



**CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL REGULAR MEETING**

March 7, 2019 - Immediately following the 6:30 PM Joint Public Hearing
City Hall Council Chambers
7286 Dietz Elkhorn, Fair Oaks Ranch

I. OPEN MEETING

- A. Roll Call – Declaration of a Quorum
- B. Pledge of Allegiance.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

To address the Council, please sign the Attendance Roster located on the table at the entrance of the Council Chamber. 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 Joanna Merrill, Director of Human Resources and Communications.
- B. Citizens to be heard.

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 February 21, 2019 Regular City Council Meeting Minutes. Pgs. 3-5
- B. Approval of Council Member Maxton's absence for the February 21, 2019 Council Meeting. Pg. 6

IV. DISCUSSION/CONSIDERATION ITEMS

- A. Presentation of Certificate of Unopposed Candidates and consideration and possible action approving a Resolution Declaring Unopposed Candidates Places 3, 4, and 5 in the May 4, 2019 General Election elected to office and cancelling said General Election.

Christina Picioccio, City Secretary Pgs. 7-10
- B. Discussion and possible action creating an Audit Committee Formation Group.

Sarah Buckelew, Finance Director Pgs. 11-21
- C. Discussion and possible action to approve a Fire Inspector Services Agreement and to authorize the City Manager to execute the Agreement.

Jim Earl, Building Official Pgs. 22-31
- D. Discussion and possible action on approving the Penalty Clause Committee guidelines, a committee member application, and the determination of appointment method.

Carole Vanzant, Assistant City Manager Pgs. 32-37
- E. Discussion and possible action approving a Resolution supporting the Texas Department of Transportation's efforts to secure additional state funding for safety improvements along FM 3351 (Ralph Fair Road).

Tobin Maples, City Manager Pgs. 38-40

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

A. None

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. 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.

VII. RECONVENE INTO OPEN SESSION

Discussion and possible action on items lawfully discussed in 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. Said Notice was posted by 5:00 PM, March 4, 2019 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 OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
February 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, Hartpence, Koerner, and Patel

Absent: Council Member Maxton

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 citizen Deb Stephens.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. Police Chief Scott Rubin provided Oath of Office to Officer Amanda Hinojosa.

B. There were no citizens to be heard.

V. Reports from Staff/Committees/Council Item A

Brought forth as requested by Mayor Manitzas:

A. Finance Director Sarah Buckelew presented the Government Finance Officers Association Award to council.

III. CONSENT AGENDA

A. Approval of January 29, 2019 Special City Council Meeting Minutes.

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

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

IV. DISCUSSION/CONSIDERATION ITEMS

A. Discussion and possible action accepting the FY 2017-18 Audit.

MOTION: Made by Council Member Elizondo, seconded by Council Member Koerner to accept the FY 2017-18 annual audit as presented by ABIP, PC.

VOTE: 6-0; Motion Passed.

B. Presentation and discussion regarding the Water, Wastewater, and Reuse System Master Plan.

Jessica Vassar P.E. (Freese and Nichols Consulting Engineer) provided an overview of the City's proposed Master Water, Wastewater, and Reuse Plan, inclusive of the criteria utilized to evaluate the utility and develop a capital improvement plan.

C. Discussion and possible action authorizing the Mayor to sign a First Amendment to Effluent Disposal Agreement with Club Corp.

MOTION: Made by Mayor Pro Tem Havard, seconded by Council Member Elizondo to authorize the Mayor to sign the First Amendment to Effluent Disposal Agreement.

VOTE: 6-0; Motion Passed.

D. Discussion and possible action to approve the final plat that establishes Comal County Unit 15 (River Valley Unit 2).

MOTION: Made by Council Member Hartpence, seconded by Council Member Elizondo to approve the final plat that establishes Comal County Unit 15 (River Valley Unit 2).

VOTE: 6-0; Motion Passed.

E. Discussion and possible action to approve the final plat that establishes Front Gate Unit 4.

MOTION: Made by Mayor Pro Tem Havard, seconded by Council Member Hartpence to approve the final plat that establishes Front Gate Unit 4.

VOTE: 6-0; Motion Passed.

F. Discussion and possible action approving a Tree Preservation Plan for Front Gate Unit 2B.

MOTION: Made by Council Member Elizondo, seconded by Council Member Koerner to approve the Tree Preservation Plan for the proposed subdivision of Front Gate Unit 2B.

VOTE: 6-0; Motion Passed.

G. Discussion and possible action on determining the appointment method to the City of Fair Oaks Ranch Zoning Board of Adjustment.

By consensus, Council directed staff to immediately advertise for the 5 member and 2 alternates Zoning Board of Adjustment. Appointments to the board will be determined through an interview process.

V. REPORTS FROM STAFF / COMMITTEES / COUNCIL

A. Presentation of GFOA Excellence in Financial Reporting – Moved to Section II.

B. Police Chief, Scott Rubin, provided the annual Police Department report.

C. Melissa Castro, Environmental Compliance Manager, provided an update on the Backflow Prevention Education Outreach Plan.

VI. 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.

VII. RECONVENE INTO OPEN SESSION

Not applicable.

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 9:03 PM.

ATTEST:

Garry Manitzas, Mayor

Christina Picioccio, City Secretary



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
March 7, 2019

AGENDA TOPIC: Approval of Council Member Maxton's absence from the February 21, 2019 Council Meeting.

DATE: March 7, 2019

DEPARTMENT: City Council

PRESENTED BY: Consent Agenda - Council Member Maxton

INTRODUCTION/BACKGROUND:

Due to being out of town.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Section 3.09 of the Home Rule Charter

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

(Consent Agenda) Approval of Council Member Maxton's absence from the February 21, 2019 Council Meeting.



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
March 7, 2019

AGENDA TOPIC: Presentation of Certificate of Unopposed Candidates and consideration and possible action approving a Resolution declaring Unopposed Candidates Places 3, 4, and 5 in the May 4, 2019 General Election elected to office and cancelling said General Election.

DATE: March 7, 2019

DEPARTMENT: Administration

PRESENTED BY: Christina Picioccio, City Secretary

INTRODUCTION/BACKGROUND:

This year, Council Members Places 3, 4, and 5 are up for election. Three candidates, one for each Place, have filed. Each candidate whose name is to appear on the ballot is unopposed and no candidate's name is to be placed on the list of write-in candidates.

Pursuant to the Election Code (Chapter 2), the following is the procedure for consideration of declaring the candidates unopposed as elected and for cancelling the General Election:

Step 1 – Certification Required: As soon as possible after the deadline for declaration of write-in candidacy, if no candidate in the election is opposed on the ballot or by a declared write-in candidate, the City Secretary must deliver to the City Council Certification that each candidate for office is unopposed [EC§2.052].

Step 2 – Action on Certification: On receipt of Certification, the City Council may declare each unopposed candidate elected to office, in which case the election is cancelled (attached Resolution).

Step 3 – Action after May 4, 2019 Election: Certificate of Election and Oath of Office shall be issued to each candidate after the May election. Candidates, pursuant to EC 2.053, cannot take office until the regular canvassing period would have taken place. Section 4.07 of the City Charter further states that “Each newly elected person to the City Council shall be inducted into office at the first regular City Council meeting following the canvass of the votes” which will be May 16, 2019.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Compliance with appropriate State laws
2. As candidates are running unopposed, they will win no matter how many ballots are cast

FINANCIAL IMPACT:

By cancelling this election, the City will recognize a \$6,000.00 savings to the budget.

LEGAL ANALYSIS:

The Resolution has been reviewed by the City Attorney's office.

RECOMMENDATION/PROPOSED MOTION:

I move to approve a Resolution declaring the unopposed candidates, in the May 4, 2019 General Election, elected to office and cancelling said General Election.

A RESOLUTION

OF THE CITY OF FAIR OAKS RANCH, TEXAS DECLARING UNOPPOSED CANDIDATES, IN THE MAY 4, 2019 GENERAL ELECTION ELECTED TO OFFICE; CANCELLING SAID ELECTION; CONTAINING OTHER PROVISIONS RELATING TO THE ELECTION; AND PROVIDING FOR SEVERABILITY CLAUSE

WHEREAS, on February 7, 2019 the City Council of Fair Oaks Ranch called for, by Resolution 2019-01, a general election for the purpose of electing three Council Members, Places 3, 4, and 5 for the City of Fair Oaks Ranch, Texas; and,

WHEREAS, notice of said election was given in accordance with the law; and,

WHEREAS, pursuant to Resolution 2019-01, Section 1 and Section 146.054 of the Texas Election Code, the deadlines for filing applications for a place on the ballot of the city's General Election has expired; and,

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code, has certified to the City Council, in writing, (attached hereto as Exhibit A) that Steve Hartpence is unopposed for the election to the office of Council Member, Place 3; and Laura Koerner is unopposed for the election to the office of Council Member, Place 4, and Snehal R. Patel is unopposed for the election to the office of Council Member, Place 5; and,

WHEREAS, The City Council hereby finds and determines that each candidate whose name is to appear on the ballot in said election is unopposed, and under these circumstances, Section 2.053, Texas Election Code, authorizes the City Council to declare the candidates elected to office and cancel the General Election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

SECTION 1. That the facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

SECTION 2. That, in accordance with Section 2.053 of the Texas Election Code, the following unopposed candidates are hereby declared elected to the respective offices shown, and shall be issued a certificate of election following the time the election would have been canvassed:

Council Member, Place 3 – Steve Hartpence

Council Member, Place 4 – Laura Koerner

Council Member, Place 5 – Snehal R. Patel

SECTION 3. That it is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs and sections of this resolution are severable, and if any phrase, clause, sentence, paragraph or section of this resolution is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections

of this resolution, since the City Council would have enacted them without the invalid portion; and,

PASSED, APPROVED and ADOPTED this 7th day of March, 2019.

Garry Manitzas, Mayor

ATTEST:

Christina Picioccio, City Secretary

CERTIFICATION OF UNOPPOSED CANDIDATES
CERTIFICACION DE CANDIDATOS UNICOS

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 4, 2019:

(Como autoridad a cargo de la preparacion de la boleta de votacion oficial, por la presente certifico que los siguientes candidatos son candidatos unicos para eleccion para un cargo en la eleccion que se llevara a cabo el Mayo 4, 2019):

<u>Office (Cargo)</u>	<u>Candidate (Candidato)</u>
Council Member, Place Three	Steve Hartpence
Council Member, Place Four	Laura Koerner
Council Member, Place Five	Snehal R. Patel



Christina Picioccio, City Secretary
City of Fair Oaks Ranch, Texas

Dated this 1st day of March, 2019.



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

March 7, 2018

AGENDA TOPIC: Discussion and possible action creating an Audit Committee Formation group.

DATE: March 7, 2019

DEPARTMENT: Finance

PRESENTED BY: Sarah Buckelew, Finance Director and ABIP

INTRODUCTION/BACKGROUND:

Those who manage financial resources on behalf of others owe them a duty of accountability for that stewardship, especially in the public sector. Essential elements of this accountability include timely publication of reliable financial statements, as well as established internal controls. As in the private sector, citizens, investors, creditors and other counterparties are also among the principal users of public-sector financial statements, which they use to assess creditworthiness as well as compliance with finance-related legal and contractual requirements (e.g., bond covenants).

Three parties share responsibility for risk management and the quality of financial reporting: City Council, management, and the independent auditors. Establishment of an audit committee is means for better ensuring that the City Council maintains awareness of the effectiveness of risk management, internal control and financial reporting, and responds to risks and events in a timely and appropriate manner.

To establish an audit committee, it is necessary to develop a charter for adoption by City Council. A means to do this would be to establish an initial Audit Committee with a term and charge to develop a recommended audit committee charter to be presented to City Council for consideration and possible action.

The Initial Audit Committee term and charge will be to develop a proposed Audit Committee Charter for City Council consideration and possible action. The Mayor has indicated he plans to nominate three Councilmembers for this position: Himself, Roy Elizondo, and Greg Maxton.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Sound risk management and financial reporting are essential components of public-sector accountability. The audit committee is an invaluable tool for helping to ensure that all those responsible, including City Council, management, and independent auditors, fully meet their respective responsibilities in this regard.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

As part of the 2016-17 financial statement audit the independent auditors identified significant opportunities to improve the internal control environment for the City. In response, City Council concurred on initiating a project to develop and implement a comprehensive internal control framework. This project was contemplated during the fiscal planning cycle and was funded for budget year 2018-19. The project which is spearheaded by the City Finance Department and supported by the accounting firm ABIP kicked off in December 2018.

LEGAL ANALYSIS:

Not applicable

RECOMMENDATION/PROPOSED MOTION:

I move to approve the Mayor's nominations of the following individuals to the Initial Audit Committee: Mayor Garry Manitzas, Council Member Roy Elizondo, and Council Member Greg Maxton.

City of Fair Oaks Ranch

Audit Committee Discussion and Pathway to Success

03/07/2019

Andrew T. Barbe, MBA CPA CGMA
Partner, Advisory





AGENDA

- **Introduction**
- **Areas of Focus**
 - **What is an Audit Committee?**
 - **Benefits of an Audit Committee**
 - **Success Factors**
 - **Next Steps**
 - **Q&A**

The Risk Management Universe





What is an Audit Committee?

Definition and Purpose

The Government Finance Officers Association defines an Audit Committee as:

“An audit committee is a practical means for a governing body to provide much needed independent review and oversight of the government’s financial reporting processes, internal controls, and independent auditors. An audit committee also provides a forum separate from management in which auditors and other interested parties can candidly discuss concerns. By effectively carrying out its functions and responsibilities, an audit committee helps to ensure that management properly develops and adheres to a sound system of internal controls, that procedures are in place to objectively assess management’s practices, and that the independent auditors, through their own review, objectively assess the government’s financial reporting practices.”



Benefits of an Audit Committee

- Improve financial activities, practices & reporting

An Audit Committee can be instrumental in reviewing, monitoring and directing activities and results related to the maintenance of internal controls and preparation of financial reports. The Committee helps facilitate communication between the government's management, the auditor and the governing body.

- Internal controls for:

- Operational performance

Audit Committees can help identify areas of improvement around efficiency and effectiveness as well as provide guidance on how the City communicates outwardly

- Fraud prevention

Audit Committees can help provide a framework and overall guidance to prevent and detect fraud and encourage appropriate behaviors

- Ethics & compliance

Audit Committees work as an extension of the City's governance and help to establish codes of ethics and conduct while also helping to monitor these on an ongoing basis.

- Monitoring the effectiveness of internal controls (including internal audits)

Audit Committees inherently are part of the strategy to ensure that the City takes appropriate steps and that it meets its financial and compliance responsibilities. This includes working with an internal audit team to continually monitor and enhance the internal control environment.

- Enhance effectiveness of independent external audits

Audit Committees do oversee and monitor the performance of external audits and ensure independence and appropriate communications with the governing body for the City and provides a conduit for issues raised and potential risks stemming from how external stakeholders view the City.



Success Factors

The success factors of an effective Audit Committee include:

- Tone at the Top

The Tone at the Top sets the stage for how the interaction between a governing body and the management of an entity impacts the effectiveness of risk management. Driving the expectation that highly ethical behavior and a high degree of integrity is key at all levels.

- Audit Committee members' subject matter expertise and knowledge

The Audit Committee helps to provide a great deal of support for the governing body to meet its obligations to ensure strong operations and fair representation of financial reporting as well as provide good stewardship of citizen tax dollars. Having the appropriate level of expertise on the Audit Committee is critical to its success and provides an essential tool for the City Council.

- Ongoing education in risk management concepts & financial reporting requirements

The Audit Committee provides a mechanism to aide the City Council in continuing to update its knowledge of risk management and financial reporting requirements which are critical for both internal and external stakeholders. As the City Council is charged with the overall governance of the City's operations and financial reporting, continually staying abreast of new risks and requirements is key to properly managing expectations and representing the right story to external stakeholders.

- Regular and frequent meetings

The Audit Committee should meet at regular intervals and ensure constant communication with both the governing body and management as well as auditors.



Next Steps

Next steps for moving the process forward would include:

- Initial committee appointments
The Audit Committee starts with appointing the appropriate members of the City Council who hold the requisite level of expertise and the drive to want to serve on the Committee. The City Council should determine who best to appoint (consider the number of members and their expertise/willingness to serve, etc.) to move the process forward.
- Charter development and implementation plan
The next step after the initial Committee appointments is to properly develop a charter which will outline the working provisions of the Committee, its responsibilities and provide the appropriate level of coverage to support the City Council's role of governance oversight.
- Charter adoption and implementation
The final step after a charter has been developed and an implementation plan crafted is to have the charter formally adopted by the governing body and an implementation timeline agreed to and executed upon.



Wrap Up and Q&A

- Any questions?

Andrew T. Barbe, MBA CPA CGMA

Partner

713.350.2473

abarbe@abipadvisors.com



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

March 7, 2019

AGENDA TOPIC: Discussion and possible action to approve reissuing a Fire Inspector Services Agreement and to authorize the City Manager to execute the Agreement

DATE: March 7, 2019

DEPARTMENT: Building Codes

PRESENTED BY: Jim Earl, Building Official

INTRODUCTION/BACKGROUND:

On January 3, 2019, the City of Fair Oaks Ranch entered into contract with Keaton Mattick to conduct plan reviews, inspect new commercial construction, and to conduct yearly inspections of existing commercial establishments. Due to an unexpected change in Keaton Mattick's availability, he will be unable to fulfill the terms of the contract. Keaton has provided notice that he will terminate the contract effective March 7th. Another licensed Fire inspector, Lyle Mattick has agreed to begin his contract effective March 8th to provide inspections for the remainder of the fiscal year under the parameters delineated in the existing contract.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

By maintaining an agreement with a state licensed Fire Inspector calling for plan reviews and inspections on new commercial construction as well as yearly inspections on existing commercial establishments, the City's ability to ensure the health, safety and welfare of its citizens will continue to be greatly enhanced.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

The sum of \$5,000 dollars was budgeted for FY 2018-19 to accomplish the goal of establishing a Fire Inspector contractor. This sum comes from the Professional Services line in account number 01-641-300 in the Building Codes and Permits budget. The period of time from October 1 – December 31, the City had not yet engaged a fire inspector. To date, \$1,250 was paid to Keaton Mattick for the first quarter of 2019. Keaton Mattick is withdrawing from the contract effective March 7th. Because he is withdrawing prior to the period that has been pre-paid to him, he will owe the city \$312.50. Lyle Mattick is scheduled to begin his contract on March 8th. The fees due to the new inspector for the fulfillment of the contract, should he complete it through the end of the year, will total \$2,812.50.

LEGAL ANALYSIS:

- 1) The Agreement if approved, will remain in effect for the remainder of FY 2018-19, to be renewed if deemed advisable, yearly.
- 2) The Agreement may be terminated by either party with or without cause.
- 3) The Fire Inspector, while serving in that capacity, will be covered for General Liability by the City of Fair Oaks Ranch.

- 4) The City's legal team has reviewed and approved the contract.
- 5) The contract terms have been updated to reflect the City's updated procurement and vendor procedures whereby vendors are required to submit invoices subsequent to the rendering of services.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the professional services agreement for fire inspection services and authorize the City Manager to execute the agreement.

FIRE INSPECTOR SERVICES AGREEMENT

This Services Agreement is made and entered into by and between Lyle Mattick ("FIRE INSPECTOR"), and the City Fair Oaks Ranch ("CITY"). Fire Inspector and City are each a "Party" and are together referred to as the "Parties"

WHEREAS, the CITY is responsible for enforcing applicable laws, regulations, ordinances and orders in the city limits of Fair Oaks Ranch to protect the public health, safety and welfare; and,

WHEREAS, FIRE INSPECTOR is agreeable to providing the services of a Professional Fire Inspector to inspect all commercial establishments open to the public in the city and be responsible for enforcing applicable rules in accordance with the International Fire Code; and,

WHEREAS, the Parties agree that fair and reasonable compensation from the CITY for provision of such services will be given to the FIRE INSPECTOR.

NOW, THEREFORE, in consideration of the mutual covenants and agreement stated herein, the parties agree as follows:

ARTICLE I. PURPOSE

- 1.01 The purpose of this Agreement is to acquire contracted personnel to provide fire prevention inspections, fire protection systems plan reviews, and fire protection systems acceptance testing services in the incorporated area of the City of Fair Oaks Ranch.

ARTICLE II. DEFINITIONS

- 2.01 For purposes of this agreement, the following terms shall have the meanings set forth below:
- a. FIRE INSPECTOR means Lyle Mattick who has been tested and licensed by the Texas Commission on Fire Protection as a Basic Fire Inspector or greater.
 - b. COMMERCIAL ESTABLISHMENT means a place where goods and commodities or services are provided, displayed, exchanged, sold or bought.
 - c. PUBLIC BUILDING means a place in which the possession and/or use, as well as the property in it, gives members of the of the public free access or use, and includes buildings in which the public may enter or gather for the purposes of civic, social, religious, or recreational functions, the consumption of food or drink, including where an entry fee is charged, or otherwise classified in Section 302.1 of the 2015 International Building Code. Exception: Properties regulated by the 2015 International Residential Code for One- and Two - family Dwellings.
 - d. FIRE PREVENTION INSPECTION means the examination of the interior, and when necessary the exterior, of a commercial establishment or public building to ensure the occupancy or building complies with the fire safety requirements of the locally adopted fire code.

