

VIA TELEPHONE & VIDEO CONFERENCE



**CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL TELECONFERENCE & VIDEOCONFERENCE**

June 4, 2020 9:30 AM
Via Teleconference & 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 TELEPHONE & VIDEO CONFERENCE PURSUANT TO GOVERNMENT CODE CHAPTERS 551.125 AND 551.127, AS MODIFIED BY EXECUTIVE ORDER OF THE GOVERNOR

You can dial in using your phone:

United States (Local #): 210-714-4201

(Toll-Free #): 1-800-717-4201

Conference ID: 2443302 #

Videoconference Link (Video Only):

<https://fortx.webex.com/fortx/onstage/g.php?MTID=e141b82e47c85a2e1f0c8a2f9615cbc3b>

If you wish to address the Council, please select *5 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

To address the Council, please select *5 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. Introduction of city new hire: Katherine Schweitzer, P.E., Manager of Engineering Services.

B. Presentation on two safety enhancement projects awarded to the City of Fair Oaks Ranch through the Highway Safety Improvement Program (HSIP) including the realignment of Ammann Road and improvements at the Fair Oaks Parkway/Dietz Elkhorn intersection.

Oscar Michael "Mike" Garza, P.E., PTOE, General Engineering Consultant, Legacy Engineering Group

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 May 14, 2020 City Council and P&Z Commission Joint Public Hearing meeting minutes. Pgs. 37-38
- B. Approval of the May 21, 2020 Regular City Council meeting minutes. Pgs. 39-42
- C. Approval of the second reading of an Ordinance amending the Comprehensive Plan to change the land use classification from Neighborhood Residential (NR) to Existing Residential (R1) of approximately 22.60 acres generally located along the east side of Ralph Fair Road at the southeast corner of Ralph Fair Road and the Fair Oaks Parkway/Arbor Falls intersection. Generally known as the Arbors Development.
Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation Pgs. 43-58
- D. Approval of the second reading of an Ordinance to change zoning classification from Neighborhood Residential (NR) to Existing Residential 1 (R1) for 22.60 acres generally located along the east side of Ralph Fair Road at the southeast corner of Ralph Fair Road and the Fair Oaks Parkway/Arbor Falls intersection. Generally known as the Arbors Development.
Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation Pgs. 59-88
- E. Affirmation of an Emergency Ordinance amending the Fiscal Year 2019-2020 budget reallocating monies for the purchase of an emergency generator for the City Police Station and Emergency Operation Center.
Sarah Buckelew, CPA, Finance Director Pgs. 89-93

IV. CONSIDERATION/DISCUSSION ITEMS

- A. Consideration and possible action modifying and extending a declaration of local disaster; establishing rules and regulations for the duration of the disaster; and restricting certain activities. Mayor Garry Manitzas Pgs. 94-99
- B. Discussion regarding the process to appoint/reappoint members to Boards & Commissions. Christina Picioccio, City Secretary Pgs. 100-106
- C. Discuss and consider ratifying the City Manager's promotion and appointment of Lieutenant Tim Moring to the position of Police Chief for the City of Fair Oaks Ranch. Tobin E. Maples, City Manager Pgs. 107-108

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. Financial Update.
Sarah Buckelew, CPA, Finance Director Pgs. 109-121

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 on Executive Session.

VIII. 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 9:30 AM, June 1, 2020 and remained so posted continuously for at least 1 hour 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).