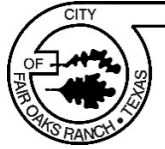


VIA ZOOM VIDEOCONFERENCE



CITY OF FAIR OAKS RANCH AGENDA – CITY COUNCIL TELECONFERENCE

November 19, 2020 6:30 PM
Via Zoom Videoconference
7286 Dietz Elkhorn, Fair Oaks Ranch

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 551.125 AND 551.127, AS MODIFIED BY EXECUTIVE ORDER OF THE GOVERNOR

Zoom Videoconference Link: <https://www.zoomgov.com/j/1606749975>

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

Webinar ID: 160 674 9975

If you wish to address the commission 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.

I. OPEN MEETING

- A. Roll Call – Declaration of a Quorum.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

If you wish to address the 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. 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.

- A. Citizens to be heard.

III. 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.

- A. Approval of the November 5, 2020 Regular City Council meeting minutes. Pgs. 4-7
- B. Approval of the second reading of an Ordinance providing temporary financial relief to food establishment businesses relative to Covid-19 impacts. Pgs. 8-12
- C. Approval of the second reading amending the Code of Ordinances by adding Chapter 1, Article 1.10 Ethics, Division 1, Rules of Procedures on City Council Hearings for Code of Ethics Violations and City Charter Forfeitures and Prohibitions. Pgs. 13-29
- D. Approval of Council Member Hartpence's absence for the November 19, 2020 Council Meeting. Pg. 30

IV. CONSIDERATION/DISCUSSION ITEMS

- A. 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 Garry Manitzas

Pg. 31

- B. Consideration and possible action regarding the adoption of the proposed recommendations made by Ray Associates, Inc. concerning the completed Compensation and Benefits Analysis Study.

Joanna Merrill, Director of Human Resources and Communications
Katharine Ray, Ray Associates, Inc.
Pgs. 32-64
- C. Consideration and possible action approving a Professional Service Agreement with Patti Engineering for SCADA.

Julio Colunga, Public Works Superintendent
Brian LeJeune, IT Manager
Pgs. 65-84
- D. Consideration and possible action re-appointing Bud Paulson or naming a replacement to the Kendall Appraisal District Board of Directors, for a two year term, beginning January 1, 2021

Mayor Garry Manitzas
Pgs. 85-86
- E. Consideration and possible action approving the purchase of two (2) Patrol Vehicles for \$65,584.00

Clayton Hoelscher, Procurement Manager
Chief Tim Moring
Pgs. 87-88
- F. Tabled Item:
 Consideration and possible action directing the City Manager to issue a stop work order to Kimley-Horn and Associates, Inc., for Professional Design Services associated with the Elevated Storage Tank.

Council Member Steve Hartpence
Pgs. 89-106

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. None.

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 hereby convenes into closed session:

- 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.
 - 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

Discussion and possible action on items discussed in Executive Session.

VIII. ADJOURNMENT

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

Signature of Agenda Approval: _____

Tol L. Maple

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 5:00 PM, November 16, 2020 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).