- e. FIRE PROTECTION SYSTEM PLAN REVIEW means the examination and evaluation of the technical drawings and associated design calculations for fire protection systems and associated design calculations for fire protection systems installed in a building as required by the locally adopted Building and Fire Codes. The review is to ensure compliance with nationally accepted standards and practices.
- f. FIRE PROTECTION SYSTEM ACCEPTANCE TESTING means the witnessing of a fire protection system performance test, conducted by a licensed fire protection system installer, to ensure operational compliance with appropriate National Fire Protection Association minimum standards.
- g. FIRE CODE means the 2015 edition of the International Fire Code as adopted by both City, and any future adopted editions of the International Fire Code.
- h. BUILDING CODE means the 2015 edition of the International Building Code as adopted by the City, and any future adopted editions of the International Building Code
- i. INSPECTION REPORT means a hand written or computer generated document detailing any fire safety deficiencies found during a fire prevention inspection. The inspection report may also include corrective action information as well as fire code violation references.
- j. CITY BUILDING OFFICIAL means the officer or other designated authority charged with the administration and enforcement of the locally adopted codes, or a duly authorized representative of the City.
- k. OWNER'S AGENT means the architect, engineer, contractor, manager, or other person who has the owner's consent to act on his/her behalf in regards to the construction, maintenance and code compliance of a commercial establishment or public building.
- l. CERTIFICATE OF OCCUPANCY means a certificate or document issued by the City, indicating the building, structure, or occupied area within a structure, has been inspected and is found to be in compliance with locally adopted codes and state laws.
- m. CHANGE OF OCCUPANCY means a change in the purpose or level of activity within a building that involves a change in application of the requirements of the Fire Code.
- n. CLIENT means the individual, owner, owner's agent, occupant, contractor, or other person in responsible charge or control of and occupied public building, commercial establishment, or construction related project.
- o. NOTICE OF VIOLATION means a written document issued by a fire inspector upon finding that a serious violation of the Fire Code exists. The Notice of Violation identifies the violation, the fire code or state law reference, and information relative to correcting the violation and establishes a minimum timeline in which the violation must be corrected.

ARTICLE III. TERM

- 3.01 The term of this Agreement shall be for the period beginning March 8, 2019 and ending September 30, 2019, unless earlier terminated.
- 3.02 TERMINATION: Either Party may terminate this Agreement, with or without cause, by giving the other Party 90 day's written notice of its intention to do so. The Notice shall be delivered by mail or in person to the other Party. In such event, the Agreement will terminate 90 days following receipt of such notice with no further obligation on either Party, provided that all amounts due and owing to FIRE INSPECTOR by CITY be timely paid.
- 3.03 RENEWAL, EXTENSION: On or before July 1 of ending agreement year, CITY shall notify FIRE INSPECTOR whether or not CITY desires to continue this Agreement for another year or any term of less than one year. By written agreement executed at any time before the expiration date stated herein or such subsequent expiration date as agreed to by the Parties, the Parties may renew this Agreement for a one year term or extend the term of the Agreement for any period of less than 12 months. On an annual basis it is the city's intent to execute a Fire Inspector Services Agreement that coincides with the city's fiscal year beginning October 1 and ending September 30 each year.
- 3.04 The FIRE INSPECTOR agrees and understands that the CITY is a governmental entity that has projected costs for this Agreement and the CITY expects to pay all obligations of this Agreement from projected revenue sources, but all obligations of the CITY are subject to annual appropriation by the CITY in future years. In the event the CITY does not appropriate funds in any fiscal year for payments due under this Agreement, then this Agreement shall terminate with the CITY providing written notice of any non-appropriation to the FIRE INSPECTOR as soon as reasonably practical.

ARTICLE IV. FIRE INSPECTOR'S RESPONSIBILITIES

- 4.01 Inspect all commercial establishments open to the public within the jurisdiction of the City, at a minimum of once per year.
- 4.02 Conduct plan reviews in conjunction with all new commercial buildings within 10 business days of date of permit application.
- 4.03 Conduct at least two Fire Inspections to include a "rough" and a "final" on all newly permitted commercial buildings.
- 4.04 Perform other inspections as may be required to ensure enforcement of the CITY adopted International Fire Code within the city.
- 4.05 Enforce all applicable laws, regulations, rules, ordinances, and orders concerning fire safety in commercial establishments open to the public.
- 4.06 Represent the city at planning or pre-development meetings as necessary.
- 4.07 Direct the closure of any commercial establishment open to the public that are not in compliance with applicable fire safety laws, regulations, rules, ordinances and orders.

- 4.08 Require the correction of any code violations related to fire safety in accordance with applicable laws, regulations, rules, ordinances, and orders.
- 4.09 Provide digital inspection Copies of all Fire Protection Inspection reports and all Fire Protection Systems Permits Issued for commercial establishments or public accessible buildings within the incorporated city limits of the CITY, within 48 hours of issuance.
- 4.10 Provide and maintain own office space, furnishing, equipment and supplies, including a motor vehicle, as necessary to perform the applicable services at the cost to the individual and not the City Of Fair Oaks Ranch.
- 4.11 Provide proof of certified Fire Inspector with the Texas Commission on Fire Protection and attach as Exhibit A to this Agreement. Upon request, submit evidence of continued compliance, with all State and Federal certifications, regulations, and license requirements pertaining to the services provided hereunder.
- 4.12 Provide professional recommendations and advice to the city regarding fire code or policy issues including consultation services, to the City Building Official, related to fire-resistive rated construction requirements identified in the Building Code. These services may be provided by phone, e-mail, mail, or when necessary by on-site visits.
- 4.13 Plan reviews for installed fire protection systems required in commercial establishments or public accessible buildings, as required by the Building Code, including:
 - (1) Automatic Fire Sprinkler Systems
 - (2) Alternative Automatic Fire-Extinguishing Systems (Vent/Hood System)
 - (3) Standpipe Systems
 - (4) Fire Alarm and Detection Systems
 - (5) Emergency Alarm Systems
 - (6) Smoke Control Systems
 - (7) Smoke and Heat Vent Systems
 - (8) Fire Command Centers
- 4.14 Comply with all City procurement procedures including, but not limited to:
 - (1) Provide the City with a current W-9
 - (2) Provide quarterly invoices within 30 days subsequent to the rendering of services to the City for payment.

ARTICLE V. CITY'S RESPONSIBILITIES

- 5.01 Pay FIRE INSPECTOR the sum of one thousand two hundred dollars per quarter for the remainder of the Fiscal Year 2018-19. One initial payment of three hundred twelve dollars and fifty cents (\$312.50) will be paid upon the rendering of services and receipt of invoice for the partial quarter ended March 2019. Two quarterly payments each of one thousand two hundred fifty dollars and zero cents (\$1,250.00) to be paid subsequent to rendering of services and receipt of invoice by the City. Contract renewal or extensions subject to Article II, Section 2.03 and 2.04.
- 5.02 The Building Official will be responsible for administering this agreement. The Fire Inspector will report to the Building Official.

- 5.03 Co-operate with FIRE INSPECTOR in adopting applicable ordinances and providing assistance to the FIRE INSPECTOR as necessary so that all required inspections can be conducted in a timely manner and all applicable laws, regulations and ordinances can be enforced within the jurisdiction of CITY.
- 5.04 Provide FIRE INSPECTOR with business cards as necessary.
- 5.05 Provide FIRE INSPECTOR with identification badge.
- 5.06 Provide FIRE INSPECTOR with general liability insurance on a per occurrence basis with limits of liability not less than \$1,000,000 for each occurrence and for fire damage. For Bodily Injury and Property Damage, coverage shall be no less than \$1,000,000. As a minimum, coverage for Premises, Operations, Products and Completed Operations shall be \$2,000,000. This coverage shall protect the public or any person from injury or property damages sustained by reason of the FIRE INSPECTOR. The general aggregate shall be no less than \$2,000,000.
- 5.07 When it is determined by the City Building Official that a fire protection system, as defined in Article IV, section 401(b) (1-8), is required in a commercial establishment or public building, the City Building Official will refer the building owner or owner's agent to the FIRE INSPECTOR to obtain the necessary Fire Protection System Plan Reviews, Permits, Inspections and Acceptance Testing.
- 5.08 When a new commercial establishment or public building that does not require a fire protection system is constructed within the incorporated city limits, the City Building Official will notify the FIRE INSPECTOR to schedule a joint fire safety/final inspection prior to the issuance of a Certificate of Occupancy. This will allow both the City and FIRE INSPECTOR the opportunity to discuss and determine the minimum level of Fire Safety for the given structure.
- 5.09 When a Change in Occupancy occurs in an existing commercial establishment or public building, the City Building Official will notify FIRE INSPECTOR to schedule a joint fire safety/occupancy inspection prior to the issuance of a Certificate of Occupancy. This will allow both the City and FIRE INSPECTOR the opportunity to discuss and determine the minimum level of Fire Safety for the altered occupancy.

ARTICLE VI. MISCELLANEOUS PROVISIONS

- 6.01 In the performance of service by the FIRE INSPECTOR to the CITY under the terms of this Agreement, it is mutually understood and agreed that the FIRE INSPECTOR at all times shall be an independent contractor. Nothing herein shall be construed as giving a degree of control on the part of the CITY that creates an employer-employee relationship between the CITY and the FIRE INSPECTOR.
- 6.02 This Agreement does not create an employment relationship, partnership, or joint venture between the FIRE INSPECTOR and the CITY.
- 6.03 This is the sole and only agreement between the Parties concerning the subject matter set out herein. No other agreement, statement or promise made by any party or any officer, agent or employee of any Party, which is not set out herein, shall be binding or enforceable against either Party.

- If to CITY: City Manager's Office
City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015
- If to FIRE INSPECTOR: Lyle Mattick
123 Cypress Lane
Boerne, TX 78006

- EXECUTED IN DUPLICATE THIS _____ DAY OF _____, 2019.**

TOBIN E. MAPLES
CITY MANAGER

Exhibit A

Fire Inspector Certificate (Texas Commission on Fire Protection)

Texas Commission on Fire Protection



In the interest of protecting the citizens of Texas,
the commission awards this certificate to

Lyle W Mattick

In recognition of completion of the requirements for

Advanced Fire Inspector

01/24/2019

Certificate Number -116868



R. L. Moore
Chairperson

J. J. [Signature]
Executive Director



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

March 7, 2019

AGENDA TOPIC: Discussion and possible action on approving the Penalty Clause Committee guidelines, a committee member application, and the determination of appointment method

DATE: March 7, 2019

DEPARTMENT: City Council

PRESENTED BY: Carole Vanzant, Assistant City Manager

INTRODUCTION/BACKGROUND:

Since the adoption of the City Charter in May 2017, staff has worked to ensure mandated provisions of the Charter are being put in place. Section 7.15A of the City Charter, titled Penalty Clause – Criminal Penalty states, “Any person who by himself or with others violates any provision of this Charter shall, in addition to any penalty, be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$500. *City Council shall enact an ordinance enforcing this section*”.

After working with the City Attorney’s office staff advanced a draft ordinance to City Council in February 2018 for consideration and action. Upon completion of Council discussion, City Council unanimously approved postponing a vote on the draft ordinance to a future City Council meeting as further legal clarification was needed.

At the February 7, 2019 City Council meeting, the City Attorney provided an update and answered questions regarding the Home Rule Charter provision of enacting an ordinance adopting a criminal penalty for charter violations. Upon completion of their discussion, City Council agreed a citizen committee should be established to review the matter relative to Texas State law, provisions of the City Charter, and to advance an actionable recommendation to the City Council. Mayor Pro Tem Havard offered to work with staff in drafting language creating the committee’s guidelines and developing the selection process of a volunteer citizen advisory committee.

This agenda item today is for City Council to review and approve the guidelines of the Penalty Clause Committee (attachment A), the committee member application (attachment B), and to determine the method of appointment. Following is a suggested timeline for applications (similar to the ZBOA application process):

Application without Interviews

March 11 – Posting of application on various platforms

March 29 – Deadline to receive applications

April 18 – City Council reviews applications and makes appointments

Application with Interviews

March 11 – Posting of application on various platforms

March 29 – Deadline to receive applications

April 18 – City Council reviews applications and determine interviewees

May 2 – City Council interviews applicants and makes appointments

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Complies with the requirement of the City Charter, Section 7.15A in developing an ordinance to enforce a criminal penalty for violation of any provisions of the City Charter.
2. Opportunity for citizenry involvement in clarifying the City Charter penalty clause provision.
3. Provides transparency.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Short term financial impact - attendance of City Attorney at Committee meetings.

LEGAL ANALYSIS:

Approval of committee guidelines and candidate application as to form.

RECOMMENDATION/PROPOSED MOTION:

Recommend approving the Penalty Clause Committee guidelines, committee member application and method of member appointments.

City of Fair Oaks Ranch Penalty Clause Committee Guidelines

Background

In the fall of 2016, a citizen committee was formed to write a Home Rule Charter (HRC) for the City. The HRC Committee completed the proposed Home Rule Charter in the spring of 2017 and was placed on the May 2017 ballot and subsequently overwhelmingly approved by citizens. Since the adoption of the City Charter in May 2017, staff has worked on ensuring mandated provisions of the Charter are being met. Section 7.15A of the City Charter, titled Penalty Clause – Criminal Penalty states, “Any person who by himself or with others violates any provision of this Charter shall, in addition to any penalty, be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than \$500. *City Council shall enact an ordinance enforcing this section*”.

To comply with this mandate, and after working with the City Attorney’s office, staff advanced a draft ordinance to City Council in February 2018 for their consideration and action. Upon completion of Council discussion, City Council unanimously approved postponing the vote on the draft ordinance to a future City Council meeting as further legal clarification was needed.

At the February 7, 2019 City Council meeting, the City Attorney provided an update and answered all questions regarding the Charter requirement that an ordinance adopting criminal penalty for charter violations be adopted. After a thorough discussion, City Council agreed a citizen advisory committee be established to review the matter in relation to Texas State law and provisions of the City Charter and, to advance an actionable recommendation to the City Council. Direction was given to establish a Penalty Clause Committee (PCC).

Purpose and Scope of Work

1. Review the matter relative to Texas State law and provisions of the Home Rule Charter.
2. Determine and advance actionable recommendations to the City Council not later than the first regular City Council meeting in October of 2019.
3. Any recommended changes to the Scope of Work shall be approved by City Council prior to advancing the proposed change.
4. Committee members are to work in concert with the City Attorney are required to work as a team to form consensus.

Membership and Term

1. Membership is composed of five (5) members appointed by the City Council, as an advisory committee, who shall serve at the will of the City Council.
2. The Committee shall choose a Presiding Officer, Acting Presiding Officer, and a Secretary from its members.
3. Term of membership expires upon completion of final report to City Council.
4. Members shall be at least 18 years of age, be resident citizens and shall be qualified voters of the city.
5. Former Home Rule Commission members who formulated the Home Rule Charter may serve on the Committee.
6. Members shall not be employed by the City of Fair Oaks Ranch and, shall not receive any salary or compensation for services on the Committee.
7. Members shall remain on the Committee unless asked to leave by a majority vote of the City Council or upon a member’s request for voluntary retirement.

Meetings

1. Meetings shall be conducted at a time most convenient for all members during the regular work week.
2. Meetings shall be held at the municipal complex, be open to the public and shall have the City Attorney present.
3. Routine work of the Committee is conducted in the committee meetings.

City Council and city staff serve as a source of information for the Committee. The relationship is collegial and supportive in nature, and is neither pro- or anti-penalty clause in nature.

**APPLICATION FOR APPOINTMENT TO THE
FAIR OAKS RANCH PENALTY CLAUSE COMMITTEE**

Full Name _____
Home Address _____
Home Phone _____ Work or Cell Phone _____

The following questions are asked because the City Council desires to maintain balance to insure proper representation.

