

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
October 3, 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, Koerner, Maxton, and Patel

Absent: Council Member Havard

With a quorum present, the City Council meeting was called to order at 9:33 AM.

B. The Pledge of Allegiance was led by Freese & Nichols Consultant, Jessica Vasser.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. Citizens to be heard.

1. Rich Nichols, citizen, requested that the council consider making the intersections of Hansel Drive & Battle Intense and Venturer & Keenland Drive into 4 way stops citing safety and welfare concerns.
2. Frank Trapasso, citizen, voiced skepticism regarding the developer of the Pfeiffer Property's eagerness to donate land for the elevated storage tank and urged the City Council to remember that he has his own unknown motivation.

B. Joanna Merrill, Human Resource Director, introduced the city's newest employee, Amber Little, Code Compliance Officer.

III. CONSENT AGENDA

A. None.

IV. DISCUSSION/CONSIDERATION ITEMS

A. Discussion and possible action of a Resolution appointing a Director to the Fair Oaks Ranch Municipal Development District (FORMDD) Board of Directors.

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Koerner to approve Carolyn Knopf as the FORHA Director Representative to the MDD Board of Directors effective immediately.

VOTE: 6-0; Motion Passed.

B. Discussion and possible action regarding the criteria to evaluate the elevated water storage tank style and location.

Council Member Patel asked to defer Item IVB until after Item IVC was discussed.

C. Presentation and discussion regarding the Water and Wastewater Impact Fee update.

Jessica Vasser, consultant from Freese & Nichols provided an overview of the impact fee principles and purpose inclusive of land use assumptions for water & wastewater buildout, and capital improvement plans based on demand projections. Ms. Vasser noted that her goal was to ensure that council was in agreement with calculations and assumptions before progressing forward.

Council Members discussion included: concerns that inclusion of 645 lots from The Reserve/Pfeiffer Property would artificially inflate projected capital improvement costs (Council Member Hartpence), current Reserve/Pfeiffer development agreement allows for 645 lots therefore that number must be factored in (City Manager Maples), clarification that any water/wastewater improvements would be dedicated to the city which we will then own and operate (City Manager Maples), concerns that calculations are based on worse case scenarios thus artificially inflating requirements (Council Member Hartpence), having faith in decisions made during the comprehensive planning stage based on consultant reports and recommendations (Mayor Manitzas, Mayor Pro Tem Elizondo, Council Members: Koerner, Maxton, and Patel). No vote was taken, but by consensus of the Council, authorization was provided to proceed with current calculations and assumptions.

B. Discussion and possible action regarding the criteria to evaluate the elevated water storage tank style and location.

Council Member Patel withdrew the discussion of this item.

V. 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.

City Council convened into Executive Session at 10:37 AM regarding:

- 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.

Council Member Koerner left the meeting at 11:46 AM.

III. RECONVENE INTO OPEN SESSION

The Mayor reconvened into Open Session at 11:58 AM. No action was taken.

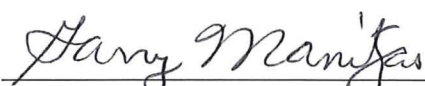
VIII. ADJOURNMENT

Council Member Patel announced that she would not be present at the October 17th Council Meeting.

Mayor Manitzas adjourned the meeting at 11:58 PM.

ATTEST:


Christina Picioccio, City Secretary


Garry Manitzas, Mayor