

**CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING MINUTES
February 4, 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.

II. CITIZENS and GUEST FORUM/PRESENTATIONS

A. Citizens to be heard.

The City Secretary read a letter into the record from:

Debra Doyle, who expressed that she was pleased at the amount of candidates who have filed for a place on the ballot or have expressed interest in running for office in the City. She is hopeful that brighter days are ahead for the community. *Correction for the record: The City Secretary inadvertently read the following line of the letter incorrectly "Since these individuals (Mayor and Councilwoman Havard) are not running for re-election, my hope is this "Era of Ignorance" will end with their departure." It should have been read as "Era of Arrogance".*

- B. Joanna Merrill, Director of Human Resources and Communications, presented Service Awards to Julio Colunga, Public Works Superintendent and Yvonne Medina, Administrative Assistant for their 5 years of service.
- C. Joanna Merrill, Director of Human Resources and Communications, recognized Brandon Garrettson for his promotion from Water/Wastewater Operator III to Wastewater Supervisor.
- D. Joanna Merrill, Director of Human Resources and Communications, introduced new employees: Michael Silvas, Utility Technician and Jack Harris, Maintenance Technician.
- E. Christina Picioccio, City Secretary, recognized Deputy City Secretary Amanda Valdez for her achievement of Texas Registered Municipal Clerk Certification.

III. CONSENT AGENDA

- A. Approval of the January 21, 2021 Regular City Council meeting minutes.
- C. Approval of a Resolution ordering a General Election to be held May 1, 2021 for the election of Mayor and Council Member Place 1.
- D. Approval of a Resolution ordering a General Election to be held May 1, 2021 for the election of Mayor and Council Member Place 1.

Consent Item B was removed from the consent agenda at the request of Council Member Patel.

MOTION: Made by Council Member Patel, seconded by Council Member Hartpence to approve the Consent Agenda Items A, C & D.

VOTE: 7-0; Motion Passed.

IV. CONSIDERATION/DISCUSSION ITEMS

Consent Agenda Item B.

B. Approval of the second reading of an Ordinance adopting Fiscal Year 2020-21 Budget Amendments.

Council Member Patel asked for clarification of the proposed Deputy City Manager position. There was a brief discussion amongst Council and questions were answered by the City Manager.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner, to approve the second reading of the proposed Budget Amendment Ordinance.

VOTE: 5-2; Motion Passed. Council Members Hartpence and Patel voted against.

A. Consideration and possible action amending the City Council Rules of Procedure Part II Rule 4; changing the meeting time of the regular City Council meeting held on the first Thursday of each month from 9:30 AM to 6:30 PM.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence, to approve amending the City Council Rules of Procedure Part II Rule 4 changing the meeting time of the regular City Council meeting held on the first Thursday of each month from 9:30 AM to 6:30 PM.

MOTION: Made by Council Member Patel, seconded by Council Member Hartpence, to table the item.

VOTE TO TABLE:

2-5; Motion Failed. Mayor Manitzas, Mayor Pro Tem Elizondo and Council Members Havard, Koerner, and Maxton - Nay.

VOTE ON MAIN MOTION:

5-2; Main Motion Passed. Council Members Hartpence and Patel - Nay.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

A. Christina Picioccio, City Secretary, provided an update on the Council Code of Conduct Advisory Committee (CCCAC). Nine applications were received, and two sessions have been scheduled to conduct interviews via Zoom on February 9th and 10th. Council Member Patel spoke of the process for the interviews. Discussion amongst Council ensued regarding interview questions and interview moderator. Council determined that the Mayor would moderate and the City Secretary would provide interview questions for Council review and rewrite contributions.

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.
3. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

VII. RECONVENE INTO OPEN SESSION

N/A


VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 10:32 AM.



Garry Manitzas, Mayor

ATTEST:



Christina Picioccio, City Secretary