

CITY OF FAIR OAKS RANCH
CITY COUNCIL SPECIAL MEETING

Tuesday, May 11, 2021 at 2:00 PM
Via Zoom Videoconference

AGENDA

There exists a public health emergency related to the COVID-19 VIRUS that necessitates a meeting of the city council to take place via video conference pursuant to government code chapters 551.127, as modified by executive order of the Governor.

Zoom Videoconference Link: <https://www.zoomgov.com/j/1605181254>

Phone in number: US: +1 669 254 5252 or +1 646 828 7666 or 833 568 8864 (Toll Free)

Webinar ID: 160 518 1254

If you wish to address the City Council via telephone, please select *9 on your phone, this will place you in a queue for speaking. At the appropriate time, the City Secretary will call upon each individual separately. *6 will unmute your phone to allow you to speak.

OPEN MEETING

Roll Call - Declaration of a Quorum.

CITIZENS and GUEST FORUM

*If you wish to address the City Council, select *9 on your phone; this will place you in a queue for speaking. At the appropriate time the City Secretary will call upon each individual separately. Select *6 to unmute your phone to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item which has not been posted on the agenda.*

1. Citizens to be heard.

CANVASS OF GENERAL AND SPECIAL ELECTIONS

2. Consideration and possible action approving a Resolution canvassing the results of the General and Special Elections held on May 1, 2021.

Mayor Garry Manitzas

ADJOURNMENT

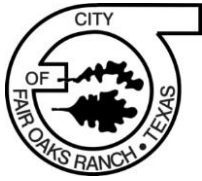
Signature of Agenda Approval: s/ Tobin E. Maples

Tobin E Maples, City Manager

I, Christina Picioccio, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by **2:00 PM, May 8, 2021** and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch City Hall is wheelchair accessible at the side entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to Texas Government Code Chapter 551. Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
May 11, 2020

AGENDA TOPIC: Consideration and possible action approving a Resolution canvassing the results of the General and Special Elections held on May 1, 2021

DATE: May 11, 2021

DEPARTMENT: City Council

PRESENTED BY: Mayor Garry Manitzas

INTRODUCTION/BACKGROUND:

The attached Resolution is required to approve the canvass of returns and to declare the results of the General Election.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Complies with State Law.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

I move to approve the Resolution canvassing the election returns and declaring the results of the General and Special Elections held on May 1, 2021.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH TEXAS
CANVASS OF RETURNS AND DECLARATION OF RESULTS OF THE GENERAL AND
SPECIAL ELECTIONS HELD MAY 1, 2021 IN THE CITY OF FAIR OAKS RANCH, TEXAS**

WHEREAS, the City Council of the City of Fair Oaks Ranch, Texas called a general election to be held in the City on May 1, 2021, to elect the Mayor and Council Member Place 1; and

WHEREAS, on January 13, 2021, Council Member Maxton, City Council Place 6, submitted an application for the Mayor's seat, thereby announcing his candidacy for another office and automatically resigning from City Council Place 6; and

WHEREAS, on January 29, 2021, Council Member Patel, City Council Place 5, submitted an application for the Mayor's seat, thereby announcing her candidacy for another office and automatically resigning from City Council Place 5; and

WHEREAS, the City Council of the City of Fair Oaks Ranch, Texas called a special election to be held in the City on May 1, 2021, to fill vacancies for the remainder of the unexpired terms of office for City Council Member Place 5 and City Council Member Place 6; and

WHEREAS, applications to be placed on the ballot were received and filed with the City Secretary for the positions of Mayor, Council Member Place 1, Council Member Place 5 and Council Member Place 6; and

WHEREAS, after said election the Presiding Judge of Kendall County holding said elections made the returns of the results thereof as follows, and said returns being made according to law, and it being shown that written notice of said elections was posted for the time and in the manner provided by law, and all other proceedings pertaining to said elections having been shown to have been done and performed at and within the manner provided by law, and all papers pertaining thereto having been returned and filed with the City Secretary and no protest or objection being made to or regarding any matter pertaining to said election; and

WHEREAS, on the 11th day of May 2021, at a special meeting of the City Council of the City of Fair Oaks Ranch, Texas, with at least two council members being present, the meeting was called to order to open, examine, and canvass the official returns of the general and special elections held in the City on the above-mentioned date, for the election of Mayor, Council Member Place 1, Council Member Place 5, and Council Member Place 6.

CANVASS OF RETURNS AND DECLARATION OF RESULTS

NOW, THEREFORE, be it resolved by the City Council of the City of Fair Oaks Ranch, Texas, after opening said returns and, examining and canvassing the votes of said election, that the results are as follows:

MAYOR

Ballot Style	Gregory C. Maxton			Snehal Patel		
	Absentee Voting	Early Voting	Election Day	Absentee Voting	Early Voting	Election Day
Bexar-BISD, FOR	17	604	209	5	599	147
Comal-FOR	0	35	13	0	37	12
Comal-BISD, FOR	6	101	29	1	87	23
Kendall-BISD, FOR	6	257	65	7	191	57
Totals:	29	997	316	13	914	239
Grand Totals:	1342			1166		

It appearing that **Gregory C. Maxton** was duly elected Mayor. Said named candidate received a majority of all votes cast for the office of Mayor, is hereby declared to be elected to said office to serve a three-year term, subject to taking the Oath of Office as provided by the laws of the State of Texas, and;

COUNCIL MEMBER, PLACE 1

Ballot Style	David M. Deleranko			Emily Stroup		
	Absentee Voting	Early Voting	Election Day	Absentee Voting	Early Voting	Election Day
Bexar-BISD, FOR	9	536	153	12	644	195
Comal-FOR	0	28	10	0	44	15
Comal-BISD, FOR	3	88	29	4	99	23
Kendall-BISD, FOR	6	207	58	7	240	61
Totals:	18	859	250	23	1027	294
Grand Totals:	1127			1344		

It appearing that **Emily Stroup** was duly elected Council Member, Place 1. Said named candidate received a majority of all votes cast for the office of Council Member, Place 1, is hereby declared to be elected to said office to serve a three-year term, subject to taking the Oath of Office as provided by the laws of the State of Texas, and;

COUNCIL MEMBER PLACE 5: SPECIAL ELECTION – Filling Vacancy for the Unexpired Term

Ballot Style	Scott Parker			Tim Corley			J.C. Taylor		
	Absentee Voting	Early Voting	Election Day	Absentee Voting	Early Voting	Election Day	Absentee Voting	Early Voting	Election Day
Bexar-BISD, FOR	5	424	148	1	153	49	13	574	137
Comal-FOR	0	23	8	0	12	2	0	37	15
Comal-BISD, FOR	3	66	19	0	23	10	4	93	22
Kendall-BISD, FOR	6	157	48	2	52	5	5	225	63
Totals:	14	670	223	3	240	66	22	929	237
Grand Totals:	907			309			1188		

It appearing that J.C. Taylor and Scott Parker received the highest and second highest number of votes in the main election for the office of Council Member, Place 5, with three candidates resulting in a runoff election. On May 6, 2021 J.C. Taylor submitted to the City Secretary a letter withdrawing from the election. As per Texas Election Code, if a runoff candidate withdraws, the remaining candidate is considered to be elected. Scott Parker is hereby declared to be elected to said office to serve the remainder of a three-year term ending in 2022, subject to taking the Oath of Office as provided by the laws of the State of Texas, and;

COUNCIL MEMBER PLACE 6: SPECIAL ELECTION – Filling Vacancy for the Unexpired Term

Ballot Style	Chesley Muenchow			Stephen D. May		
	Absentee Voting	Early Voting	Election Day	Absentee Voting	Early Voting	Election Day
Bexar-BISD, FOR	7	614	165	12	520	164
Comal-FOR	0	47	12	0	23	13
Comal-BISD, FOR	6	105	32	1	74	19
Kendall-BISD, FOR	10	276	75	3	156	43
Totals:	23	1042	284	16	773	239
Grand Totals:	1349			1028		

It appearing that **Chesley Muenchow** was duly elected Council Member, Place 6. Said named candidate received a majority of all votes cast for the office of Council Member, Place 6, is hereby declared to be elected to said office to serve the remainder of a three-year unexpired term ending 2023, subject to taking the Oath of Office as provided by the laws of the State of Texas, and;

IT IS FURTHER RESOLVED that this canvass and declaration of results of said general and special elections be entered in the Minutes of the City Council and the Election Register and that said officers, after being qualified and having taken the Oath, shall serve in their respective offices for the terms stated herein, and thereafter until a successor is duly elected and qualified.

This Resolution, declaring results of the election shall become effective immediately after its passage.

PASSED, APPROVED, and ADOPTED on this 11th day of May, 2021.

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary



Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney