

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
March 21, 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 Havard
Council Members: Elizondo, Maxton, and Patel

Absent: Council Members: Hartpence and Koerner

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

B. The Pledge of Allegiance was led by Planning and Zoning Commissioner David Horwath.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. David Spencer, Candidate for BISD Place 5, introduced himself to council and citizens present.

Mayor Manitzas moved the executive session to the beginning of the meeting.

VII. CONVENE INTO EXECUTIVE SESSION

City Council did not convene into closed 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 close session at 6:35 PM 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.

VIII. RECONVENE INTO OPEN SESSION

Mayor Manitzas reconvened into open session at 7:45 PM.

The following action was taken regarding VIIB:

MOTION: Made by Council Member Elizondo, seconded by Mayor Pro Tem Havard authorizing the City Manager to sign an agreement to toll proceedings in the matter involving claims related to the K-3 well.

VOTE: 5-0; Motion Passed

III. CONSENT AGENDA

A. Approval of March 7, 2019 Special Joint Council and P&Z Public Hearing Minutes.

B. Approval of March 7, 2019 Regular City Council Meeting Minutes.

C. Approval of Council Member Hartpence's absence for the March 21, 2019 Council Meeting.

D. Approval of Council Member Koerner's absence for the March 21, 2019 Council Meeting.

The Mayor presented the Consent Agenda and with no discussion, the Consent Agenda was approved by unanimous consent.

IV. PUBLIC HEARING

- A. The City Council conducted a public hearing to receive public testimony regarding the Fair Oaks Montessori School Final Replat.
1. Adrian Garcia P.E., provided the staff report recommending approval of the final replat.
 2. The applicant did not provide a presentation.
 3. Mayor Manitzas opened the public hearing at 7:50 PM.
 4. There was no public testimony.
 5. The Mayor closed the public hearing at 7:50 PM.
 6. There was no council discussion.

V. DISCUSSION/CONSIDERATION ITEMS

A. Discussion and possible action approving the First Reading of an Ordinance adopting the City's Unified Development Code.

Jeff Barton, Gap Strategies consultant reviewed substantive edits to the UDC since the March 7, 2019 public hearing: 1. Tree Preservation – (a) the P&Z Commission will now be included in the tree preservation approval process and (b) the tree preservation section of the UDC has been reorganized and includes two “protected” trees categories, and 2. Establishment of Traffic Impact Analysis triggers for developments that generate 50 trips at peak hour or 150 trips per day. Council questions were answered by Mr. Barton.

City Manager Maples recommended consideration of this item be postponed until April 18th due to the absence of two council members.

MOTION: Made by Council Member Elizondo, seconded by Council Member Maxton to postpone consideration of this item until the April 18th Council Meeting.

VOTE: 5-0; Motion Passed.

B. Discussion and possible action approving the First Reading of an Ordinance extending the agreement with Acadian Ambulance Service of Texas for EMS services and authorizing the City Manager to sign the agreement.

MOTION: Made by Council Member Patel, seconded by Council Member Elizondo to approve the First Reading of an Ordinance extending the EMS contract with Acadian Ambulance Service of Texas for three years, starting May 1, 2019 and authorizing the City Manager to sign agreement.

VOTE: 5-0; Motion Passed.

C. Discussion and possible action to approve Fair Oaks Montessori School Final Replat.

MOTION: Made by Mayor Pro Tem Havard, seconded by Council Member Elizondo to approve the final replat that establishes Fair Oaks Montessori School.

VOTE: 5-0; Motion Passed.

D. Discussion and possible action to approve a preliminary plat that establishes Front Gate 2B.

MOTION: Made by Council Member Elizondo, seconded by Council Member Maxton to approve the preliminary plat that establishes Front Gate Unit 2B.

VOTE: 5-0; Motion Passed.

E. Discussion and possible action regarding Bond Series 2015 Surplus.

MOTION: Made by Council Member Elizondo, seconded by Mayor Pro Tem Havard to direct staff to draft a budget amendment utilizing the bond surplus for budgeted current year roadway projects, and increase the budgeted Chip Seal project as indicated in the slide presentation. This will result in a budget surplus which staff recommends to be assigned to future CIP projects as approved by Council.

VOTE: 5-0; Motion Passed.

VI. REPORTS FROM STAFF / COMMITTEES / COUNCIL

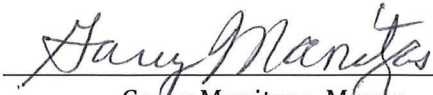
- A. Capital Improvements Advisory Committee Chairman John Merritt provided the Committee's semi-annual reports from September 26, 2018 and March 6, 2019, noting no action required for either. He further noted that the Committee is awaiting the adoption of the Water, Wastewater and Reuse study which is a key component in calculating impact fees as the City's impact fees need to be reviewed this year.
- B. Manager of Engineering Services Adrian Garcia P.E. presented an overview of various street maintenance options that staff is considering for the City's annual street maintenance program.
- C. Environmental Compliance Manager Melissa Castro, provided an update on the Backflow Prevention Education Outreach Plan.
- D. City Manager Tobin Maples provided an update on the FM 3351 Strategic Planning Team activities and noted that a future workshop with Gateway Planning, TxDOT and certain members of Staff and Council is planned.

IX. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 9:36 PM.

ATTEST:


Christina Picioccio, City Secretary


Garry Manitzas, Mayor