

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
March 19, 2020
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

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

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

Absent: Council Member Patel

B. The Pledge of Allegiance was led by Police Officer Michael Maddox.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. Citizens to be Heard

1. Citizen Peter Lee spoke regarding the bulk/brush pickup noting that he felt the communication was poor and that some bulk/brush piles were missed. He indicated that the city should have notified everyone that they were going to enforce the rules.

B. Interim Police Chief Tim Moring provided the Oath of Office to Police Officer Michael Maddox.

C. Interim Police Chief Tim Moring presented an Emergency Operations Update.

III. CONSENT AGENDA

A. Approval of March 5, 2020 Regular City Council Meeting Minutes.

B. Approval of a Preliminary Plat establishing Elkhorn Ridge Unit 5.

The Mayor presented the Consent Agenda and with no discussion the Consent Agenda was approved by unanimous consent.

IV. CONSIDERATION/DISCUSSION ITEMS

A. Consideration and possible action accepting the FY 2018-19 Audit.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Maxton to accept the Fiscal Year 2018-2019 annual audit as presented by ABIP, PC.

VOTE: 6-0; Motion Passed

B. Consideration and possible action awarding the 2020 Street Maintenance and Repair Program – High Density Mineral Bond bid and authorizing the City Manager to sign the Agreement.

MOTION: Made by Council Member Hartpence, seconded by Council Member Koerner to accept the bid furnished by Andale Construction Inc. in the amount of \$40,147.60 with a 10% contingency in the amount of \$4,014.76 for a value not to exceed \$44,162.36 and authorize the City Manager to sign the construction agreement.

VOTE: 6-0; Motion Passed

C. Consideration and possible action awarding the 2020 Street Maintenance and Repair Program – Asphalt Rejuvenator bid and authorizing the City Manager to sign the Agreement.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner to accept the bid furnished by Pavement Restoration, Inc. in the amount of \$182,453.25 with a 10% contingency in the amount of \$18,245.32 for a value not to exceed \$200,698.57 and authorize the City Manager to sign the construction agreement.

VOTE: 6-0; Motion Passed

D. Consideration and possible action extending a declaration of local disaster; establishing rules and regulations for the duration of the disaster; and restricting certain activities.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Havard to approve an Ordinance extending the Declaration of Local Disaster until April 16, 2020 and establishing rules and regulations for the duration of the disaster and restricting certain activities as discussed.

Consensus through Council discussion lead to the amendments of Exhibit A of the Ordinance to change (a) all references of mass gatherings from 50 to 10, consistent with state recommendations, (b) the effective date and time of the Ordinance to be March 20th, at 12:00 AM, and (c) that unless otherwise extended consistent with requirements of state law, the ordinance would be in effect until April 16, 2020, (d) the removal of the first sentence in 5.c. “This Declaration also does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiples movie theater, so long as 50 people are not present in any single space as the same time”.

City Manager Tobin Maples, notified Council that City Hall would be closed to the public until further notice for the safety of city staff and citizens, and that staff was implementing skeleton crew procedures. In addition, the May election was discussed and Council voiced willingness to consider postponing the regular and special election pending clarification of state waiver’s regarding election rules. Council further indicated that all boards and commission meetings will be postponed until further notice.

VOTE: 6-0; Motion passed as recorded:

Mayor Manitzas – For; Mayor Pro Tem Elizondo – For; Council Member Hartpence – For; Council Member Havard – For; Council Member Koerner – For; and Council Member Maxton – For.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

None

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.

- 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.

VII. RECONVENE INTO OPEN SESSION

N/A

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 8:08 PM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary