legal points that caused the judge to rule that the City followed the law and to dismiss the Plaintiff's claims in their entirety.

We do not know if the plaintiffs have any plans for an appeal. The city has a solid legal case and will vigorously defend any appeals.

On December 19th we went back to District Court to seek compensation for our legal fees. The decision to compensate for legal fees is purely at the discretion of the judge and the judge does not have to explain the basis for that decision. Judge Yanta, who heard our original case, heard our petition for compensation of legal fees and denied our request. The out of pocket cost to date to our residents for defending the lawsuit is about \$37,000. This does not include any allocation of internal staff time.

### FOLLOW UP ON LIMIT ON TIME SPENT WITHOUT CHARGE FOR REPEAT PUBLIC INFORMATION REQUESTORS

Council took action at the December 6th meeting to approve the second reading of an Ordinance authorizing the City to set a reasonable monthly and annual limit of time to be spent without charge for repeat public information requests. The ability to charge for time in excess of 15 hours in a month or 36 hours in a fiscal year is provided for in Section 552.275 of the Local Government Code. This ordinance is now in effect.

### THE ARBORS PRESERVE

In a special meeting on November 30th, council took action to approve Amendment No. 4 to the Development Agreement among the City of Fair Oaks Ranch and SF Fair Oaks Development LLC, a Texas limited liability company and authorize the City Manager to sign the Agreement. The Amendment basically extended the deadline for Fair Oaks Ranch Homeowners Association and the Owner/Developer to vet and finalize conveyance of the Preserve area.

FORHA took action on the conveyance of The Arbors Preserve at their December 19th special meeting and unanimously approved accepting The Arbors Preserve into the FORHA system of parks and trails. We applaud the efforts of all the volunteers who have been working on this initiative for almost three years. We also applaud the developer, represented by Mr. C. A. Elder, for conveying this beautiful piece of property to Fair Oaks Ranch Homeowners Association. We look forward to the members of FORHA enjoying this beautiful addition for years to come.

We have a unique business model in which Fair Oaks Ranch Homeowners Association owns the parks and trails system and now a preserve in our community. The city does not have a parks department. In the extensive work we have done to update our Comprehensive Plan, the vast majority of our residents have expressed a strong desire to continue this business model of FORHA ownership. More than 1,200 residents have made input to the Comprehensive Plan over the past year and a half.

The parks and trails system and FORHA's expertise in maintaining the parks and trails system and the extensive network of volunteers they have developed over the years are very valuable assets to our community. Although not everyone uses the parks and trails, their existence adds

*(Continued on Page 2)*

# FAIR OAKS RANCH

## IMPORTANT NUMBERS

### EMERGENCIES NUMBERS

EMERGENCY .....	911
Fire.....	911
Ambulance.....	911
Fair Oaks Ranch Police Department.....	210-698-0990
Animal Control.....	210-698-0990

### SCHOOLS

Boerne ISD .....	www.boerne-isd.net
Fair Oaks Ranch Elementary .....	210-698-1616

### UTILITIES

Allied Waste Services - Garbage & Recycling.....	210-648-5222
AT&T - Telephone.....	800-464-7928
CPSEnergy.....	(new service) 210-353-2222
.....	(service trouble or repairs) 210-353-4357
Fair Oaks Ranch Utilities - Water.....	210-698-7685
GVTC - Cable & Telephone .....	800-367-4882
Pedernales Electric Co-op.....	888-554-4732
Time Warner - Cable.....	210-244-0500

### OTHER

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.....	(delivery info, stops, fivds, ect.) 830-249-9303
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(Continued from Cover)

significant economic and quality of life value to our community. We are delighted at the addition of this beautiful Preserve area to FORHA's portfolio of assets. It is truly a Hill Country treasure!

### PLANNING AND ZONING COMMISSION (P&Z)

Most of you know that we have a Planning and Zoning Commission seated and working now. The P&Z serves as a recommending body to the City Council. I will start reporting on their activities as part of the regular city activities.

- P&Z and City Council held a joint public hearing on December 13th to hear a zoning change request for the property at 9120 Old Dietz Elkhorn Road. The request was to change the zoning from R-3 Residential to NC (Neighborhood Commercial). The space is designated NC on our Future Land Use Map and has been previously used for commercial space. We are following a plan of conducting joint public hearings so Council (final approver) and P&Z (recommending body) can hear the same testimony. Only one citizen spoke and that was in favor of the change.

- After the joint meeting adjourned, P&Z convened separately and took up this matter. P&Z recommended approval of the zoning change. The City Council will consider the P&Z recommendation at the 1-3-19 City Council meeting.

