

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

I. OPEN MEETING

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

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

II. CITIZENS and GUEST FORUM/PRESENTATIONS

A. Citizens to be heard.

1. Council Member Havard apologized to Council Member Patel, the rest of the Council and the citizens of Fair Oaks Ranch for making an inappropriate comment during the November 18, 2020 Council Meeting.
2. Chesle Muenchow spoke in support of Council Member Patel and thanked Council Member Havard for speaking on the subject and apologizing. She added that she appreciates Council Member Patel's questions as a citizen as they help her to understand the issues.
3. Arnoldo Medina Jr. thanked Council for the opportunity to provide feedback and expressed his appreciation for the work done by Council. Mr. Medina is Council Member Patel's husband and asked that Council take substantial action regarding the events of the previous day as he believes the Council should hold themselves to a higher standard. He voiced disappointment and of his hopes that something happens to correct the situation.
4. Council Member Hartpence spoke against Council Member Havard's words calling them unacceptable. Mr. Hartpence called for Council Member Havard to tender her resignation as a Council Member.

VI. CONVENE INTO EXECUTIVE SESSION

City Council convened into Executive Session at 6:43 PM 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:

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 7:16 PM.

A roll call reestablishing a quorum was taken:

Present: Mayor Manitzas and Mayor Pro Tem Elizondo

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

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner to approve the settlement agreement and to authorize the Mayor and City Secretary to sign the same for the City.

VOTE: 7-0; Motion Passed.

MOTION: Made by Council Member Maxton, seconded by Council Member Patel to authorize Joe Davis to sign the agreed judgement on behalf of the City as the City's legal representative.

VOTE: 7-0; Motion Passed.

III. CONSENT AGENDA

- A. Approval of the November 5, 2020 Regular City Council meeting minutes.
- B. Approval of the second reading of an Ordinance providing temporary financial relief to food establishment businesses relative to Covid-19 impacts.
- C. Approval of the second reading of an ordinance 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.
- D. Approval of Council Member Hartpence's absence for the November 19, 2020 Council meeting.

Consent Item D was removed from the consent agenda as Mr. Hartpence was in attendance.

MOTION: Made by Council Member Patel, seconded by Council Member Koerner to approve the Consent Agenda items A-C.

VOTE: 7-0; Motion Passed.

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.

Motion: Council Member Maxton nominated Roy Elizondo to continue serving as Mayor Pro-Tem. Council Member Hartpence nominated Council Member Patel to serve as Mayor Pro-Tem. The merits of each nominee were discussed.

VOTE: 4-3; Council Member Roy Elizondo – Council Member Patel; Council Member Elizondo declared Mayor Pro-Tem.

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.

MOTION: Made by Council Member Koerner, seconded by Council Member Hartpence to approve the adoption of the proposed recommendations provided by Ray Associates, Inc. Classification and Compensation Study and Analysis for the City of Fair Oaks Ranch.

VOTE: 7-0; Motion passed.

C. Consideration and possible action approving a Professional Service Agreement with Patti Engineering for SCADA.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Hartpence to authorize the City Manager to sign a Professional Service Agreement with Patti Engineering for SCADA upgrades in the amount of \$159,800.00.

VOTE: 7-0; Motion passed.

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.

MOTION: Made by Council Member Patel, seconded by Mayor Pro-Tem Elizondo to approve the re-appointment of Mr. Bud Paulson to the Kendall Appraisal District Board of Directors, effective January 1, 2021 for a two year term.

VOTE: 7-0; Motion passed.

E. Consideration and possible action approving the purchase of two (2) Patrol Vehicles for \$65,584.00.

MOTION: Made by Mayor Pro-Tem Elizondo, seconded by Council Member Patel to accept the bid from Caldwell Country Ford for the purchase of two (2) new patrol vehicles for the total amount of \$65,584.

VOTE: 7-0; Motion passed.

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.

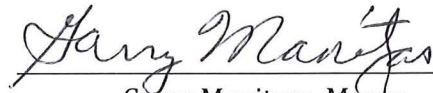
There was no motion and therefore no discussion or vote.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

A. None.

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 8:59 PM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary