

# The FAIR OAKS Gazette

February 2020

Volume 10 Issue 2



NEWS FOR THE RESIDENTS OF FAIR OAKS RANCH

## FROM THE MAYOR'S DESK FEBRUARY 2020

### **City Receives GFOA Excellence in Financial Reporting Award**

For the second year in a row, our city received the prestigious Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for its comprehensive annual financial report (CAFR). The news release from GFOA cites "The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR." We congratulate Finance Director Sarah Buckelew and her finance staff for this outstanding achievement.

### **Planning and Zoning Commission (P&Z)**

The P&Z Regular meeting scheduled for January 9th was cancelled because there were no plats to be reviewed or any additional business to handle. Council approved the preliminary plat establishing Front Gate Unit 5 on January 2nd which had previously been approved by P&Z. At the same meeting, Council approved the Tree Preservation Plan for Front Gate Unit 5 which had been previously reviewed and recommended for approval by P&Z.

### **Zoning Board of Adjustment**

ZBOA has not had a need to meet since the last report.

### **Water Rights Project**

The most significant issue facing our city at the moment continues to be the dispute over the ownership rights to water and easements around our city wells.

Since I last communicated with you about this topic, the City filed a Petition and Application for Temporary Restraining Order and Injunction in the 451st Judicial District court in Kendall County on December 23, 2019 against the Caldarolas.

The District Judge issued a Temporary Restraining Order on December 23rd. The Order stated:

"It is therefore ORDERED that Defendants and their agents, servants, employees, attorneys, and other persons in active concert or participation with him, are restrained and enjoined from interfering or obstructing, in any way, Plaintiff's use of the Sanitary Control Easement and Maintenance Easement to access the K-3 Well or the Plaintiff's use of the K-3 well site or water removed therefrom.

It is further ORDERED that Defendants shall take all actions necessary to prevent livestock or dogs from wandering into the Sanitary Control Easement and Maintenance Easement.

It is further ORDERED that the hearing on Plaintiff's Application for Temporary Injunction is set for January 6, 2020, at 10:00 a.m. in the 451st Judicial District Court of Kendall County, Texas. The purpose of this hearing shall be to determine whether this temporary restraining order should be made a temporary injunction pending a full trial on the merits."

At the January 6th hearing, both sides agreed to ask the Judge to extend the Temporary Restraining Order to February 20th to give the parties additional time to attempt to negotiate a mutually agreeable settlement of the issues. I anticipate that City Council will hear possible options from our attorneys in the near future. I will report more details to you as they become available.

We have continued down the path of resolving these issues outside the court room also. We have received additional completed Right of Entry documents to support our survey work.

If the property owner does not execute these documents, the

*(Continued on Page 2)*

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# FAIR OAKS RANCH

(Continued from Cover)

City will be forced to file an injunction to require the property owners to allow the consultants on the affected lots. We will take this action if necessary. Our legal counsel has advised that right of entry is a common law right given to the condemning authority as a part of the condemnation process.

We have received completed legal documentation from a number of Sanitary Control Easement property owners and a few of the property owners who have wells on their lots. I will remind you that for property owners who do not wish to voluntarily ratify and convey easements, the City will take steps to condemn the easements and the groundwater. Condemnation is a well-defined legal process for acquiring ownership of personal property for a public use.

The Special Counsel, acting on authority granted by the City Council, has engaged Pape-Dawson to survey all the easements and well sites. Special Counsel has also engaged Glen Co., Inc. to appraise the easements and groundwater as part of the condemnation process. The City plans to survey all of the well sites and easements to ensure that we have accurate legal descriptions of these properties filed of record. Documentation with the new metes and bounds description will be filed in the deed records of the applicable county to replace any older descriptions.

We began survey work the week of January 13th and anticipate it will take four to six weeks to complete. We are making every attempt to notify the impacted residents when the consultants will be on site to do their work.

I will remind you that we have a video tape of the Town Hall meeting at Cibolo Creek Community Church on November 19th. You can access the meeting on our website or our Facebook page if you want to see the comments made. On our website you can click on the banner heading that shows the water drop. In addition to the video, you can access the Q & A document we have posted to give you an update on this topic.

Tobin Maples asks anyone needing to discuss specific issues with him to please call him at City Hall at 210-698-0900 or email him at [tmaples@fairoaksranchtx.org](mailto:tmaples@fairoaksranchtx.org). Additionally, our Special Legal Counsel is available to answer questions (Rhonda Jolley at 210-598-5406 or Joe Davis at 210-598-5414).

## **Professional Services Agreement for Storm Water Utility Consultant Services**

At the January 16th regular council meeting the council took action to approve engaging Kimley-Horn for engineering consulting services to establish a Storm Water Utility District to improve, operate, and maintain our municipal drainage systems. Many of you will recall that one of our foundational studies was a Master Drainage Plan. We identified 46 areas in the city that need some form of storm water drainage improvements. The estimated price tag on these improvements including engineering, land acquisition, and construction is around \$10.4 million. The Storm Water Utility District would provide a funding mechanism for doing

(Continued on Page 4)

## 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 .....	<a href="http://www.boerne-isd.net">www.boerne-isd.net</a>
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

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# FAIR OAKS RANCH

*(Continued from Page 3)*

these improvements and for ongoing maintenance of our drainage system. Our Public Works staff worked with a committee of City Council members to develop a Request for Qualifications (RFQ) that detailed goals and objectives. Kimley-Horn and Associates, Inc. was selected by the committee to engage a scope and fee for the Storm Water Utility.

## **Professional Services Agreement for City Planning Consultant Services**

At the January 16th regular council meeting the council also took action to approve engaging Gunda Corporation for City Planning Consultant services. Effective administration of the Comprehensive Plan and the Unified Development Code are key elements of managing growth and physical development of the community. To address this need, City Council planned funding in the FY 19-20 budget for City Planning Consultant Services. The consultant will report directly to the City Manager and will develop and oversee the City's development review process. This includes conducting predevelopment meetings, platting, zoning, site plans, sign permit applications, administration of the Comprehensive Plan, and preparation and presentation of communication reports for the Zoning Board of Adjustment, Planning and Zoning Commission, and City Council. Many of you are aware that most cities have Planning Departments. This Agreement is a way for our city to provide for this service need without having to engage a full time employee.

## **Capital Improvement Advisory Committee (CIAC) Recommends New Impact Fees**

To partially pay for the extension of its Water and Waste Water systems attributable to new development, our city has opted to charge impact fees as allowed under Texas Local Government Code Title 12.Subtitle C. Chapter 395 (Code). Our CIAC is composed of eight members of the community with four being members of the development, real estate, or building industry as required by the Code. Committee members are John Merritt (Chairman), Fran Driskell, Dana Green, Paul Lampe, Harold Manning, Monte McCormick, Paul Mebane and John Weir.

On September 25th the committee met for its regularly scheduled semi-annual meeting. Ron Emmons, City Public Works Director, and Jessica Vassar, P.E., representing the engineering firm of Freese & Nichols reviewed the newly adopted Land Use Assumptions and Capital Improvement Plans.

CIAC found that the City's recently adopted Land Use Assumptions and Capital Improvement Plan are based on sound assumptions and engineering practices and recommended no changes to that plan. CIAC also found that Freese & Nichols used sound assumptions and engineering practices and complied with the requirements under the Code in their calculation of the Maximum Allowable Impact Fees.

CIAC recommended to Council that the Council adopt the following maximum fees:

- Water Impact Fee increases from the \$5,400 per connection to \$8,670

- Wastewater Impact Fee increases from the current \$1,550 per connection to \$6,069

These are significant recommendations because they provide for "Growth to pay for growth." Without impact fees, most of the burden for new construction would fall on existing utility customers.

Council had previously passed a Resolution establishing February 20th as the date for a public hearing to consider possible adoption of Water and Wastewater Impact Fees.

## **Public Works Department Quarterly Report**

Public Works Superintendent Julio Colunga presented a very thorough and interesting update on his department's activities at the January 2nd council meeting. Topics covered included:

- changes to building codes in response to legislative changes,
- ongoing construction projects, addressing illegal signage, and
- issues related to builder violations of city requirements for ongoing construction
- addressing illegal watering and
- progress on the city's Cross-Connection Control and Backflow Prevention Program.

The presentation also covered

- ongoing work on TCEQ MS4 Authorization Renewal (stormwater management),
- oak wilt map update with Texas A&M Forest Service, and a
- report on the city's energy consumption and reduction goals.

Some special projects that Julio commented on included our crack seal and patch repairs (highlighted new equipment being used), special road and drainage maintenance, and a significant number of water and wastewater utility upgrade projects. I was thoroughly impressed with the way this group is looking forward and using technology to improve how we do our work. A most impressive presentation! Good work!

## **Draft Request for Proposal (RFP) for a Compensation & Benefit Study**

The Strategic Action Plan adopted by council last year provides the opportunity to align our current compensation and benefit structures with the current market. It has been almost four years since the City did a compensation study. Council provided insight on the draft RFP and instructed staff to move forward with developing the RFP.

## **Development of Boerne Ranch Estates (Formerly Pfeiffer Tract/The Reserve)**

The developer has continued discussions with the City regarding this property. There is no significant outcome to report at this time. I will keep this item as a recurring topic in the monthly newsletter because I know it is important to everyone.

## **Feral Hog Safety Tips**

Last month I reported that we had begun seeing signs of feral hog damage on the east side of Ralph Fair Road. Through our Wildlife Education Committee, we are investigating doing a limited time trapping operation again. I have approached FORHA and the Country Club to see if we can do a joint operation since all

*(Continued on Page 6)*

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(Continued from Page 4)

three entities have common concerns. The idea of a joint trapping operation received generally favorable comments. All three entities will consider their willingness to do a joint trapping operation, hopefully in the next month.

For safety, I am repeating the tips we published last month about feral hogs. They are very strong and can run relatively fast. Females are very protective of their young and can easily be provoked. Males can be territorial and may see you as an intruder. They will generally try to avoid contact with humans and will normally run away if they have a route they can take to do that. "Bubba" Ortiz from Ortiz Game Management LLC offers these tips if you encounter a feral hog:

- Stay calm and move slowly away from the animal. Do not approach it or attempt to feed the hog. Back away from the animal and do not turn your back on it.
- **Always make sure you have a way out as well. Do not put yourself in a position where escape is impossible or difficult.**
- Keep a safe distance and do not approach or provoke the hog, i.e. by using a flash while taking pictures of it. The longer you are in close proximity to feral hogs, the more anxious, nervous or aggressive they may get. Don't risk being around them.
- If you see adults with young piglets, leave them alone!

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## **Brush/Bulk Pick-up 2020**

The bi-annual brush/bulk pick-up for the City of Fair Oaks Ranch is scheduled to begin February 10, 2020. Be on the lookout for a flyer from Republic Services that will be mailed to your home with important details regarding dates, acceptable materials and size limitation. The flyer and important information will also be posted on the city website at [www.fairoaksranchtx.org](http://www.fairoaksranchtx.org).

## **Upcoming City Election**

City Council places 2 and 6 are up for election this year. Candidate sign up to run for these places began on January 15th and continues through Friday, February 14th. April 20 – April 28, 2020 is the early voting for these council places. Election Day will be Saturday, May 2, 2020. In the same election cycle, there will be a special election to reauthorize levying local sales and use tax for the maintenance and repair of municipal streets.

Applications for council positions are available at the front desk of City Hall and on the city website at <https://fairoaksranchtx.org/134/City-Elections>. Eligibility requirements and other information are available on the website also.

## **Resident Volunteers/City Staffers at Work**

- Our city Facebook page is continuing to attract readers. 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. We currently have 1,785 followers. We have had 1,572 likes recently and reached as many as 1,825 members during the past month.

- We have some new faces at the City. Clayton Hoelscher joined our Finance Department as Procurement Manager and Amanda Valdez joined us as Deputy City Secretary. Both of these professionals have substantial experience in their fields and we are delighted to welcome them to the City family.

- We also recognized several employees for their service achievements. Police Officer Richard Davila celebrated 15 years with the city. Christina Picioccio, our City Secretary celebrated 10 years of service. Sandra Gorski, Public Works Administrative Assistant, celebrated 5 years. Congratulations to all of these employees.

Garry Manitzas

Mayor – Fair Oaks Ranch





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# FAIR OAKS RANCH

## *HCPCC Opens a New Facility in Comfort*



The Hill Country Pregnancy Care Center (HCPCC) promotes the value of life, empowers individuals to make healthy choices regarding pregnancy and sexuality, and extends the healing presence and love of Jesus Christ.

