

**CITY OF FAIR OAKS RANCH
CITY COUNCIL VIDEOCONFERENCE MEETING MINUTES
JULY 2, 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: Havard, Hartpence, Koerner, Patel and Maxton.

With a quorum present, the City Council meeting was called to order at 9:36 AM.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. There were no citizens to be heard.

B. Joanna Merrill, the City's Human Resources Director, presented to Brian LeJeune, IT Director, the Employee of the Quarter award.

III. CONSENT AGENDA

A. **Approval of the June 18, 2020 City Council meeting minutes.**

B. **Approval of the second reading of an Ordinance amending the City's Code of Ordinances Appendix A pertaining to Municipal Court Fees.**

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

VOTE: 7-0; Motion passed.

IV. CONSIDERATION/DISCUSSION ITEMS

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

MOTION: Made by Council Member Koerner, seconded by Council Member Havard to approve an Ordinance extending the Declaration of Local Disaster until Governor Abbot lifts the statewide disaster order now in place.

VOTE: 7-0; Motion passed.

B. **Consideration and possible action approving a Resolution authorizing the City Manager to submit a funding application to the Fair Oaks Ranch Municipal Development District (FORMDD) for the construction of the city's Civic Center.**

MOTION: Made by Council Member Maxton, seconded by Council Member Havard to approve a Resolution authorizing the submission of a funding application to the Fair Oaks Ranch MDD for construction of a civic center; authorizing the acceptance of the payment of funds for; and, authorizing the City Manager to execute documents and take actions to facilitate such acceptance.

VOTE: 6-0; Motion passed.

Council Member Hartpence's audio was not functional during the vote.

C. Consideration and possible action of a Resolution by the City Council of the City of Fair Oaks Ranch authorizing and approving Publication of Notice of Intention to issue Certificates of Obligation; Complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12 and providing an effective date.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Havard to adopt a Notice of Intention Resolution.

VOTE: 6-0; Motion passed.

Council Member Hartpence's audio was not functional during the vote.

D. Consideration and possible action authorizing the City Manager to sign a Professional Service Agreement for Road Condition Analysis.

MOTION: Made by Council Member Havard, seconded by Council Member Koerner to authorize the City Manager to sign a Professional Services Agreement for the Road Condition Analysis at a not to exceed cost of \$35,000.00.

VOTE: 7-0; Motion passed.

E. Consideration and possible action authorizing the City Manager to sign a Professional Service Agreement for a hydro pneumatic tank and variable frequency drives (VFD's) at Plant 2.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Patel to authorize the City Manager to sign a Professional Services Agreement for the Water Plant #2 consulting services with CP&Y at a not to exceed cost of \$108,026.00.

VOTE: 7-0; Motion passed.

F. Consideration and possible action awarding the bid of the 2020 Chip Seal Project and authorizing the City Manager to sign Agreement.

MOTION: Made by Council Member Patel, seconded by Council Member Maxton to award the bid for the 2020 Chip Seal Project to Loan Star Paving and authorize the City Manager to sign the agreement.

VOTE: 7-0; Motion passed.

G. Discussion regarding Fat, Oil, and Grease (FOG) Management Ordinance.

Melissa Castro, Environmental Compliance Manager, provided to Council a presentation reviewing a possible ordinance regulating fat, oil and grease management. Council consensus was to move forward with an ordinance that will be brought back at a future meeting for consideration and approval.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

A. Sarah Buckelew, CPA, Finance Director presented to Council the Financial Update.

B. Tobin Maples, City Manager, provided to Council an update on the cancellation of the Fireworks Celebration scheduled for July 3, 2020.

VI. CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body convened into Executive Session at 11:40 AM 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. Claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
 - 2. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
 - 3. 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.

City Council did not convene into Executive Session regarding:

- A. 4. 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

The Mayor reconvened into open session at 12:30 PM.

A roll call reestablishing a quorum was taken:

Present: Mayor Manitzas and Mayor Pro Tem Elizondo

Council Members: Havard, Patel and Maxton.

Absent: Council Members: Hartpence and Koerner

No action was taken.

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 12:31 PM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary