

**CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING MINUTES
January 7, 2021
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

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

With a quorum present, the meeting was called to order at 9:30 AM.

Before the meeting began Mayor Manitzas called for a moment of silent reflection on the need to stand together to heal our nation after the attempted overrun of the nation's capital.

II. CITIZENS and GUEST FORUM/PRESENTATIONS

A. Citizens to be heard.

The City Secretary read a letter into the record from each of the following residents (1-6):

1. Mark Mack, in opposition of a Code of Conduct.
2. Muriel Logan, in favor of a Code of Conduct.
3. Camille Yanowski, in support of forming a committee of citizens to develop a Code of Conduct for Council Members.
4. Pretap Khanwilkar, in support of the two motions related to the Citizens Code of Conduct Committee Charter.
5. Christina Guerra, in support of the motions proposed related to the Citizens Code of Conduct Committee Charter.
6. Stacey Gilfillan, in support of the Charter for the Citizens Code of Conduct Committee Charter.
7. Aimee Draughn spoke in support of the adoption of the Citizens Code of Conduct Committee charter.
8. Debra Doyle spoke regarding the incident from November 18, 2020 and the ongoing effect it has on our community. She asked for Council Member Havard's resignation or for the Mayor to ask her to do so.
9. Wes Pieper spoke about citizen engagement with local government and asked for questions regarding presentations on the agenda that he had previously emailed to the City Manager be addressed during today's meeting.

B. Joanna Merrill, Director of Human Resources & Communications, introduced Daniel Fate, Network Specialist after which Brian LeJeune, IT Director gave a brief history of his experience and gratitude for his great work thus far.

C. Joanna Merrill, Director of Human Resources & Communications, recognized Maintenance Worker Jarrett Lee for his promotion to Utility Technician. •

- D. Joanna Merrill, Director of Human Resources & Communications, recognized Melissa Castro, Environmental Compliance Manager, for her designation of Employee of the Quarter.
- E. Joanna Merrill, Director of Human Resources & Communications, presented to City Council, personalized padfolios as a token of appreciation from City Staff for their hard work.

Council Member Hartpence left the meeting at 9:51 AM.

III. CONSENT AGENDA

- A. Approval of the December 10, 2020 City Council and P&Z Joint Public Hearing meeting minutes.
- B. Approval of the December 16, 2020 Water, Wastewater, and Reuse System Workshop meeting minutes.
- C. Approval of the December 17, 2020 Regular City Council meeting minutes.
- D. Approval of a Resolution amending the Planning and Zoning Commission Rules of Procedure.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Patel to approve the Consent Agenda.

VOTE: 6-0; Motion Passed.

IV. CONSIDERATION/DISCUSSION ITEMS

A. Consideration and possible action regarding stormwater utilities incentives & exemptions.

Kate Ploetzner, P.E., CFM of Kimley Horn and Matthew Garrett & Karim Virani of NewGen Strategies & Solutions, provided to Council a presentation regarding stormwater utilities incentives and exemptions. Following an in-depth discussion with Council and staff the Council was able to provide feedback regarding discretionary exemptions and incentives.

Council Member Hartpence rejoined the meeting (time unknown). He spoke at 11:02 AM.

Mayor Manitzas called for a five-minute break at 12:14 PM

A roll call reestablishing quorum was taken at 12:20 PM:

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

B. Consideration and possible action on adopting the Citizens Code of Conduct Advisory Committee Charter and providing direction to staff on procedural schedule for selection of committee members.

MOTION 1:

Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner to adopt the City of Fair Oaks Ranch Citizens Code of Conduct Advisory Committee Charter.

AMENDED MOTION:

Made by Council Member Patel, seconded by Mayor Pro Tem Elizondo, to amend the motion to adopt the City of Fair Oaks Ranch Citizens Code of Conduct Advisory Committee Charter with the following amendment to Section VIII Item 4 "Council will appoint a member to appoint a member to serve as the Committee sponsor. The sponsor's role will be to enable Council to ensure resources and consideration of recommendations".

VOTE ON AMENDMENT:

7-0; Amendment Approved.

VOTE ON MOTION 1:

7-0; Motion Passed.

MOTION 2: Made by Council Member Patel, seconded by Council Member Maxton, to direct staff to proceed with the procedural schedule for the selection of the members for the Citizens Code of Conduct Advisory Committee Charter as provided in the agenda item.

VOTE ON MOTION 2:

7-0; Motion Passed.

Council Member Koerner left the meeting at 1:00 PM.

C. Consideration and possible action approving a Resolution allocating the Fiscal Year 2019-20 Governmental Fund Balances.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Patel, to approve a Resolution allocating portions of the Governmental Fund Balance.

VOTE: 6-0; Motion Passed.

D. Discussion regarding Request for Proposals (RFP) for a Standards of Cover and Utilization Study.

Clayton Hoelscher, Procurement Manager provided an overview of the plan to hire consultants that will conduct the studies on the city's behalf.

E. Discussion regarding potential amendments to the Water Conservation Ordinance.

Melissa Castro, Environmental Compliance Manager, led a discussion regarding possible amendments to the current Water Conservation Ordinance and answered questions.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

A. Christina Picioccio, City Secretary, provided to Council a brief summary of upcoming dates and deadlines as they relate to the May 1, 2021 City Election and informed Council and all present of the resources available on our website.

VI. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive Session regarding:

- A. Sec. 551.071 (Consultation with Attorney) the City Council will meet in private consultation with legal counsel to seek the advice of its attorneys about pending or contemplated litigation, a settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Government Code; to wit:
1. To receive legal advice and to receive and deliberate an offer of settlement for claims made on behalf of a real property owner against the City's operation of well K-2.
 2. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Kuitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

VII. RECONVENE INTO OPEN SESSION

N/A

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 2:24 PM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary