



CITY OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING

Thursday, May 20, 2021 at 6:30 PM

City Hall Council Chambers - 7286 Dietz Elkhorn, Fair Oaks Ranch

AGENDA

OPEN MEETING

Roll Call - Declaration of a Quorum.

CITIZENS and GUEST FORUM

1. Citizens to be heard.

PRESENTATIONS

2. Swearing in of newly elected officials: Gregory Maxton, Mayor; Emily Stroup, Council Member Place 1; Scott Parker, Council Member Place 5; and Chesley Muenchow, Council Member Place 6.

Mayor Garry Manitzas

3. Update on the status of the Citizen's Code of Conduct Advisory Committee.

Joe duMenil, CCCAC Chairperson

CONSENT AGENDA

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion. Items may be removed by any Council Member by making such request prior to a motion and vote.

- [4.](#) Approval of the May 6, 2021 Regular City Council meeting minutes.

Christina Picioccio, City Secretary

- [5.](#) Approval of the May 11, 2021 Special City Council meeting minutes.

Christina Picioccio, City Secretary

- [6.](#) Approval of the Tree Preservation Plan for Front Gate Unit 7.

Melissa Castro, Environmental Project Manager

- [7.](#) Approval of a Resolution ordering a Special Election to be held July 31, 2021 for the election of Council Member Place 3.

Christina Picioccio, City Secretary

CONSIDERATION/DISCUSSION ITEMS

8. Consideration and possible action electing a Council Member to serve as Mayor Pro-Tem at the first regular City Council meeting following each regular city election.

Mayor Gregory Maxton

CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body hereby convenes into closed session:

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:

9. 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.
10. 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.
11. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

ADJOURNMENT

Requests for City topic needing additional information/research; or, potential consideration for a future agenda

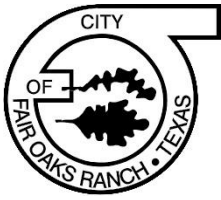
Signature of Agenda Approval: s/Tobin E. Maples

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 6:30 PM, May 17, 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 OF FAIR OAKS RANCH
CITY COUNCIL REGULAR MEETING
 Thursday, May 06, 2021 at 6:30 PM
 Via Zoom Videoconference

MINUTES

OPEN MEETING

Council Present: Mayor Manitzas and Mayor Pro Tem Elizondo

Council Members: Havard, Hartpence, Koerner, Patel, and Maxton

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

CITIZENS and GUEST FORUM

1. Citizens to be Heard.

The City Secretary read letters from the following six citizens into the record:

Wes Pieper requested clarification for statements at the beginning of the financial statement regarding a hiring freeze and a 1.3-million-dollar 2019-20 surplus. Mr. Pieper wanted clarification on the actions referred to in the agenda packet. Mayor asked the Finance Dept. to contact Mr. Pieper regarding his questions.

Stacy Gilfillan requested that the Council accept the resignation of Council Member Hartpence at this meeting to trigger an election and allow the residents to select the Council Member.

Camille Yanowski urged Council to accept the Council resignation and allow residents to select their new Council Member through a special election.

Christopher J. Gilfillan encouraged the acceptance of the resignation of Council Member Hartpence and believes it's the right thing to do regardless of the expense.

Debra Doyle asked Council to immediately accept the resignation of Council Member Hartpence so a special election can be held as soon as practicable. (The City Secretary during the reading of this letter said vote instead of voice) "Failure to do silences the ~~vote~~ voice of Fair Oaks Ranch citizens".

Sandy and Jay Terry wrote in hopes that the council decides to accept the resignation of Council Member Hartpence effective immediately and wants all citizens to have a voice by vote to whom they would like to be represented by.

Citizens that spoke on record:

Sharon Brimhall spoke at the meeting in agreement with other messages received by the City Secretary urging the acceptance of Council Member Hartpence's resignation so that there will be a special election.

Gary and Christine Graham – Mr. Graham commended Ms. Patel for her service to the community and said that she'd be missed on Council. He also spoke on the recent election and the campaigns ran on a political ticket rather than on the issues facing the citizens.

Chesley Muenchow thanked members of council who have served on Council in the previous years and thanked voters for getting out to vote in this last election. Ms. Muenchow wants the city to hold an election for the seat to be vacated by Council Member Hartpence to further confidence in city officials and honor the home rule charter.

Arnaldo Medina thanked Mr. Hartpence for his service to the community and is looking forward to voting in the resulting special election to replace his vacant seat. Mr. Medina conveyed that he believes the charter states that an election is required based on the situation.

Council Member Patel expressed appreciation to the citizens of Fair Oaks Ranch for participating in the council process. She stated that it has been an honor and privilege to serve on Council for nearly five years. Ms. Patel congratulated the Mayor-Elect, Greg Maxton, and other incoming Council Members. Ms. Patel also spoke about the partisan politics in the recent election and a Republican rally held before Election Day. She believes partisan politics do not belong in city politics but if they are desired it should be reflected in the charter.

Council Member Hartpence voiced that a special election should be held to replace him based on the close election results. Mr. Hartpence attempted to express an opinion about Council Member Koerner whereupon he was muted.

PRESENTATIONS

2. Mayor Manitzas read a Proclamation declaring the week of May 9, 2021 as Police Week and May 15, 2021 as Peace Officers Memorial Day.
3. Mayor Manitzas read a Proclamation declaring the week of May 16, 2021 as National Public Works Week.

Council Member Hartpence was removed from the meeting at 6:59 PM

Council Member Hartpence rejoined the meeting at 7:01 PM

CONSENT AGENDA

4. **Approval of the March 29, 2021 Special City Council meeting minutes.**
5. **Approval of the April 15, 2021 Regular City Council meeting minutes.**
6. **Approval of the second reading of an Ordinance amending the City's Code of Ordinances, Chapter 13, Article 13.06 Water Conservation Plan.**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Laura Koerner, to approve the Consent Agenda.

VOTE: 6-1; Motion Passed. Council Member Hartpence voted nay.

CONSIDERATION/DISCUSSION ITEMS**7. Consideration and possible action accepting Council Member Hartpence's resignation from the City of Fair Oaks Ranch City Council.**

MOTION: Made by Council Member Patel, seconded by Council Member Koerner, to accept Council Member Hartpence's resignation from Council.

VOTE: 7-0; Motion Passed

8. Consideration and possible action approving a Resolution supporting the Camp Bullis Sentinel Landscape designation.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Maxton, to approve a Resolution supporting the Camp Bullis Sentinel Landscape designation.

VOTE: 7-0; Motion Passed

9. Consideration and possible action authorizing the City Manager to sign a Construction Agreement with Intermountain Slurry Seal for the city's Annual Street Maintenance and Repair Program.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Maxton, to accept the Intermountain Slurry Seal bid in the amount of \$461,736.25 with a 5% contingency in the amount of \$23,080.81 for a value not to exceed \$484,817.06 and authorize the City Manager to sign the construction agreement.

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

REPORTS FROM STAFF/COMMITTEES/COUNCIL**10. Comprehensive Internal Controls Framework Implementation Project Update.**

Jenny Che, RSM Consultant, provided an update on the Comprehensive Internal Controls Framework Implementation.

11. Monthly Finance Update.

Sarah Buckelew, CPA, Finance Director, provided to council the Monthly Finance Update.

CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive Session regarding:

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:

12. 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.

- 13. 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.
- 14. To receive legal advice from Special Counsel and the City Attorney regarding the City’s ground water rights.

RECONVENE INTO OPEN SESSION

N/A

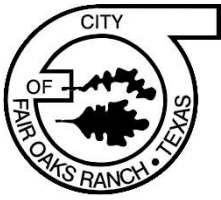
ADJOURNMENT

Mayor Manitzas adjourned the meeting at 8:29 PM.

ATTEST:

Gregory C Maxton, Mayor

Christina Picioccio, City Secretary



CITY OF FAIR OAKS RANCH
CITY COUNCIL SPECIAL MEETING
 Tuesday, May 11, 2021 at 2:00 PM
 Via Zoom Videoconference

MINUTES

OPEN MEETING

Council Present: Mayor Manitzas and Mayor Pro Tem Elizondo
 Council Members: Havard, Koerner, Patel, and Maxton
 Council Absent: Council Member Hartpence
 With a quorum present, the meeting was called to order at 2:00 PM.

CITIZENS and GUEST FORUM

1. There were no 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.**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Havard, to approve the Resolution canvassing the election returns and declaring the results of the General and Special Elections held on May 1, 2021.

VOTE: 6-0; Motion Passed

ADJOURNMENT

Mayor Manitzas adjourned the meeting at 2:07 PM.

ATTEST:

 Gregory C. Maxton, Mayor

 Christina Picioccio, City Secretary



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
May 20, 2021

AGENDA TOPIC: Approval of the Tree Preservation Plan for Front Gate Unit 7
 DATE: May 20, 2021
 DEPARTMENT: Public Works
 PRESENTED BY: Melissa Castro, Environmental Project Manager

INTRODUCTION/BACKGROUND:

On March 3, 2021, a preliminary plat establishing Front Gate Unit 7 was submitted to the Public Works Department by Vickrey and Associates, Inc. This preliminary plat consists of 7.13 acres of residential development.

Regarding the submission of a preliminary plat, currently vested under the City's previous subdivision ordinance, Article II, Section 1 (C, 13) of said ordinance states, "The submittal shall conform to the requirements of Article III, Section 6 of this ordinance." This section contains a requirement by the Tree and Habitat Protection ordinance which states: "City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

The submitted Tree Plan shows the following heritage trees:

Tree #340 – 26" Oak – To Be Saved

Tree #380 – 24" Oak – To Be Saved

Tree #385 – 31" Oak – To Be Removed*

Tree #386 – 29" Oak – To Be Removed*

Tree #399 – 28" Oak – To Be Removed*

Tree #411 – 31" Oak – To Be Saved

Tree #464 – 24" Oak – To Be Saved

*To mitigate, nine (9) trees with a caliper of at least two and one half - inches (2.5") will be planted. The applicant has been informed that the tree preservation plan will require City Council approval prior to the removal of heritage trees.

On May 13, 2021, the Planning and Zoning Commission considered and recommended approval of the Tree Preservation Plan to the City Council.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Article III Section 6(A) of the previous subdivision ordinance states:

"It shall be unlawful for any person to remove, destroy, or cause the removal or destruction of any tree which is nine - inches (9") caliper in size or larger (protected tree) and which is located on an

undeveloped tract of land within the city limits or extraterritorial jurisdiction (ETJ) without submitting a Tree Removal and Preservation Plan with the preliminary plat. City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

Furthermore, item "D" of the same section states the following:

"The Public Works Department shall review and recommend approval of the Plan if:

1. The tree(s) is located within ten feet of the perimeter of, the proposed building footprint, the area over a septic tank, areas necessary for site access, or within areas designated for the construction or installation of public facilities such as trees or utilities; or
2. The application demonstrates that the denial of the request for tree removal will affect a hardship prohibiting the development of the property in otherwise compliance with the regulations of the City of Fair Oaks Ranch; and
3. The application demonstrates that three (3) trees with a caliper of at least two and one half - inches (2.5") will be planted on the site or at another approved location for each tree removed that has a caliper of twenty-four - inches (24") or larger (heritage tree)."

LONGTERM FINANCIAL & BUDGETARY IMPACT:

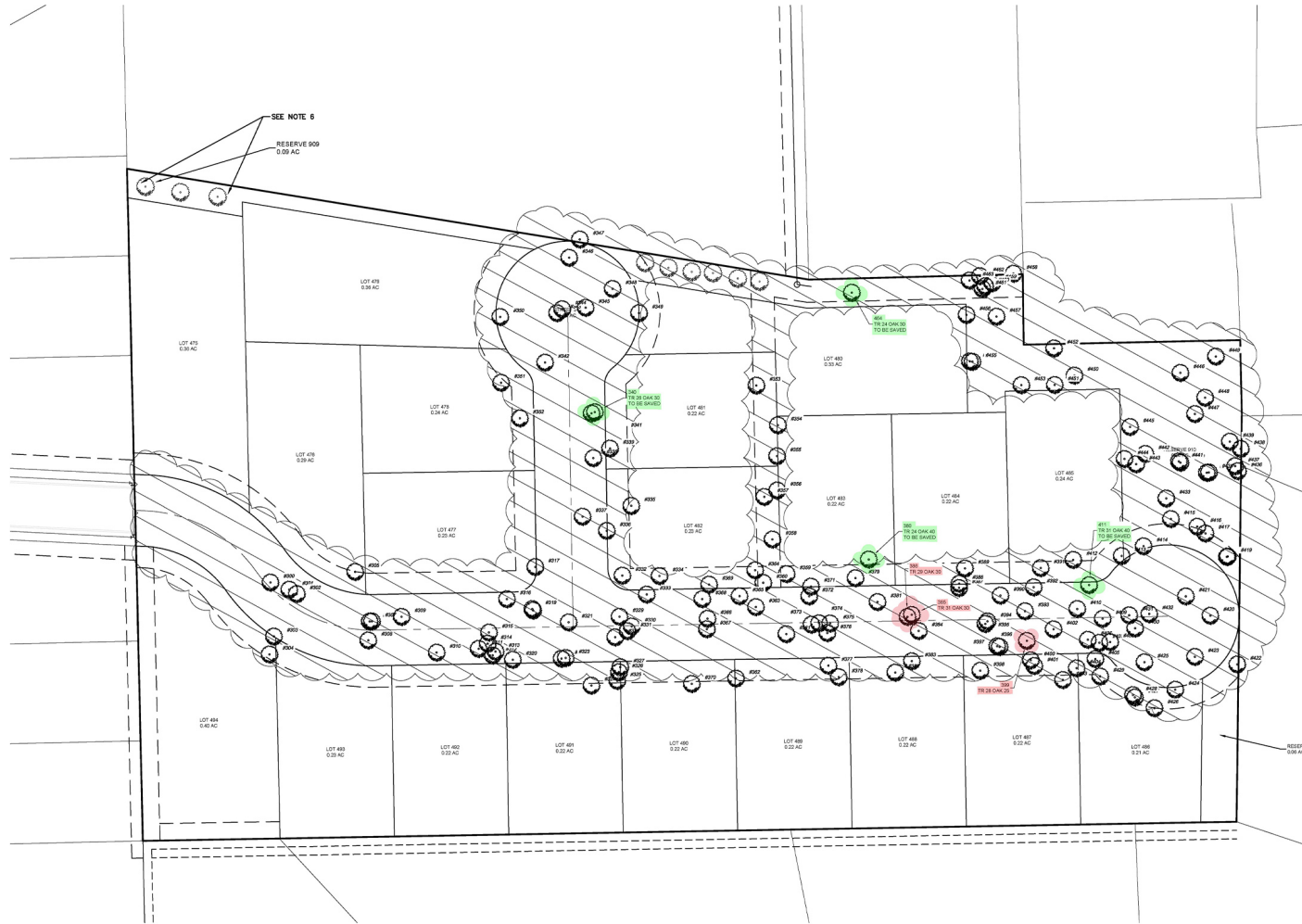
None

LEGAL ANALYSIS:

Not Applicable

RECOMMENDATION/PROPOSED MOTION:

I move to approve the Tree Preservation Plan for the proposed subdivision of Front Gate Unit 7.



- NOTES:
- 1) NO OLD GROWTH CEDAR.
 - 2) EACH BUILDER WILL BE REQUIRED TO PLANT TWO TREES.
 - 3) ALL TREE REMOVAL WILL BE PERFORMED IN COMPLIANCE WITH THE CITY'S TREE MAINTENANCE ORDINANCE.
 - 4) FOR EACH TREE GREATER THAN 24" TO BE REMOVED, 3 TREES WITH A CALIPER OF AT LEAST 3-1/2" EACH SHALL BE PLANTED.
 - 5) THERE ARE 7 HERITAGE TREES, 3 TO BE REMOVED, 4 TO BE SAVED.
 - 6) TREE TO BE PLANTED TO MITIGATE TREES #355, #356, #359.
 - 7) A PRECONSTRUCTION "TREE WALK" IS REQUIRED PRIOR TO THE REMOVAL OF ANY TREE.



- HERITAGE TREE TO BE SAVED
- HERITAGE TREE TO BE REMOVED

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

VICKREY & ASSOCIATES, LLC
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEYING
12840 County Parkway San Antonio, TX 78216
Tel: 210-481-5555
Fax: 210-481-5556



TREE PLAN
FRONT GATE UNIT 7
FAIR OAKS RANCH, TEXAS

DATE: Feb 2021

Vertical Scale: 1"=4' (N/A)
Horizontal Scale: 1"=40'

SHEET 1 OF 2

PROJ. NO. 2768-0004

03-31-2021

Point #	DESCRIPTION
300	TR 11 AJ 20
301	TR 15 OAK 30
302	TR 14 OAK 25
303	TR 9 OAK 20
304	TR 9 AJ 25
305	TR 10 AJ 25
306	TR 23 OAK 30
307	TR 20 OAK 25
308	TR 9 AJ 20
309	TR 10 AJ 25
310	TR 9 OAK 20
311	TR 9 OAK 20
312	TR 9 OAK 20
313	TR 9 OAK 25
314	TR 11 OAK 30
315	TR 10 OAK 25
316	TR 10 OAK 25
317	TR 16 OAK 40
318	TR 9 OAK 20
319	TR 10 OAK 25
320	TR 9 OAK 25
321	TR 10-5-4-4 AJ 25
322	TR 16 OAK 35
323	TR 21 OAK 30
324	TR 9-4-4 AJ 25
325	TR 10 OAK 25
326	TR 11 OAK 20
327	TR 9 OAK 20
328	TR 14 OAK 25
329	TR 10 OAK 20

Point #	DESCRIPTION
330	TR 11-7 OAK 25
331	TR 10 OAK 20
332	TR 17 OAK 30
333	TR 11 OAK 25
334	TR 11 OAK 30
335	TR 16 OAK 20
336	TR 9 AJ 25
337	TR 9-8 OAK 25
338	TR 9 AJ 25
339	TR 9 AJ 20
340	TR 26 OAK 30
341	TR 15 OAK 20
342	TR 13 OAK 25
343	TR 14 OAK 25
344	TR 12 OAK 25
345	TR 13 OAK 20
346	TR 11 OAK 25
347	TR 17 OAK 30
348	TR 10 OAK 25
349	TR 9 OAK 20
350	TR 16 OAK 40
351	TR 14 OAK 30
352	TR 9 OAK 20
353	TR 18 OAK 30
354	TR 9-7-4 AJ 25
355	TR 15 OAK 35
356	TR 10 AJ 25
357	TR 12-5 AJ 30
358	TR 10 OAK 20
359	TR 12 OAK 25

Point #	DESCRIPTION
360	TR 18 OAK 30
361	TR 14 OAK 30
362	TR 11 AJ 25
363	TR 16 OAK 40
364	TR 10 AJ 25
365	TR 9-7-4 AJ 30
366	TR 9-4-5-3 AJ 25
367	TR 10 AJ 25
368	TR 16 AJ 30
369	TR 11-6-4-3 AJ 30
370	TR 9 AJ 25
371	TR 15 OAK 25
372	TR 12 OAK 30
373	TR 10 OAK 25
374	TR 15 OAK 30
375	TR 15 ASJ 30
376	TR 9 OAK 20
377	TR 21 OAK 40
378	TR 15 ASJ 30
379	TR 15 OAK 30
380	TR 24 OAK 40
381	TR 9 ASJ 20
382	TR 9-8 ASJ 25
383	TR 9-4-4 ASJ 25
384	TR 10 ASJ 20
385	TR 31 OAK 30
386	TR 29 OAK 30
387	TR 9-8 ASJ 20
388	TR 10 ASJ 20
389	TR 11 ASJ 25

Point #	DESCRIPTION
390	TR 10-7-4 ASJ 25
391	TR 9 ASJ 20
392	TR 17 ASJ 30
393	TR 11 ASJ 25
394	TR 13 ELM 20
395	TR 12-8 ELM 25
396	TR 12 ELM 25
397	TR 12 ELM 25
398	TR 9-5-5 ASJ 30
399	TR 28 OAK 25
400	TR 11 ASJ 20
401	TR 10-7 ASJ 25
402	TR 15-7 ELM 25
403	TR 12 ASJ 25
404	TR 11 ELM 20
405	TR 11 ASJ 20
406	TR 18 OAK 25
407	TR 11 ASJ 25
408	TR 9 ASJ 20
409	TR 9 ELM 20
410	TR 9 ASJ 20
411	TR 31 OAK 40
412	TR 9 ASJ 20
413	TR 13 ASJ 25
414	TR 10-8 ASJ 25
415	TR 9 ASJ 20
416	TR 11 ELM 20
417	TR 10 ELM 20
418	TR 9 ASJ 25
419	TR 9-7 ASJ 25

Point #	DESCRIPTION
420	TR 21 ASJ 25
421	TR 10-7-5-6-6 ASJ 30
422	TR 10-6-5-5-6-7 ASJ 30
423	TR 10-7-6-5-7 ASJ 30
424	TR 12 ASJ 20
425	TR 13 OAK 25
426	TR 16 OAK 30
427	TR 9-5 ASJ 25
428	TR 9 OAK 20
429	TR 9 ASJ 20
430	TR 9 ASJ 20
431	TR 13 ASJ 25
432	TR 10-5-5-4 ASJ 25
433	TR 12 ELM 25
434	TR 10 ELM 25
435	TR 12 ASJ 25
436	TR 16 ASJ 30
437	TR 10-6 ASJ 30
438	TR 10-7 ELM 20
439	TR 11-5 ASJ 25
440	TR 10 ASJ 20
441	TR 9 ASJ 20
442	TR 9 ASJ 20
443	TR 10 ELM 20
444	TR 11 ASJ 20
445	TR 15 ASJ 25
446	TR 9 MES 30
447	TR 11 ELM 20
448	TR 15-6 MES 30
449	TR 19 ELM 30

Point #	DESCRIPTION
450	TR 10 ELM 20
451	TR 12 ASJ 25
452	TR 11 MES 25
453	TR 11-6 ASJ 25
454	TR 11-5 ASJ 25
455	TR 10 OAK 20
456	TR 9-8-6-5 OAK 20
457	TR 10 OAK 20
458	TR 9 HCK 20
459	TR 10 OAK 20
460	TR 10 OAK 20
461	TR 9 HCK 20
462	TR 11-7 OAK 20
463	TR 10 OAK 20
464	TR 24 OAK 30

DESCRIPTION KEY

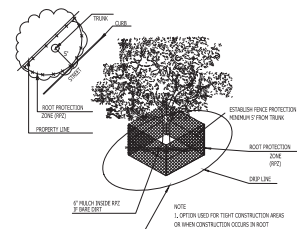
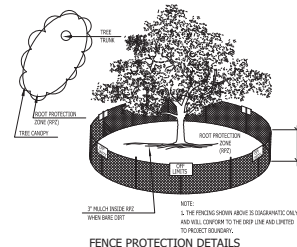
↑ TR 19 OAK 25
↑ SIZE OF CANOPY (IN FEET)
↑ TYPE OF TREE

LEGEND

OAK - LIVE OAK
HACK - HACKBERRY
ASJ - ASHIE JUNIPER
ELM - ELM TREE

HERITAGE TREES
* - TO BE REMOVED
** - TO BE SAVED

HERITAGE TREES TO BE SAVED
HERITAGE TREES TO BE REMOVED



FENCE PROTECTION DETAILS



DATE: Feb. 2021

Vertical Scale: 1"=4' / A
Horizontal Scale: 1"= 10' / B

SHEET 2 OF 2

PROJ. NO. 2019-2021

TREE PLAN
FRONT GATE UNIT 7
FAIR OAKS RANCH, TEXAS

REVISIONS

1	
2	
3	
4	
5	

VICKREY & ASSOCIATES, LLC
CONSULTING ENGINEERS
CIVIL • ENVIRONMENTAL • SURVEY
12440 Country Parkway San Antonio, TX 78248
Telephone (210) 480-2774
Fax (210) 480-2775
Email: info@vickrey.com

DATE



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
May 20, 2021

AGENDA TOPIC: Approval of a Resolution ordering a Special Election to be held July 31, 2021 for the election of Council Member Place 3

DATE: May 20, 2021

DEPARTMENT: City Secretary

PRESENTED BY: Consent Agenda – City Secretary

INTRODUCTION/BACKGROUND:

On May 2, 2021, Council Member Hartpence submitted a letter of resignation of his Place 3 seat on City Council. His resignation was accepted by City Council at the May 6, 2021 City Council Meeting.

As per Article X1, Section 11 of the Texas Constitution

- b. A municipality so providing a term exceeding two (2) years but not exceeding four (4) for any of its non-civil service officers must elect all the members of its governing body by the majority vote of the qualified voters in such municipality.
- c. Any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur except that the municipality may provide by charter or charter amendment the procedure for filling a vacancy occurring on its governing body for an unexpired term of 12 months or less.

Section 3.09 D of the City Charter Filling Vacancies states: “In the event of a vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated City Council office, the City Council shall call a special election to fill such vacancy. If there are less than 365 days remaining in the term of the vacant City Council office, the City Council may, by majority vote of the remaining Members of City Council, at its discretion, leave the office vacant, appoint a new Mayor or Council Member to fill such vacancy or call a special election to fill such vacancy.

As the City Council accepted Council Member Hartpence’s resignation letter when there was 366 days left remaining in his term (May 7, 2022 Election Day) the City Council shall call a special election to fill such vacancy. To promote voting consistency from the last election (poll location/election formats) the city plans to contract with Kendall County. After a review of calendars with Kendall County and to ensure acquisition of poll workers, and to allow adequate time for ballot preparation, July 31, 2021 has been determined as the election date.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Affords the citizens the opportunity to elect their local government officials and complies with State Election Code and City Charter.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

This special election has not been budgeted. Estimated election expenses to be \$22,162.65. To cover these costs, the city will utilize surplus funds.

LEGAL ANALYSIS:

Resolution under legal review and will be posted as soon as possible. At this point the city anticipates contracting with Kendall County.

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda (I move to approve a Resolution ordering a Special Election to be held July 31, 2021 for the election of Council Member Place 3.

A RESOLUTION

A RESOLUTION ORDERING A SPECIAL ELECTION TO BE HELD ON JULY 31, 2021 IN THE CITY OF FAIR OAKS RANCH, TEXAS, FOR THE PURPOSE OF FILLING THE VACANCY FOR THE REMAINDER OF THE UNEXPIRED TERM OF OFFICE OF CITY COUNCIL PLACE 3; AUTHORIZING CONTRACTS WITH THE ELECTION ADMINISTRATOR OF KENDALL COUNTY TO CONDUCT THIS ELECTION AND PROCEDURES RELATED THERETO.

WHEREAS, Fair Oaks Ranch, Texas is a home rule municipality acting under its City Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, on May 2, 2021, Council Member Hartpence, City Council Place 3, submitted a resignation letter to the City Secretary and Mayor Manitzas; and

WHEREAS, on May 6, 2021, the City Council accepted Council Member Hartpence's resignation; and

WHEREAS, from date of acceptance of his resignation and the next uniform election date (May 7, 2021) is three hundred and sixty-six (366) days; and

WHEREAS, pursuant to the city's Home Rule Charter Section 3.09. – Vacancies; Forfeiture of Office; Filling of Vacancies states that in the event of a vacancy in the City Council, if there are 365 days or more remaining on the term of the vacated City Council office, the City Council shall call a special election to fill such vacancy; and

WHEREAS, Article 11, Section 11 of the Texas Constitution states that in a city with terms exceeding two (2) years but not exceeding four (4) years must elect all of the members of its governing body by majority vote of the qualified voters in such municipality within one hundred and twenty (120) days after such vacancy occurs; and

WHEREAS, the 120th day after the acceptance of Council Member Hartpence's resignation is September 3, 2021; and

WHEREAS, pursuant to Chapter 271 of the Texas Election Code, the City will contract with the Kendall County Election Administrator to conduct the City of Fair Oaks Ranch Special Called Election; and

WHEREAS, the City Council finds and determines that the holding of a special election on the date set forth below, a non-uniform election date, is in the public's interest.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

SECTION 1. The City of Fair Oaks Ranch hereby orders a Special Election to be held on July 31, 2021 for the purpose of:

- a. Filling the vacancy for the remainder of the unexpired term of office of City Council Place 3.

- b. That qualified persons desiring to be candidates in the aforementioned City Council Place shall file applications for candidacy with the City Secretary beginning after the order of the Special Election at the May 20, 2021 Council meeting and not later than 5:00 PM on the 1st day of June, 2021.

SECTION 2. All qualified voters of the City of Fair Oaks Ranch shall be entitled to vote in said election.

SECTION 3. Early voting in said elections shall be conducted during the early voting period designated as July 14, 2021 through July 27, 2021. The Kendall County Election Administrator is hereby charged with the duty of conducting early voting in said election, as required by law. Applications for ballot by mail shall be mailed to:

Staci L. Decker, REO, Elections Administrator
Kendall County Elections
PO Box 2384
Boerne, TX 78006

SECTION 4 The main early polling place for the holding of said election shall be at the Kendall County Courthouse Annex, 221 Fawn Valley, Boerne, Texas 78006 on the following dates and times; early voting will also be conducted in the Van Raub School House, 8776 Dietz Elkhorn Road, Fair Oaks Ranch, TX 78015 on the following dates and times and the entire City of Fair Oaks Ranch, Texas, for the purpose of holding said election shall be and constitute one Municipal election precinct.

Main Early Voting Location: Kendall County Courthouse Annex – 221 Fawn Valley,
Boerne TX 78006

Wed. July 14 – Fri. July 16.....	8:00 AM to 5:00 PM
Sat. July 17.....	Closed
Sun. July 18.....	Closed
Mon. July 19 – Fri. July 23.....	8:00 AM to 5:00 PM
Sat. July 24.....	12:00 PM to 5:00 PM
Sun. July 25.....	Closed
Mon. July 26 – Tue. July 27.....	7:00 AM to 7:00 PM

Van Raub School Location – 8776 Dietz Elkhorn Road, Fair Oaks Ranch, TX 78015

Wed. July 14 – Fri. July 16.....	8:00 AM to 6:00 PM
Sat. July 17.....	Closed
Sun. July 18.....	Closed
Mon. July 19 – Fri. July 23.....	8:00 AM to 6:00 PM
Sat. July 24.....	10:00 AM to 6:00 PM
Sun. July 25.....	Closed
Mon. July 26 – Tue. July 27.....	7:00 AM to 7:00 PM

SECTION 5. The polling place on Election Day shall be located at the Van Raub School, 8776 Dietz Elkhorn Road, Fair Oaks Ranch TX 78015 and will be open from 7:00 AM to 7:00 PM.

- SECTION 6.** Pursuant to Section 61.012, Texas Election Code, as amended, the City shall provide at least one accessible voting system in each polling place used in the election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Touch screen machines may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail. The Elections Administrator shall also utilize a Central Counting Station (the "**Station**") as provided by Section 127.001, et seq., Texas Election Code, as amended. Kendall County Election Administrator Staci Decker, serving as the Central Count Manager will establish a written plan for the orderly operation of the Station locations in accordance with the provisions of the Texas Election Code. The Elections Administrator will appoint the Tabulation Supervisors which will also serve as the Programmers for the Stations. Lastly, the Elections Administrator will publish notice and conduct testing on the automatic tabulation equipment relating to the Stations and conduct instruction for the officials and clerks for the Stations in accordance with the provisions of the Texas Election Code. Voting by Mail ballot and Provisional Voting shall be done on paper ballot.
- SECTION 7.** The City Secretary shall oversee all City elections in accordance with the Texas Election Code (Texas Election Code, § 1.001 et seq.), the City of Fair Oaks Ranch City Charter and any other applicable law.
- SECTION 8.** The City Secretary is hereby authorized and directed to post notice of said election, in both English and Spanish, on a bulletin board used for posting notices of the City Council meetings of the City of Fair Oaks Ranch at 7286 Dietz Elkhorn, City of Fair Oaks Ranch, Texas (the polling places for the holding of said election) not later than the twenty-first (21) day before Election Day. Said notice shall remain posted through the end of Election Day.
- SECTION 9.** The City Secretary is further authorized and directed to cause notice of said election to be published in a newspaper of general circulation in the City of Fair Oaks Ranch at least once, not earlier than the thirtieth (30th) day nor later than the tenth (10th) day before Election Day.
- SECTION 10.** The City Secretary shall send a copy of the notice of said election to the County Clerk and Voter Registrar of Bexar, Comal, and Kendall County no later than the 60th day before Election Day.
- SECTION 11.** The Council authorizes the City Manager to negotiate and enter into contracts with the Elections Administrator to conduct the elections in accordance with the provisions of the Texas Election Code in such form as shall be approved by the City Manager and the City Attorney. (Attachment A).
- SECTION 12.** If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council declares that this Resolution would have been enacted without such invalid provision.

APPROVED on this the 20th day of May, 2021.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

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

THIS CONTRACT is made and entered into this ____ day of _____, 2021, by and between the Local Political Subdivision of _____, hereinafter referred to as “LPS,” and Staci L. Decker, County Election Officer of Kendall County, Texas, hereinafter referred to as “Contracting Authority”, under the authority of section 31.092(a), Texas Election Code, for the conduct and supervision of the _____ Election to be held on **July 31st, 2021** and the runoff election if necessary.

THIS AGREEMENT is entered into for and in consideration of the mutual covenants and promises hereinafter set out:

1. **DUTIES AND SERVICES OF THE CONTRACTING AUTHORITY.** The contracting authority shall be responsible for performing the following duties for **Early Voting** and/or **Election Day** and shall furnish the following services and equipment.
 - 1.1 Contact the owners or custodians of designated polling places and arrange for their use in the election and runoff election if necessary.
 - 1.2 Contact the owner or custodian of some other public place (or if unavailable, private) building in the election precinct and arrange for its use as a polling place if the designated polling place in the precinct is unavailable for use in the election.
 - 1.3 Procure and distribute all necessary election supplies, including without limitation, ballots, election kits, office supplies such as paperclips, pens, etc., ballots boxes and voting booths.
 - 1.4 Program, or arrange to have programmed, the ballot.
 - 1.5 Procure all necessary voting machines and equipment, and prepare the voting machines and equipment for use at the early voting and election day polling locations, and transport them (or arrange to have them transported) to and from the polling locations.
 - 1.6 Notify election judges of duty to hold election (Writ of Election) and recruit election clerks, as needed, for Early Voting and/or Election Day for this election and any runoff thereafter.
 - 1.7 Conduct one or more election training schools, and notify the election judges of the date(s), time(s), and place(s) of such schools. Training includes, but is not limited to: election procedures, state mandated photo id training, and use of all electronic equipment. Election judges and clerks may be paid for attending such schools.
 - 1.8 Post a notice of the election (and of any runoff election) and a notice of any consolidated precincts, if applicable, on the county's Internet websites. If a county does not maintain a website, the notice must be posted on the bulletin board used for posting notices of meetings of commissioners' court. The notice must contain the information set forth in Section 4.004, Texas Election Code and be posted within the time frame set forth in Section 4.003(b), Texas Election Code.
 - 1.9 Post on the county's internet website and Arrange to have published the legal notice of the first test of the electronic tabulating equipment as provided in Section 127.096, Texas Election Code, and/or the legal notice of the logic and accuracy test of the direct recording electronic ("DRE") voting machines as

provided in Section 129.023(b), Texas Election Code, as applicable, and conduct all required tests of the electronic tabulating equipment under Sections 127.096-127.098, Texas Election Code, the voting system that uses DRE voting machines under 129.021-129.023, Texas Election Code, or the voting system that uses other electronic voting systems in accordance with advisories issued by the SOS, respectively.

- 1.10 Arrange for the use of a central counting station and for the tabulating personnel and equipment needed at the counting station and assist in the preparation of programs and the test materials for the tabulation of the ballots to be used with electronic voting equipment.
- 1.11 Publish the legal notice of the date, time, and place of the test of the electronic tabulating equipment and/or the legal notice of logic and accuracy test of the direct recording electronic “DRE” voting machines as provided in Section 129.023(b), Texas Election Code, as applicable, and conduct all required tests of the electronic tabulation equipment under Sections 127.096-127.098, Texas Election Code, the voting system that uses DRE voting machines under Section 129.021-129.023, Texas Election Code, or the voting system that uses other electronic voting systems in accordance with advisories issued by the Texas Secretary of State’s Office (hereinafter referred to as “SOS”).
- 1.12 Publish notices promoting election (if requested by entity).
- 1.13 Supervise the overall conduct of the election and provide advisory services in connection with the decisions to be made and the actions to be taken by the officers of the political subdivision who are responsible for holding the election.