After working out of Gaddis United Methodist Church for the past three years, HCPCC moved to 211 Main Street in Comfort. They also have facilities in Boerne and Bulverde. Their services are fully bilingual (Spanish and English) and available to anyone regardless of race, gender, creed, nationality, sexual orientation,

religious affiliation or any other fact.

All services are FREE and confidential. They provide education, resources and support related to pregnancy, parenting, sexual health, relationships, and mentoring.

In 2019, HCPCC served nearly 600 individuals, provided over 5000 services, and gave over 100,000 items of material assistance. They have educated over 1,500 students on fetal development, STI/STD and pregnancy prevention. Nanny's Boutique contains brand new items to give to families that 'earn' bucks from classes that clients take.

### NEEDS:

- Volunteers to help with clients or projects
- Diapers (sizes 4, 5, and 6)
- Pull ups (size S/M)
- Wipes
- NEW baby clothing
- NEW diaper bags
- NEW maternity clothing
- Corporate Partners to help financially support services and the community
- Churches to partner with to become a resource for clients
- Teachers and educators to invite us to speak on health related subjects

For more information, please contact them at 830)249-9717.



Thank you Frost Bank and executives, Lewis Thorne and Cayman Gentry for your Corporate Partnership with Hill Country Pregnancy Care Center! It's a blessing to provide you with this original Beth Coyle print for your commitment. We appreciate your support of this community and look forward to what 2020 will bring!



## POSTURE TIPS FOR MOMS AND DADS

*Mike McTague PT, DPT, OCS*

Lifting and carrying a child, picking up toys off of the floor, and pushing a stroller are normal daily tasks for many parents. Below are some quick tips to avoid overstraining your spine and other body areas.

### **LIFTING YOUR CHILD FROM THE FLOOR**

When picking your child up off the floor, you should use a half-kneel lift. First, stand close to your child on the floor. While keeping your back straight, place one foot slightly forward of the other foot, and bend your hips and knees to lower yourself onto one knee. Once down on the floor, grasp your child with both arms and hold him or her close to your body. Tighten your stomach muscles, push with your legs, and slowly return to the standing position. To place your child onto the floor, the same half-kneel technique should be performed.

### **CARRYING/HOLDING YOUR CHILD**

When holding or carrying your child, you should always hold him or her close to your body and balanced in the center of your body. Avoid holding your child in one arm and balanced on your hip. When using a child carrier be sure to keep your back straight and your shoulders back to avoid straining your back and neck.

### **PICKING UP TOYS FROM THE FLOOR**

As a parent you will too often be involved in cleaning up after your child. When picking toys up from the floor, keep your head and back straight, and while bending at your waist, extend one leg off the floor straight behind you. This is often called a “golfer’s lift”, as you may see some “seasoned” golfers retrieve their ball from the hole this way.

