

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
January 16, 2020
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Pro Tem Elizondo

Council Members: Hartpence, Havard, Koerner, Maxton, and Patel

Absent: Mayor Manitzas

With a quorum present, the City Council meeting was called to order at 6:30 PM.

B. The Pledge of Allegiance was led by Paul Mebane, citizen and Wildlife Education Committee member.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. Citizens to be heard.

1. Andrew Mangold, resident, spoke about being contacted by the City's Code Compliance Officer regarding high grass on his property. Reviewing the City's Ordinance 6.02 on grass he noted the ordinance does not: define what high grass is, distinguish between landscape versus native grasses, nor determine the area that requires maintenance. He requested that these items be addressed.

B. Bruce Nicholson, WEC Chairman, presented the results of the Wildlife Education Committee (WEC) and Texas Parks and Wildlife's 2019 Deer Survey. He gave special thanks to those contributing to the project: Jessica Alderson, Dedie Manitzas, Paul Mebane, Scott Russell, Teal Harris, MaryAnne Havard, Carole Vanzant, Garry Manitzas, Milaun Gonzalez, Drew Haines, Ethan Handley, Simon Taylor, Sebastian Taylor Leah Lira, Lauren Lira, Sara Lopez, Tristan Schantz-Flores, Perrin Shell, Lance Lira, Donna Taylor, and David Taylor. Future plans include performing this survey annually using the same methodology.

C. Finance Director Sarah Buckelew presented the Government Finance Officers Association Award to council.

III. CONSENT AGENDA

A. **Approval of January 2, 2020 Regular City Council Meeting Minutes.**

MOTION: Made by Council Member Havard, seconded by Council Member Koerner to accept the Consent Agenda as written.

VOTE: 6-0; Motion Passed

IV. CONSIDERATION/DISCUSSION ITEMS

A. **Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement with Kimley Horn for Storm Water Utility Consultant Services.**

MOTION: Made by Council Member Havard, seconded by Council Member Koerner to authorize the City Manager to sign a Professional Services Agreement with Kimley-Horn and Associates, Inc. for Stormwater Utility Consulting Services.

MOTION: Made by Council Member Hartpence, seconded by Council Member Patel to amend the motion so that the study look only at the impervious method.

VOTE: 2-4; Motion Failed, Nays: Mayor Pro Tem Elizondo and Council Members: Havard, Koerner, and Maxton.

VOTE ON ORIGINAL MOTION:

5-1; Motion Passed, Nay: Council Member Patel.

B. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for City Planning Consultant Services.

MOTION: Made by Council Member Maxton, seconded by Council Member Hartpence to authorize the City Manager to sign a Professional Services Agreement with Gunda Corporation for City Planning Consultant services.

VOTE: 6-0; Motion Passed.

C. Discussion regarding the draft request for proposal (RFP) for a Compensation & Benefit Study.

Joanna Merrill, Human Resources Director, presented a draft request for proposal (RFP) to council to receive general insight and direction. City Council was instructed to communicate any recommended changes through the City Secretary, City Manager, or HR Director.

D. Consideration and possible action approving the first reading of an ordinance calling a Special Election reauthorizing the levying of local sales and use tax for the maintenance and repair of municipal streets.

MOTION: Made by Council Member Havard, seconded by Council Member Maxton to approve the first reading of an ordinance calling a Special Election reauthorizing the levying of local sales and use tax for the maintenance and repair of municipal streets.

VOTE: 6-0; Motion Passed.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

A. Capital Improvements Advisory Committee Chairman, John Merritt, provided the Committee's semi-annual reports from September through December 2019. The Committee met in September to review the newly adopted Land Use Assumptions and Capital Improvement Plans. On December 12, 2019 the committee received the Draft Water and Wastewater Impact Fee report. The Committee found that "the Land Use Assumptions and Capital Improvement Plan are based on sound assumptions and engineering practices and recommended no changes." They further found that sound assumptions and engineering practices were used in their calculation of the Maximum Allowable Impact Fees. The CIAC recommended that Council adopt the Maximum Allowable Impact Fees: Water: \$8,670 and Wastewater: \$6,069.

VI. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive Session regarding:

A. 551.071 (Consultation with Attorney) - Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

City Council convened into Executive Session at 8:12 PM regarding:

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

III. RECONVENE INTO OPEN SESSION

The Mayor Pro Tem reconvened into open session at 9:13 PM. No action was taken.

VIII. ADJOURNMENT


Council Member Koerner requested that an item regarding maintaining term limits for all board appointments and how they are being managed be reviewed and brought back to Council.

Mayor Pro Tem Elizondo adjourned the meeting at 9:16 PM.



Garry Manitzas, Mayor

ATTEST:



Christina Picioccio, City Secretary