- In the same December 13th meeting, P&Z approved a preliminary plat for Front Gate Unit 4.

- Also at the December 13th meeting, P&Z had a tie vote with one abstention on a preliminary plat request for a storage facility off the I10 access road near The Woods subdivision. Due to the tie vote this issue will be forwarded to council for consideration with a recommendation of disapproval at the 1-3-19 City Council meeting.

- On December 14th P&Z held a special workshop with Gap Strategies to discuss Unified Development Code (UDC) chapters 4 (Zoning Districts), 6 (Site Development and Building Placement), 7 (Design Standards), and 10 (Signs). All of this work is geared to complete our UDC by late Spring. The UDC is the ultimate tool we have been working toward to give us the firm base we need to have a rational and organized development process.

### ELECTION UPDATE

Our next election for City Council positions will be held May 4, 2019. Filing for a position on the ballot begins on January 16, 2019 and ends on February 15, 2019. You can file in person at City Hall or by mailing in materials to:

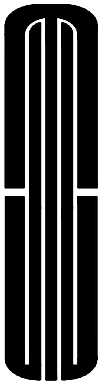
Fair Oaks Ranch – City Hall  
ATTN: Christina Picioccio, City Secretary  
7286 Dietz Elkhorn  
Fair Oaks Ranch, Texas 78015

You can find the materials for filing for a position on the ballot on the city's website under the Government tab.

Upcoming Bulk Pick Up and Household Hazardous Waste

The first week of the bi-annual brush/bulk pick up service will begin February 11, 2019. Very shortly Republic Services will be mailing to all customers the details of the event. As a reminder, please do not place

(Continued on Page 3)



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[jtravis2@satx.rr.com](mailto:jtravis2@satx.rr.com)



(Continued from Page 2)

items out prior to your sector's start date as noted in the upcoming mailer. Also, piles that have excess brush, comingled brush/metal objects, items not placed out by the appropriate time/date, or piles placed near obstructions to the crane on the truck will not be picked up. The city's goal is to ensure a speedy and effective brush/bulk pick up service 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, I and the City Council respectfully ask for your personal commitment to help achieve such.

## RESIDENT VOLUNTEERS/CITY STAFFERS AT WORK

- Our city Facebook page is continuing to attract readers. We currently have 1,374 people following our page. For those of you who are Facebook fans you can find us at City of Fair Oaks Ranch, TX. Our page is used for sharing information about the city, but it is not a public forum. The page is monitored and objectionable or off topic material will be removed.

- The Wildlife Education Committee (WEC) has become aware of a number of postings on social media concerning what Texas Parks and Wildlife refers to as "nuisance fur-bearing animals." (Skunks, Opossum, Raccoon, etc.) Nuisance fur-bearing animals may be captured and relocated if the person has received authorization from TPWD and the owner of the property where the release will occur. A monthly report is required detailing the number and kind of fur-bearers captured, location of release site, and name and address of person authorized to release. The report is due to TPWD no later than the tenth of each month. The city does not endorse vendors, but has three sources listed on its website who provide trapping and transporting services. You can access these at <http://www.fairoaksranchtx.org/425/Wildlife>.

WEC is working on events for 2019 that may include a Creepy Crawler seminar for students at our elementary schools, a plant event to teach about deer resistant plants as well as plants that benefit wildlife, and an evening with Wildlife Rescue and Rehabilitation about living with wildlife in the city.

If you find an injured animal that does not appear to be able to move on its own, call Animal Control at (830) 816-3194 or (830) 249-8645. FOR Animal Control will respond Monday through Friday from 8:00 am to 5:00 pm. To answer calls after hours, weekends or holidays, please contact Dispatch at the non-emergency numbers listed above and a Fair Oaks Ranch Police Officer will respond. Dedie and I had to use this service recently for a sick young deer on our lot.

It is hard to imagine that we are already heading into a new year. This past year has been a whirlwind of activity and accomplishments. We look for 2019 to be more of the same. As we did last year, we will be staging an event early in 2019 to deliver a State of the City message to chronicle the accomplishments of 2018 and to set the stage for work we will be doing in 2019. I look forward to doing that event and to meeting with other citizen groups around The Ranch during 2019.

Dedie and I wish all of you a Prosperous New Year in 2019 and we especially thank those of you who have contributed your time and energy to improving our quality of life on The Ranch during 2018.

*Garry Manitzas*

*Mayor – Fair Oaks Ranch*

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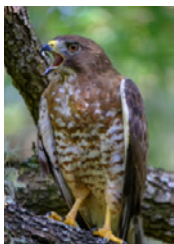
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**Hill Country Animal League is a 501(c)3 nonprofit. Go to [www.hcaltx.org](http://www.hcaltx.org) to learn more or to donate today!**

# FAIR OAKS RANCH

## Notes from the WEC



WEC's booth at the City's 30th Anniversary Celebration on September 29 was a big hit! The highlight was the presentation of the winning photographs from our first photo contest. The winning photo was of a Hawk submitted by Skip Shumpes. We plan on making this an annual event, so keep your cameras ready to capture your close encounters with the wildlife that lives around us.

Recently on social media there have been several situations concerning what Texas Parks and Wildlife refers to as "nuisance fur-bearing animals" (Skunks, Opossum, Raccoon, etc.) Although it is legal to trap these animals it is not legal to relocate them unless the person has received authorization from TPW and the owner of the property where the animal will be released. TPW requires a monthly report on the number and kind of fur-bearers captured, location of release site, and the name and address of person authorized to release." Given this law, if you have an animal that needs relocation you should contact a vendor who provides trapping and transporting services. There are 3 listed on the city's website for your reference: <http://www.fairoaksranchtx.org/425/Wildlife>

We are working on events for 2019 that may include a Creepy Crawler seminar for students at our elementary schools, a plant event

to teach about deer resistant plants as well as plants that benefit wildlife and an evening with Wildlife Rescue and Rehabilitation about living with wildlife in the city.

February through November Cibolo Nature Center in Boerne holds events on the 3rd Thursday titled Thirst for Nature where you can enjoy a beverage and learn about wildlife. We encourage our residents to check out their website and take advantage of their opportunities to Learn to Live with Wildlife.

If you have a question for the committee or if you have had an encounter with Wildlife in our City that you think would be of interest, please email the details and a picture if you have it to [wec@fairoaksranchtx.org](mailto:wec@fairoaksranchtx.org).

If you would like information on the history of deer surveys, tips for living with wildlife and links to resources, please visit this link on the city website: <http://www.fairoaksranchtx.org/160/Wildlife-Education>

If you find an injured animal that does not appear to be able to move on its own, call Animal Control at (830) 816-3194 or (830) 249-8645. F.O.R. Animal Control will respond Monday through Friday from 8:00AM - 5:00PM. To answer calls after hours, weekends or holidays, please contact Dispatch at the non-emergency numbers listed above and a Fair Oaks Ranch Police Officer will respond.

## Hill Country Pregnancy Care Center Receives Kronkosky Grant

The HCPCC is pleased to receive a grant from the Kronkosky Charitable Foundation in support of their office in Comfort. HCPCC has been serving the Hill Country for 32 years through their Boerne location, and as more services have been requested, we opened additional satellite offices in Bulverde and Comfort in 2016.

The number of services offered has grown to over 600 this year from just a little over 100 services provided in 2016. Comfort offers all the same free and confidential services that we don in Boerne, include pregnancy tests, STD testing and treatment, prenatal and parenting classes, ultrasounds and even education in the schools on healthy relationships, fetal development, puberty or STDs. Thanks to the receipt of the Kronkosky grant, the Comfort office can expand hours from Thursdays 9-3 to adding Mondays 9-3 each week.

Anyone interested in volunteering at the Comfort locations is asked to contact [kimberlys@lifesprecious.org](mailto:kimberlys@lifesprecious.org) or call 830-249-9717 and ask for Kimberly. Anyone who would like to financially support this outreach and help meet client needs is asked to contact [danzollitto@lifesprecious.org](mailto:danzollitto@lifesprecious.org) or simply send a check to HCPCC PO Box 205, Boerne, 78006 and indicate that it is for the Comfort office.



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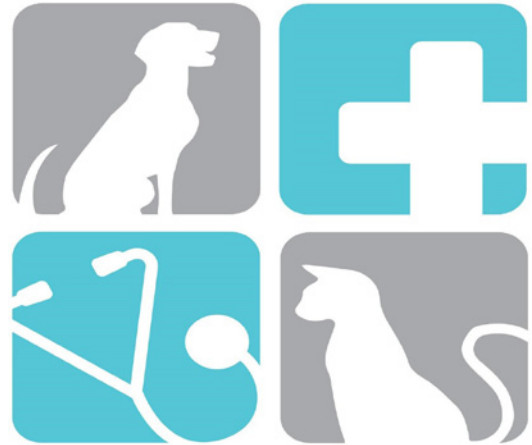
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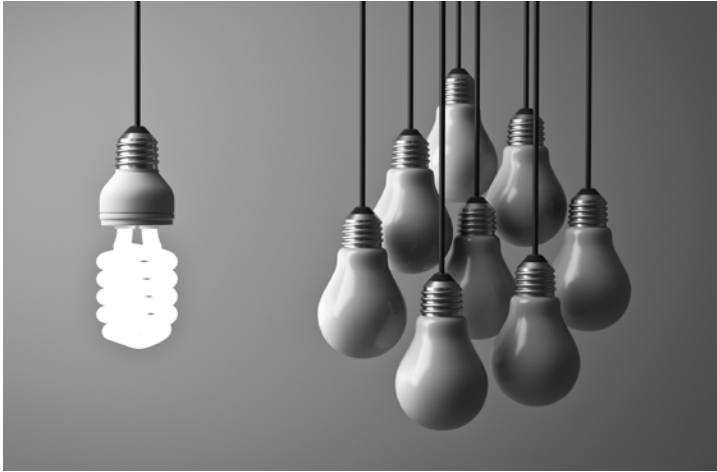
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# FAIR OAKS RANCH

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## SHEDDING LIGHT ON NEW BULBS



Standard incandescent light bulbs may soon become a thing of the past. Under the Clean Energy Act of 2007, required the sale of energy-inefficient incandescent bulbs to be phased out over a two-year period, beginning with 100-watt bulbs in January 2012. Compact fluorescent lights (CFLs) have become the most popular replacement choice. The typical CFL uses 66 percent less energy and lasts up to ten times longer than an incandescent bulb.

Making the switch to CFLs doesn't require that you throw out all your incandescent bulbs right away. Even a gradual change can result in significant savings. Just replacing your home's five most frequently used light fixtures can save you more than \$65 each year, as CFLs provide the most savings when a lighting source is used for at least two hours a day. You can continue to use incandescent bulbs for fixtures that are only on for a few minutes at a time, such as closet lights, changing to CFLs as your supply of incandescent bulbs runs out.

One important point to know about CFLs is that they contain an average of 4 milligrams of mercury (about the amount that would cover the tip of a ballpoint pen). The mercury is sealed within the bulb's glass tubing, and no mercury is released when the bulb is intact or use. Special caution must be taken when disposing of used bulbs or cleaning up broken bulbs, however. Some states require used CFL bulbs (broken and unbroken) to be taken to local recycling centers for disposal. And if a bulb breaks in your home, you should follow the Environmental Protection Agency's guidelines to clean up the debris:

### **Before Clean-up: Air Out the Room**

- Have people and pets leave the room, and don't let anyone walk through the breakage area on their way out.
- Open a window and leave the room for 15 minutes or more.
- Shut off the central forced-air heating/air conditioning system, if you have one.

### **Clean-Up Steps for Hard Surfaces**

- Carefully scoop up glass pieces and powder using stiff paper or cardboard and place them in a glass jar with metal lid (such as a canning jar) or in a sealed plastic bag.

- Use sticky tape, such as duct tape, to pick up any remaining small glass fragments and powder.
- Wipe the area clean with damp paper towels or disposable wet wipes. Place towels in the glass jar or plastic bag.
- Do not use a vacuum or broom to clean up the broken bulb on hard surfaces.

### **Clean-up Steps for Carpeting or Rug**

- Carefully pick up glass fragments and place them in a glass jar with metal lid (such as a canning jar) or in a sealed plastic bag.
- Use sticky tape, such as duct tape, to pick up any remaining small glass fragments and powder.
- If vacuuming is needed after all visible materials are removed, vacuum the area where the bulb was broken.
- Remove the vacuum bag (or empty and wipe the canister), and put the bag or vacuum debris in a sealed plastic bag.

### **Clean-up Steps for Clothing, Bedding and Other Soft Materials**

- If clothing or bedding materials come in direct contact with broken glass or mercury-containing powder from inside the bulb that may stick to the fabric, the clothing or bedding should be thrown away. Do not wash such clothing or bedding because mercury fragments in the clothing may contaminate the machine and/or pollute sewage.
- You can, however, wash clothing or other materials that have been exposed to the mercury vapor from a broken CFL, such as the clothing you are wearing when you cleaned up the broken CFL, as long as that clothing has not come into direct contact with the materials from the broken bulb.

- If shoes come into direct contact with broken glass or mercury-containing powder from the bulb, wipe them off with damp paper towels or disposable wet wipes. Place the towels or wipes in a glass jar or plastic bag for disposal.

### **Disposal of Clean-up Materials**

- Immediately place all clean-up materials outdoors in a trash container or protected area for the next normal trash pickup.
- Wash your hands after disposing of the jars or plastic bags containing clean-up materials.
- Check with your local or state government about disposal requirements in your specific area. Some states do not allow such trash disposal. Instead, they require that broken and unbroken mercury-containing bulbs be taken to a local recycling center.

### **Future Cleaning of Carpeting or Rug: Air Out the Room During and After Vacuuming**

- The next several times you vacuum, shut off the central forced-air heating/air conditioning system and open a window before vacuuming.
- Keep the central heating/air conditioning system shut off and the window open for at least 15 minutes after vacuuming is completed.

# FAIR OAKS RANCH

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## Flooding: How to Protect Your Family & Finances

In many areas, flooding is the most common and costly natural disaster—and it can happen here. Just one inch of water in your home or office can cost thousands of dollars in cleanup and replacement costs, including drywall, baseboards, floor coverings and furniture. You may think you're covered, but many homeowners' insurance policies do not cover flooding.

Here are several reasons to talk to an insurance agent now about flood insurance.

- There is usually a 30-day waiting period before coverage begins.
- Coverage is relatively inexpensive.
- Renters can buy flood insurance for personal belongings or business inventory.
- Basement coverage includes cleanup expense and repair or replacement of items such as furnaces, water heaters, washers, dryers, air conditioners, freezers and pumps.
- You do not have to repay flood insurance benefits as you do with disaster-related assistance loans.
- You can receive payments for flood-related losses even if no disaster was declared.

*Learn more about flood insurance at [www.floodsmart.gov](http://www.floodsmart.gov)*

There are things you can do to prepare your home and family now for flash floods:

- Make a family emergency plan. Emergency preparedness is everyone's responsibility. Write down your plan. Decide ahead of time where you will go if you have to leave and where family members will meet up. Identify an out-of-town emergency contact.
- Get supplies for an emergency kit. Start with three days' water and three days' packaged and canned food. Add a battery-powered radio and extra batteries. Store in waterproof containers with wheels or that you can lift so you can take them with you. For details about preparing an emergency kit, visit [www.ready.gov/america/beinformed/floods.html](http://www.ready.gov/america/beinformed/floods.html)
- Stay informed about what could happen. During storm season, listen to local media for up-to-date reports on weather watches and warnings. Keep a battery-powered portable radio—with a NOAA weather band—handy in case the power goes out. Choose one.

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## Spiking up your Metabolism at any Age

*Submitted by Dr. Jane Riley, Ed.D. , MS, BA, CPT*

It is a well-known phenomenon that our metabolism declines with advancing years. Some of that has to do with declining muscle mass, and some of it has to do with decreased hormones as well as the diminishing effectiveness of the digestive tract. But at any age, whether you are north of fifty or at the polar ends of the scale, there is much we can do to maximize our metabolism and live healthily and lean.

Metabolism is essentially all of the various chemical processes that occur within that wonderful chemistry set known as the human body. We often simply use the term to describe how your body turns food into energy. As we age the metabolism typically slows down by about 5% per decade after the age of about 40 years of age, but there is much we can do to avoid and arrest that occurrence. Estrogen levels decrease in women's bodies, causing insulin levels to rise, and the thyroid (the body's chief metabolism regulator) to decrease its output of thyroid hormones. These changes result in an increase in appetite, which when taken with a decrease in muscle mass, leads to an overall shift in the lean body mass/ fat ratio. The shift is not in a positive direction!

To keep your metabolism at its peak and fight this decline, you must focus on your digestive tract health, and enhancement of your muscle mass with a prudent exercise regime. Detoxification of the decades of build-up in the digestive tract is a good start to speeding up your metabolism. A very beneficial way to start each day to help remove the intestinal "clog" is to drink cleansing teas, or drink warm water and lemon. Also important is to drink at least half your weight in ounces of water every day. Get your 30 grams of fiber each day, to help stay clean in your gut. Then, eat as cleanly as possible, avoid sugars, artificial colors and flavors and go by the rule if it wasn't "food" a century or two ago, it still



isn't. Cleaning up your digestion is a primary way of speeding up your metabolism and also ensuring your health. The old adage that death starts in the bowel is apt.

The other aspect of speeding up your metabolism and staying healthy all lifelong is to exercise. The World Health Organization advocates that we should all get at least thirty minutes per day of aerobic exercise at a medium rate and at least a couple times a week get a good 45 minutes of anaerobic or resistance training in. This resistance training is especially important to maintain the muscle mass that is crucial for strength and to support your metabolism. Muscle mass uses food energy to move you, and fat of course does not. Exercise has many other benefits including correcting cholesterol ratios, improving lung capacity, regulating blood sugar levels and reducing high blood pressure, as well as making you fit, happy, strong and balanced. Live well, live long Fair Oaks Residents!

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