Are you a citizen of the City of Fair Oaks Ranch? _____ Yes _____ No

If yes, how many years have you lived in Fair Oaks Ranch? _____

Are you registered to vote in the City of Fair Oaks Ranch? _____ Yes _____ No

Do you have immediate family working for the City of Fair Oaks Ranch? _____ Yes _____ No

If yes, who? _____

Current or past occupation or area of expertise _____

Professional and/or community activities (including service on City of Fair Oaks Ranch Board, Commissions, Committees) _____

What is the major motivating factor, including any personal reason, behind your desire to be a PCC member? _____

Do you understand and support the guidelines of the PCC? _____

Are you willing and able to devote the necessary time of the PCC meetings? _____

Certification

I am not employed by the City of Fair Oaks Ranch. If appointed, I will notify the City of any changes in my residence or of any other relevant changes that would affect my appointment. I will also notify the City if any potential conflicts of interest arise. I recognize that my appointment requires attendance and participation at all scheduled meetings. Failure to do so may result in my removal. In filing this application, I understand that it becomes a part of the public records of the City of Fair Oaks Ranch. The City will comply with the TPIA and AG rules and procedures in releasing confidential information. I further understand and acknowledge that by signing this application I certify that all information on this application is complete, truthful and accurate to the best of my knowledge.

Applicant Signature: _____ Date: _____

Drop off, mail, fax or email completed application to (a photocopy of this application shall be as valid as the original):

City of Fair Oaks Ranch
City Secretary, C. Picioccio
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015
210-698-0900 (Office) or 210-698-3565 (Fax)
christinap@fairoaksranchtx.org

Thank you for your interest in serving the City of Fair Oaks Ranch

DRAFT

Staff Notations Only

Date application received: _____

Council action date: _____

Council action: _____



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

March 7, 2019

AGENDA TOPIC: Discussion and possible action approving a Resolution supporting the Texas Department of Transportation's efforts to secure additional state funding for safety improvements along FM 3351 (Ralph Fair Road)

DATE: March 7, 2019

DEPARTMENT: Administration

PRESENTED BY: Tobin Maples, City Manager

INTRODUCTION/BACKGROUND:

City Council, at their February 7, 2019 regular meeting, discussed citizen concerns associated with the safety of FM 3351 (Ralph Fair Road). Subsequent to the meeting, staff reached out to TxDOT who confirmed safety is a top priority and as such, were advancing action plans to address the situation:

- A short-term safety measure inclusive of milling and texturing the pavement on Ralph Fair Road from the vicinity of IH-10 West to Pimlico. This project is now complete.
- In the mid-term (in the next year or two), dependent on state funding, a plan to overlay fresh, new asphalt for an improved riding surface on Ralph Fair Road from the vicinity of IH-10 West to Dietz Elkhorn. They indicated their effort to secure funding may be enhanced if the City of Fair Oaks Ranch supported this project.

Accordingly, City Council authorized the City Manager to move forward with drafting a Resolution supporting the TxDOT's mid-term plan.

Tonight's agenda item is a Resolution supporting TxDOT's Plan to further enhance safety on Ralph Fair Road and to endorse their effort in securing additional state funding for the installation of a new asphalt overlay project from the vicinity of IH1-10 West to Dietz Elkhorn Road.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Safety along FM 3351 is a top priority and mutual concerns shared by the City and TxDOT.
2. Abides by the direction of the City Council given to staff on February 7, 2019

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Approval of Resolution supporting the Texas Department of Transportation's efforts to secure additional state funding for safety improvements along Ralph Fair Road.

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION'S EFFORTS TO SECURE ADDITIONAL STATE FUNDING FOR SAFETY IMPROVEMENTS ALONG FM 3351 (RALPH FAIR ROAD) FROM IH -10 WEST TO DIETZ ELKHORN ROAD IN FAIR OAKS RANCH

Whereas, citizens of the City of Fair Oaks Ranch have expressed concerns regarding the safety aspects of traversing FM3351 (Ralph Fair Road); and,

Whereas, the Texas Department of Transportation (TxDOT) has stated that addressing safety concerns on Ralph Fair Road is a top priority for TxDOT; and,

Whereas, TxDOT has recently completed short-term safety measures inclusive of milling and texturing the pavement on Ralph Fair Road from the IH-10 West vicinity to Pimlico; and,

Whereas, TxDOT desires to advance additional safety improvements, dependent on state funding, inclusive of a new asphalt overlay on Ralph Fair Road from the vicinity of IH-10 West to Dietz Elkhorn Road in Fair Oaks Ranch, Texas; and,

Whereas, TxDOT has indicated their effort to secure additional state funding for the asphalt overlay project may be enhanced by the City of Fair Oaks Ranch's support of said project; and,

Whereas, the City Council of the City of Fair Oaks Ranch recognizes that TxDOT's plan to install a new asphalt overlay further addresses safety enhancements on Ralph Fair Road as desired by the Fair Oaks Ranch community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

- Section 1.** **Recitals.** The City Council finds all of the above recitals to be true and correct and incorporates the same in the Resolution as findings of fact.
- Section 2.** **Support.** The City Council of the City of Fair Oaks Ranch supports the Texas Department of Transportation (TxDOT) Plan to enhance safety on FM 3351 (Ralph Fair Road) from the vicinity of IH-10 West to Dietz Elkhorn Road in Fair Oaks Ranch, Texas.
- Section 3.** **Project Funding.** The City Council endorses TxDOT's effort to secure additional state funding for the installation of new asphalt overlay as defined in Section 2 of this Resolution.
- Section 4.** **Authorization.** The City Manager is hereby authorized to take all necessary steps to implement the provisions of this Resolution.
- Section 5.** **Severability.** If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be

valid, and this Council declares that this Resolution would have been enacted without such invalid provision.

Section 6. **Effective Date.** This Resolution shall be effective upon its passage and approval.

PASSED and APPROVED on this 7th day of March, 2019.

Garry Manitzas, Mayor

ATTEST:

Christina Picioccio, City Secretary