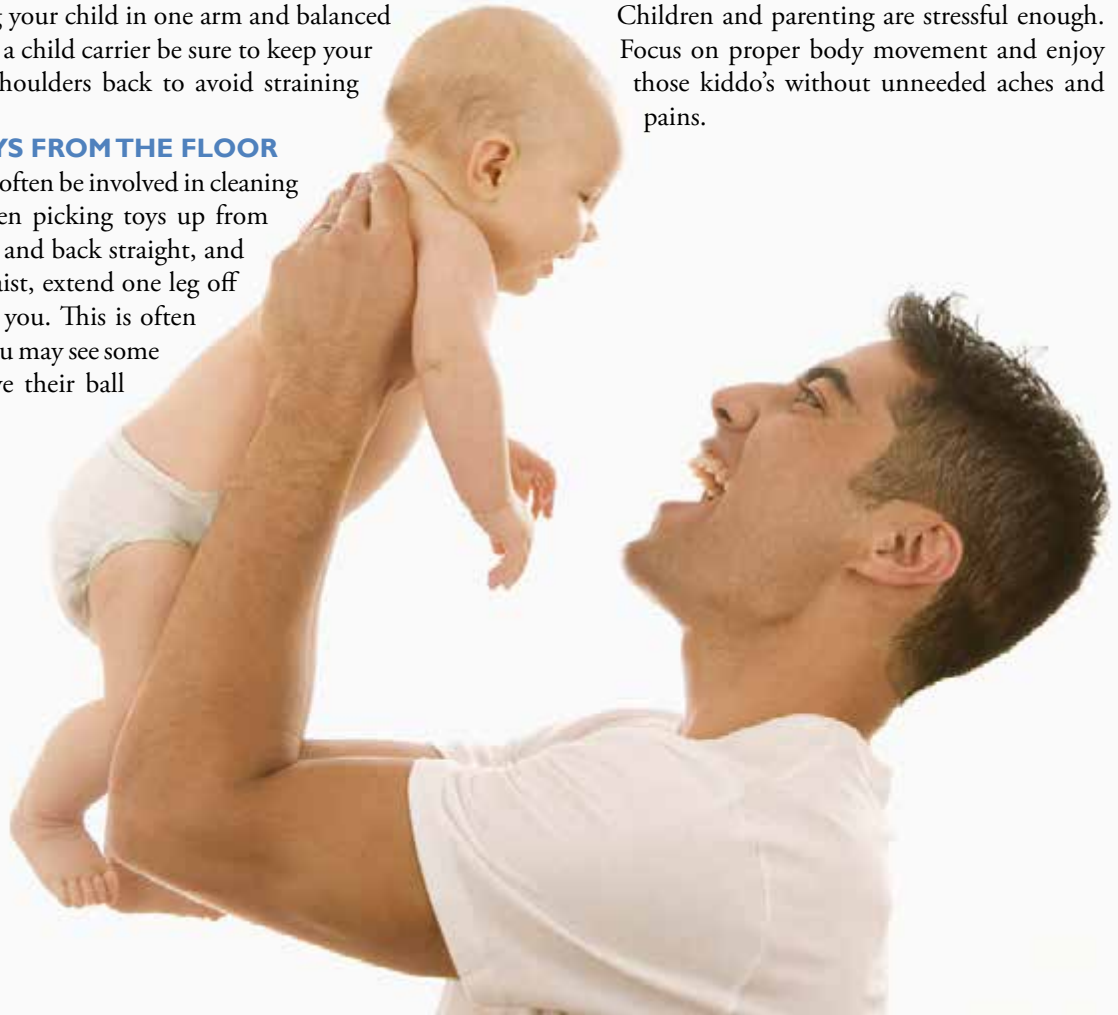
### **LIFTING YOUR CHILD OUT OF THE CRIB**

If your child’s crib has a rail that lowers, you will want it in the lowest position when lifting your child out of the crib. As you lift, keep your feet shoulder-width apart, knees slightly bent. Arch your low back and, while keeping your head up, bend at your hips. With both arms, grasp your child and hold him or her close to your chest. Straighten your hips so you are in an upright position, and then extend your knees to return to a full stand. To return your child to the crib, use the same technique and always remember to keep your child close to your chest.

### **PUSHING A STROLLER**

When pushing your child in a stroller, you will want to stay as close to the stroller as possible, allowing your back to remain straight and your shoulders back. The force to push the stroller should come from your entire body, not just your arms. Avoid pushing the stroller too far ahead of you because this will cause you to hunch your back and shoulders forward.

Children and parenting are stressful enough. Focus on proper body movement and enjoy those kiddo’s without unneeded aches and pains.





# REGISTRATION IS OPEN NOW FOR WINTER AND SPRING SPORTS

**Cornerstone Youth Sports (CYS)** is a ministry outreach to all the youth of San Antonio. Our sole objective is to lead athletes and their families to a Saving knowledge of Jesus Christ. CYS leagues and teams provide a safe, fun, competitive and distinctly Christian environment where kids can learn about sports and Christ through mentoring and instruction.

CYS provides a competitive and Christ-centered sports outlet for boys and girls ages 4 to 12 years old. We currently offer basketball, track, soccer, football, baseball, softball, cheerleading, and volleyball programs. Proverbs 22:6 states that we should, "train a child in the way he should go, and when he is old he will not turn from it". Practices, games and related activities will exist in an environment that develops Christian character, personal success skills and athletic ability in each child. CYS looks forward to the opportunity to coach your child and encourage them to become all that God created them to be!

  **Cornerstoneyouthsports**

## SIGN UP TODAY

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