2. COMPENSATION, BILLING and PAYMENT

- 2.1 The Contracting Authority is the agent of the political subdivision for the purposes of contracting with third parties with respect to the election expenses within the scope of the Contracting Authorities duties and the Contracting Authority is not liable for the political subdivision’s failure to pay a claim.
- 2.2 The Contracting Authority **Will** pay invoices for supplies, ballots, and the programming of electronic voting equipment and then will invoice the LPS for reimbursement.
- 2.3 The Contracting Authority **Will** be responsible for paying election workers and then will invoice the LPS for reimbursement.
- 2.4 Only the actual expenses directly attributable to the Contract may be charged. (Section 31.100(b), Texas Election Code). The Contracting Authority must submit the actual costs incurred pursuant to this Contract to the LPS no later than the 30th day after the final election and/or all invoices have been received from the vendors.
- 2.5 The rate for the Electronic Voting Equipment has been set to 4% of the actual cost of purchase price to be charged per machine, per day, with the exception of EMS, and the Licensing & Support fee which will be a set rate for the entire election. Commissioners Court reserves the right to review and change this fee on a yearly basis.
- 2.6 The LPS assumes responsibility for any loss, damage or other harm to said equipment while in use by the election officials for the LPS’s election and agrees to indemnify (PAY) the County for any loss, damage or other harm to said equipment that is not covered under the vendor’s warranty.

- 2.7 The Contracting Authority may collect 10% above of the actual costs as administrative fee for duties and services performed.
- 2.8 If the LPS cancels its election pursuant to Section 2.053 of the Texas Election Code, the Contracting Authority shall only be entitled to receive (1) the actual expenses incurred by the Contracting Authority before the date of cancellation in connection with the election, and (2) an administrative fee of \$75. The Contracting Authority agrees to use reasonable diligence not to incur major costs in connection with election preparations until it is known that the election will be held, unless the LPS authorizes such major costs in advance in writing.
3. **EARLY VOTING.** Staci L. Decker, Elections Administrator, will serve as Early Voting Clerk and Rebecca Fincke, Kim Quintana and Felicia Whitt will serve as Deputy Early Voting Clerk.
4. **VOTING SYSTEM.** The voting system to be used in the election and any runoff election is the ES&S EVS 6.0.4.0 Voting System that is comprised of the ExpressVote ballot marking device, and the DS200 precinct scanner.
5. **GENERAL CONDITIONS.**
- 5.1 Nothing contained in this contract shall authorize or permit a change in the officer with whom or the place at which any document or record related to the election or runoff election is to be filed, the place at which any function is to be carried out, the officers who conduct the official canvass of the election returns, the officer to serve as custodian of the voted ballots or other election records, or any other nontransferable functions specified by section 31.096 of the Texas Election Code or other provisions of Texas law.
- 5.2 The Contracting Authority **Will NOT** be responsible for preparing submissions, if any, to the U. S. Department of Justice.
- 5.3 The Contracting Authority will recruit election officials and persons serving as election officials will be REQUIRED to attend Election Training, if such person refuses to attend training; the Contracting Authority, Reserves the Right to replace such official. *(Will replace official according to requirements under Texas Election Law Code Sec. 32 and notify the LPS of the change.)*
- 5.4 For purposes of implementing this contract and coordinating activities hereunder, the Contracting Authority and the LPS designate the following individuals, and whenever the contract requires submission of information or documents or notice to the Contracting Authority or the LPS, respectively, submission or notice shall be these individuals:

For the Contracting Authority:**For the LPS:**

Name and Title	Staci L. Decker, Elections Administrator	
Political Subdivision	Kendall County	
Street Address	221 Fawn Valley Drive, Boerne, TX 78006	
Mailing Address	P.O. Box 2384, Boerne, TX 78006	
Telephone No.	(830) 331-8701	
Fax No.	(830) 331-8295	
Email	<u>staci.decker@co.kendall.tx.us</u>	

Neither of these individuals has authority to amend this contract or vary its terms.

6. GENERAL PROVISIONS

- 6.1 The Contracting Authority shall file copies of this contract with the County Treasurer and the County Auditor of Kendall County, Texas.
- 6.2 This contract shall be construed under and in accordance with applicable Federal and State Law's, and all obligations of the parties created hereunder are performable in Kendall County, Texas.
- 6.3 In case any one or more of the provisions contained in this contract shall for any reason be held to be invalid, illegal, or unenforceability in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this contract shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- 6.4 It is understood that in the case of an election contest solely challenging this LPS's election results, the cost of such contest, challenge, or litigation will be borne by the LPS.
- 6.5 It is further understood that in the case of a runoff election due to undecided races on the election, the cost of such runoff election will also be borne by the LPS and will be contracted for at such time.
- 6.6 This contract constitutes the sole and only agreement of the parties hereto and supersedes any prior understanding of written or oral agreement between the parties respecting the written subject matter.
- 6.7 No amendment, modification, or alteration of the terms hereof shall be binding unless the same is in writing, dated subsequent to the date hereof, and duly executed by the parties hereof.
- 6.8 By their signatures below, the Contracting Authority and the LPS warrant and represent that they are authorized to enter into this contract.

WITNESS the following signatures and seals on the respective dates shown be:

The Contracting Authority:

(SEAL)

BY: _____
STACIL L. DECKER
ELECTIONS ADMINISTRATOR, KENDALL COUNTY

DATE: _____

The Local Political Subdivision "LPS":

(SEAL)

BY: _____

Printed Name: _____

Official Title: _____

DATE: _____

July 31, 2021 Special Election

Exhibit A

Item #7.

Estimate of Election Expenses	Additional Info	Election Summary
Section A. Estimated Cost of Election		
Ballot printing costs		\$200.00
Publication of Notices	(Public Test/EV/ED)	\$200.00
Electronic Voting Systems Programming	(Coding/Audio/Layout)	\$3,000.00
SUPPLIES: Ballot By Mail		\$500.00
SUPPLIES: Early Voting, Election Day and Central Count		\$300.00
	SUBTOTAL	\$4,200.00
Section B. Election Workers		
Early Voting Workers - MAIN	(8am to 5pm - Weekdays)	
1st Week (Wed - Fri)	3 x 27hrs x \$10	\$810.00
1st Week (Saturday)	Not Open	\$0.00
2nd Week (Mon - Fri)	3 x 45hrs x \$10	\$1,350.00
2nd Week (Saturday) (10am-6pm)	3 x 9hrs x \$10	\$270.00
3rd Week (Mon - Tue)	3 x 26hrs x \$10	\$780.00
Early Voting Workers - BRANCH	(8am to 6pm - Weekdays)	
1st Week (Wed - Fri)	3 x 33hrs x \$10	\$990.00
1st Week (Saturday)	Not Open	\$0.00
2nd Week (Mon - Fri)	3 x 55hrs x \$10	\$1,650.00
2nd Week (Saturday) (10am-6pm)	3 x 9hrs x \$10	\$270.00
3rd Week (Mon - Tue)	3 x 26hrs x \$10	\$780.00
Election Day Workers		
Pct 1: Van Raub (JUDGES)	2 x 15hrs x \$12	\$360.00
Pct 1: Van Raub (CLERKS)	2 x 15hrs x \$10	\$300.00
Pct 1: Pickup/Delivery of Supplies	1 judge x \$25	\$25.00
Early Voting Ballot Board / Central Count Station / Late Ballot Board		
Early Voting Ballot Board - JUDGES	1 x 3hrs x \$12	\$36.00
Early Voting Ballot Board - CLERKS	2 x 3hrs x \$12	\$72.00
Central Count Station Personnel - JUDGES	2 x 5hrs x \$12	\$120.00
Central Count Station Personnel - CLERKS	2 x 5hrs x \$10	\$100.00
Provisional & Late Ballot Board Personnel	4 x 2hr x \$12	\$96.00
	SUBTOTAL	\$8,009.00
Section C. Miscellaneous Expenses		
Postage	(Mail Media to ES&S)	\$70.00
Use of Kendall County Employees Beyond Regular Hours	(OT - Saturday Early Voting)	No Charge
Use of Kendall County Employees Beyond Regular Hours	(OT - Saturday ED)	No Charge
	SUBTOTAL	\$70.00
Sections A-C Total		\$12,279.00
Section D. Administrative Fee		
Elections Services Contract Administrative Fee	(Election Total x 10%)	\$1,227.90
	SUBTOTAL	\$1,227.90
Section E. Rental of Electronic Voting Equipment		
Early Voting (Ballot Marking Device) (Units: 1-Main / 3-Branch)	11days x 4 EXPV x 99.75	\$4,389.00
Early Voting (Precinct Tabulator) (Units: 1-Main / 1-Branch)	11days x 2 DS200 x 172.50	\$3,795.00
Election Day PCT 1 (Ballot Marking Device)	1 day x 3 EXPV x 99.75	\$299.25
Election Day PCT 1 (Precinct Tabulator)	1 day x 1 DS200 x 172.50	\$172.50
	SUBTOTAL	\$8,655.75
TOTAL ESTIMATED COST WITH RENTAL FEES:		\$22,162.65

Exhibit B

JULY 31, 2021 SPECIAL ELECTION

Main Early Voting Location and Hours

Polling Place		Address			City/State	
Kendall County Courthouse Annex		221 Fawn Valley Dr			Boerne, Texas 78006	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
July 11	July 12	July 13	July 14	July 15	July 16	July 17
	CLOSED	CLOSED	8:00 am – 5:00 pm	8:00 am – 5:00 pm	8:00 am – 5:00 pm	CLOSED
July 18	July 19	July 20	July 21	July 22	July 23	July 24
CLOSED	8:00 am – 5:00 pm	8:00 am – 5:00 pm	8:00 am – 5:00 pm	8:00 am – 5:00 pm	8:00 am – 5:00 pm	12:00 am – 5:00 pm
July 25	July 26	July 27	July 28	July 29	July 30	July 31
CLOSED	*7:00 am – 7:00 pm*	*7:00 am – 7:00 pm*				

Branch Early Voting Location and Hours

Polling Place		Address			City/State	
Van Raub School House		8776 Dietz Elkhorn Rd			Fair Oaks Ranch, Texas 78015	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
July 11	July 12	July 13	July 14	July 15	July 16	July 17
	CLOSED	CLOSED	8:00 am – 6:00 pm	8:00 am – 6:00 pm	8:00 am – 6:00 pm	CLOSED
July 18	July 19	July 20	July 21	July 22	July 23	July 24
CLOSED	8:00 am – 6:00 pm	8:00 am – 6:00 pm	8:00 am – 6:00 pm	8:00 am – 6:00 pm	8:00 am – 6:00 pm	10:00 am – 6:00 pm
July 25	July 26	July 27	July 28	July 29	July 30	July 31
CLOSED	**7:00 am – 7:00 pm*	*7:00 am – 7:00 pm*				

*** Note: July 26, 2021 and July 27, 2021 are the two (2) twelve hour days as required by Law for City Elections. (Sec. 85.005(d))**

Exhibit C

JULY 31, 2021 SPECIAL ELECTION
KENDALL COUNTY, TEXAS

Election Day Polling Locations

Precinct	Entities	Location	Address	City/State
1	City of Fair Oaks Ranch (Kendall, Bexar & Comal)	Van Raub School House	8776 Dietz Elkhorn Rd	Fair Oaks Ranch, TX 78015

ELECTION CALENDAR FOR JULY 31, 2021

May 20	City Council Orders Special Election & Authorizes City Manager to Sign Election Agreement
May 21	First Day to File Application for Candidacy
	First Day for Filing Declaration of Write-In Candidacy
June 1	Last Day for Filing Application for Candidacy
	Last Day for a Write-In Candidate to Declare Candidacy
June 3	Draw for Order of names on the Ballot – Candidates invited but attendance is not mandatory
June 4	Last Day for a Ballot and Write-In Candidate to Withdraw from Election
July 1	Due Date for Filing First Report of Campaign Contributions and Expenditures (30 th Day before Election)
July 9	Publish Notice of Election in Boerne Star
July 14	First Day for Early Voting in Person
July 23	Due Date for Filing Second Report of Campaign Contributions and Expenditures by Opposed Candidates (8 th Day before Election)
July 27	Last Day of Early Voting in Person
July 31	Election Day
	Post Unofficial Tabulation of Results
Aug 3-11	Canvass Period
Aug 10-11	Special Meeting to Canvass Election
Aug 19	Perform Oath of Office
Aug 19	Issue Certificates of Election and Sign Statement of Elected Officer
Aug 19	Elected Officer begins serving on the City Council

Dates subject to change.

May 18, 2021



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
May 20, 2021

AGENDA TOPIC: Consideration and possible action electing a Council Member to serve as Mayor Pro-Tem at the first regular City Council meeting following each regular City election

DATE: May 20, 2021

DEPARTMENT: City Council

PRESENTED BY: Mayor Gregory C. Maxton

INTRODUCTION/BACKGROUND:

Section 3.05 – Mayor Pro-Tem., of the Home Rule Charter states the following:

- A. The Mayor Pro-Tem shall be a Council Member elected by the City Council at the first regular City Council meeting following each regular City election.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The Mayor Pro-Tem shall act as Mayor during the absence or disability of the Mayor.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

I move to elect (insert council member name here) as Mayor Pro Tem.