

**CITY OF FAIR OAKS RANCH  
CITY COUNCIL REGULAR MEETING MINUTES  
January 21, 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 6:30 PM.

**II. CITIZENS and GUEST FORUM/PRESENTATIONS**

A. There were no citizens to be heard.

*At the direction of Mayor Manitzas, the Executive Session was presented out of its scheduled order.*

**VI. CONVENE INTO EXECUTIVE SESSION**

City Council convened into Executive Session at 6:33 PM 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:
  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.
  3. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

City Council did not convene into Executive Session regarding:

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.

**VII. RECONVENE INTO OPEN SESSION**

The Mayor reconvened into open session at 7:47 PM.

A roll call reestablishing a quorum was taken:

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

No action was taken.

**III. CONSENT AGENDA**

- A. Approval of the January 7, 2021 Regular City Council meeting minutes.
- B. Approval of a final plat that establishes the Arbors at Fair Oaks Ranch Unit 2 proposing 47 single family residential lots, generally located on the east side of Ralph Fair Road and north of Dietz Elkhorn Road, City of Fair Oaks Ranch.

MOTION: Made by Council Member Maxton, seconded by Council Member Koerner to approve the Consent Agenda.

VOTE: 7-0; Motion Passed.

**IV. CONSIDERATION/DISCUSSION ITEMS**

- A. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for a Water/Wastewater/Reuse Rate Update to the Fair Oaks Ranch Utility.**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner, to authorize the City Manager to sign a Professional Services Agreement for the Water/Wastewater/Reuse Rate Update with Raftelis Financial Consultants, Inc. at a not to exceed cost of \$144,158.00.

VOTE: 7-0; Motion Passed.

- B. Consideration and possible action authorizing the City Manager to enter into and manage an agreement between the City of Fair Oaks Ranch and Waterman Construction, LLC as Construction Manager at Risk for a Civic Center and City Hall Renovation.**

MOTION: Made by Council Member Koerner, seconded by Mayor Pro Tem Elizondo, to authorize the City Manager to sign an Agreement with Waterman Construction, LLC to provide Construction Manager at Risk Services for Construction of a Civic Center and City Hall Renovation at an amount not to exceed \$134,233.00.

VOTE: 6-1; Motion Passed. Nay, Council Member Hartpence.

- C. Consideration and possible action approving a Resolution to approve the 2020 Property Tax Levy**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence, to approve a resolution approving the City of Fair Oaks Ranch 2020 property tax levy roll of \$6,180,639.53.

VOTE: 7-0; Motion Passed.

- D. Consideration and possible action approving the first reading of an Ordinance adopting Fiscal Year 2020-21 Budget Amendments.**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Patel, to approve the First Reading of the proposed Budget Amendment Ordinance.

VOTE: 7-0; Motion Passed

**E. Consideration and possible action on appointing a Council Member to the Citizens Code of Conduct Advisory Committee as the Committee Project Sponsor.**

MOTION: Made by Council Member Koerner, seconded by Council Member Maxton, to appoint Council member Patel to the Citizens Code of Conduct Advisory Committee as the Committee's project sponsor.

VOTE: 7-0; Motion Passed

**F. Discussion on necessary and potential amendments to the City's Code of Ordinances Chapter 6 Article 6.02 Weeds, High Grass, and Debris on Lots.**

Code Compliance Officer, Amber Little, provided a presentation entitled "Weeds, High Grass and Debris on Lots Ordinance". Council provided feedback and direction. Item to return at a future council meeting.

**V. REPORTS FROM STAFF/COMMITTEES/COUNCIL**

A. Christina Picioccio, City Secretary, announced that Council Member Maxton, Place 6, applied for the Mayors seat in the May 1, 2021 election thus driving the ordering of a special election. The City Secretary provided the special election calendar and explained that the application timeframe is dependent on the date of ordering the election (anticipated at the February 4, 2021 Council meeting).


**VIII. ADJOURNMENT**

Council Member Koerner announced plans to submit an agenda item on the February 4, 2021 Council Meeting, to move the meeting time of the first monthly meeting to 6:30 PM.

Mayor Manitzas adjourned the meeting at 9:56 PM.

  
Garry Manitzas, Mayor

ATTEST:

  
Christina Picioccio, City Secretary