

**CITY OF FAIR OAKS RANCH
CITY COUNCIL MEETING MINUTES
March 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 Havard

Council Members: Elizondo, Hartpence, Koerner, Maxton, and Patel

With a quorum present, the Mayor called the City Council meeting to order at 7:42 PM.

B. The Pledge of Allegiance was led by the City's Building Code Administrative Assistant and recent recipient of Employee of the Year, Rachel Brown.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. City Manager Tobin Maples introduced to the council and the community, Joanna Merrill, the City's new Director of Human Resources and Communications.

B. Arthur Waterman, returning resident, introduced himself to the council and indicated his interest in being involved in the city in some capacity.

III. CONSENT AGENDA

A. Approval of February 21, 2019 Regular City Council Meeting Minutes.

B. Approval of Council Member Maxton's absence for the February 21, 2019 Regular City Council Meeting.

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

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.

MOTION: Made by Council Member Elizondo, seconded by Council Member Koerner to approve a Resolution declaring the unopposed candidates, in the May 4, 2019 General Election, elected to office and cancelling said General Election.

VOTE: 7-0; Motion Passed.

B. Discussion and possible action creating an Audit Committee Formation Group.

MOTION: Made by Mayor Pro Tem Havard, seconded by Council Member Hartpence 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.

VOTE: 7-0; Motion Passed.

C. Discussion and possible action to approve a Fire Inspector Services Agreement and to authorize the City Manager to execute the Agreement.

MOTION: Made by Council Member Koerner, seconded by Council Member Maxton to approve the professional services agreement for fire inspection services and authorize the City Manager to execute the agreement.

VOTE: 7-0; Motion Passed.

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

MOTION: Made by Council Member Patel, seconded by Mayor Pro Tem Havard to approve the Penalty Clause Committee guidelines, committee member application and method of member appointments.

AMENDED MOTION:

Made by Council Member Elizondo, seconded by Council Member Patel to approve the discussion item with the following amendments:

1. Title Change to Home Rule Charter Penalty Clause Committee.
2. Attachment A - Purpose and Scope of Work – No. 1: to add “US Constitution”.
3. Attachment A – Membership and Term – No. 3: Change “completion of final report” to “acceptance of final report”.
4. Attachment B – Application: to change “citizen” to “resident”.

VOTE: 7-0; Motion Passed.

VOTE ON ORIGINAL MOTION:

7-0; Motion Passed.

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).

MOTION: Made by Council Member Koerner, seconded by Council Member Elizondo to approve a Resolution supporting the Texas Department of Transportation’s efforts to secure additional state funding for safety improvements along Ralph Fair Road.

VOTE: 7-0; Motion Passed.

V. REPORTS FROM STAFF / COMMITTEES / COUNCIL

None

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.

- B. City Council convened into close session at 8:36 PM regarding 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

Mayor Manitzas reconvened into open session at 9:13 PM.

MOTION: Made by Council Member Elizondo, seconded by Council Member Maxton to engage the law firm of Branscomb PC to assist with the resolution of claims made against the City's groundwater supply.

VOTE: 7-0; Motion Passed

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 9:17 PM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary