

VIA ZOOM VIDEOCONFERENCE



**CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL VIDEOCONFERENCE
SPECIAL MEETING**

November 17, 2020 2:00 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 551.127, AS MODIFIED BY EXECUTIVE ORDER OF THE GOVERNOR

Zoom Videoconference Link: <https://www.zoomgov.com/j/1618669227>

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

Webinar ID: 161 696 7751

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. CANVASS OF SPECIAL AND GENERAL ELEVATION

A. Consideration and possible action approving a Resolution canvassing the results of the General and Special Election held on November 3, 2020.

Mayor Garry Manitzas

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IV. ADJOURNMENT

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

Signature of Agenda Approval: _____

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 13, 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).



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
November 17, 2020

AGENDA TOPIC: Consideration and possible action approving a Resolution canvassing the results of the General and Special Election held on November 3, 2020

DATE: November 17, 2020

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 Election held on November 3, 2020.

A RESOLUTION

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 ELECTION HELD NOVEMBER 3, 2020 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 November 3, 2020, to elect Council Member Place 2 and Council Member Place 6; and

WHEREAS, the City Council of the City of Fair Oaks Ranch, Texas called a special election to be held in the City on November 3, 2020, to submit a proposition on the reauthorization of the local sales and use tax at the rate of one fourth (1/4) of one percent to continue providing revenue for the maintenance and repair of municipal streets; and

WHEREAS, applications to be placed on the ballot were received and filed with the City Secretary for the positions of Council Member Place 2 and Council Member Place 6; and

WHEREAS, pursuant to Election Code Section 42.0621, an election held on the November uniform election date requires the political subdivision to use the polling places of each county within its territory; and

WHEREAS, after said election the Presiding Judges of each 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 17th day of November 2020, 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 Council Member Place 2 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:

COUNCIL MEMBER, PLACE 2

County	Precinct	Roy Elizondo			Tim Corley		
		Absentee Voting	Early Voting	Election Day	Absentee Voting	Early Voting	Election Day
Bexar	3017						
Bexar	3034						
Bexar	3097						
Comal	208						
Kendall	2080						
Totals;							
Grand Totals:							

It appearing that **Roy Elizondo** was duly elected Council Member, Place 2. Said named candidate received a majority of all votes cast for the office of Council Member, Place 2, 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;

It appearing that **Greg Maxton** was duly elected Council Member, Place 6. Said named candidate ran unopposed for the office of Council Member, Place 6, 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;

PROPOSITION 1: SPECIAL ELECTION - Reauthorization of Sales and Use Tax

County	Precinct	For			Against		
		Absentee Voting	Early Voting	Election Day	Absentee Voting	Early Voting	Election Day
Bexar	3017						
Bexar	3034						
Bexar	3097						
Comal	208						
Kendall	2080						
Totals:							
Grand Totals:							

It appearing that Proposition 1 was voted for. Said above named proposition received a majority of all votes cast, is hereby declared to be as voted 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 during the term commencing November 19, 2020, 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 17th day of November, 2020.

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

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