

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
November 7, 2019
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

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

With a quorum present, the City Council meeting was called to order at 9:30 AM.

B. The Pledge of Allegiance was led by Police Officer Evan Downey.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. Citizens to be heard.

1. Rich Nichols, citizen, requested that the council table any action on the agenda item IV G until the next council meeting to allow members of the Home Rule Charter Commission to review recommended changes to the Charter and to provide background regarding the rationale for decision process that went into the creation of the Home Rule Charter.
- B. Joanna Merrill, Human Resource Director, introduced the city's newest employee, Joaquin Wilson, Maintenance Worker.
- C. Interim Police Chief, Tim Moring, presented Life Saving Awards to Officers Lacey Gonzalez and Allen Paz.
- D. Joanna Merrill, Human Resource Director, presented the Employee of the Quarter Award to two Fair Oaks Ranch employees: Summer Fleming, Accountant Manager and Rachel Brown, Building Codes Administrative Assistant.
- E. Yvette Reyna, Executive Director of the Boerne Education Foundation & Coordinator of Community Partnerships at Boerne ISD, introduced a new fund raiser that will benefit Boerne schools. The Boerne Education Foundation has partnered with Boerne's Peggy's on the Green Restaurant to donate proceeds from the purchases of slices or whole Chess Pies bought between November 1 and December 20, 2019.
- F. Mayor Manitzas and resident committee member, Dan Banks, provided an update on the Transportation Committee joint project between Fair Oaks Ranch, Boerne and Kendall County to develop a regional approach to transportation planning.

III. CONSENT AGENDA

- A. Approval of October 10, 2019 Joint City Council and Planning & Zoning Commission Public Hearing Minutes.**
- B. Approval of October 17, 2019 Regular City Council Meeting Minutes.**
- C. Approval of October 29, 2019 Special City Council Meeting Minutes.**
- D. Approval of the second reading of an Ordinance for a Special Use Permit allowing for a commercial equine boarding facility on land currently zoned Neighborhood Residential (NR) and commonly known as Setterfeld Estates 1A, Lot 1, Comal County Texas (30350 Ralph Fair Road, Fair Oaks Ranch, Texas).**

E. Approval of the second reading of an Ordinance amending Chapter 4 "Business Regulations", Article 4.02 "Solicitors" of the City of Fair Oaks Ranch Code of Ordinances.

The City Secretary noted that corrections had been made to two of the agendas and that these corrections had been provided to Council prior to the meeting and that Council had also been given an updated version of the Special Use Permit Ordinance; the same version approved at the October 17th meeting.

The Mayor presented the Consent Agenda and with no discussion the Consent Agenda was approved with the corrections noted.

IV. DISCUSSION/CONSIDERATION ITEMS

A. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement with M&S Engineering for engineering design services relative to the emergency generator for the former Police Building

MOTION: Made by Council Member Havard, seconded by Mayor Pro Tem Elizondo to authorize the City Manager to sign a Professional Services Agreement with M&S Engineering for engineering and consulting services at a fee of \$16,000.00.

VOTE: 7-0; Motion Passed.

B. Consideration and possible action to provide input to staff on decision making process for the elevated storage tank site and tank design decision.

After an in depth discussion City Council, by consensus, requested that a table be provided that describes land acquisition considerations and site information to assist in their deliberations. It was further decided that: a decision matrix would not be required and the selection of site location and style of tank would be addressed separately.

C. Consideration and possible action regarding cancelling the December 19, 2019 Council Meeting

Council Member Patel suggested that in lieu of the December 19, 2019 meeting cancellation request made by staff, Council consider cancelling the January 2, 2020 meeting to match with holiday schedules such as school district schedules, and since that was not on the agenda, to consider this item at the next council meeting when both dates could be discussed. Council decided not to reschedule this item.

MOTION: Made by Council Member Hartpence, seconded by Mayor Pro Tem Elizondo to approve cancelling the December 19, 2019 Council Meeting.

VOTE: 5-1; Motion Passed; Council Member Patel – Nay; Council Member Havard Abstained.

D. Consideration and possible action accepting a private donation of holiday decorations for the purpose of decorating the City Hall Complex.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Patel that the City of Fair Oaks Ranch accepts the private donation of holiday decorations for the purpose of decorating the City Hall complex.

VOTE: 7-0; Motion Passed.

E. Consideration and possible action rejecting all bids for the Renovation of the Fair Oaks Ranch Former Police Building

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner to reject all bids received for the renovation of the Fair Oaks Ranch former police building.

VOTE: 7-0; Motion Passed.

F. Consideration and possible action authorizing the advancement of calling a special election for the re-authorization of the quarter cent local and sales use tax for the maintenance and repair of municipal streets.

MOTION: Made by Council Member Hartpence, seconded by Council Member Havard to authorize the advancement of calling a special election in May 2020 for the reauthorization of the quarter cent local and sales use tax for the maintenance and repair of existing municipal streets.

VOTE: 7-0; Motion Passed.

G. Consideration and possible action on Home Rule Charter amendment submissions.

As requested by Rich Nichols (Section II A 1-Citizens to be Heard) and Council Member Patel, Council was willing to postpone discussion of this item until a future meeting pending a memorandum from legal counsel and any insight/information provided by members of the former Home Rule Charter Commission.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

City Secretary, Christina Picioccio, announced that as of the September 19th City Council Meeting, recordings of the meetings are now available on the City website in the agenda center, next to agendas and minutes <http://www.fairoaksranchtx.org/agendacenter>.

VI. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into Executive Session regarding:

- A. 551.071 (Consultation with Attorney) - 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.
- B. 551.071 (Consultation with Attorney) - to receive legal advice regarding claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
- C. 551.071 (Consultation with Attorney) - to receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

VII. RECONVENE INTO OPEN SESSION

Not applicable.

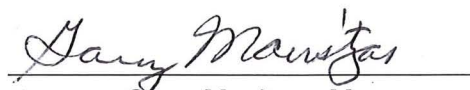
VIII. ADJOURNMENT

Council Member Patel requested that a consideration item to cancel the January 2 Council Meeting be placed on the next agenda.

Mayor Manitzas adjourned the meeting at 12:06 PM.

ATTEST:


Christina Picioccio, City Secretary


Garry Manitzas, Mayor