

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

Absent: Council Member Hartpence

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

B. The Pledge of Allegiance was led by citizen, Richard Morris.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. Mayor Manitzas presented a 10 year service award to GIS Technician, Ernie Martinez.

B. There were no citizens to be heard.

III. CONSENT AGENDA

A. Approval of December 6, 2018 Regular City Council Meeting Minutes.

B. Approval of December 13, 2018 Joint City Council and P&Z Commission Public Hearing.

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 to approve a Fire Inspector Services Agreement and to authorize the City Manager to execute the Agreement.

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

VOTE: 6-0; Motion Passed.

B. Discussion and possible action on the First Reading of an Ordinance amending the official zoning map by zoning 9120 Old Dietz Elkhorn Road, Mann-Blodgett Subdivision, CB 4707E, Block 1, Lot 1, Fair Oaks Ranch, Bexar County Texas from Existing Residential 3 (R-3) to Neighborhood Commercial (NC).

MOTION: Made by Mayor Pro-Tem Havard, seconded by Council Member Patel to approve the ordinance amending the official zoning map by zoning 9120 Old Dietz Elkhorn Road, Mann-Blodgett Subdivision, CB 4707E, Block 1, Lot 1, Fair Oaks Ranch, Bexar County Texas from Existing Residential 3 (R-3) to Neighborhood Commercial (NC).

VOTE: 6-0; Motion Passed.

C. Discussion and possible action to approve the preliminary plat that establishes Front Gate Unit 4.

MOTION: Made by Council Member Maxton, seconded by Council Member Elizondo to approve the preliminary plat that establishes Front Gate Unit 4.

VOTE: 6-0; Motion Passed.

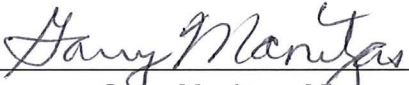
V. REPORTS FROM STAFF / COMMITTEES / COUNCIL

- A. City Secretary, Christina Picioccio, highlighted important dates of the May 4, 2019 City Election.²
- B. Director of Finance, Sarah Buckelew outlined the proposed calendar for the Strategic Planning Phase for the FY 2019-20 budget process.

VI. ADJOURNMENT

Mayor adjourned the City Council meeting at 9:49 AM.

ATTEST:


Garry Manitzas, Mayor


Christina Picioccio, City Secretary

ORDINANCE 2019-01

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS AMENDING THE OFFICIAL ZONING MAP BY ZONING 9120 OLD DIETZ ELKHORN ROAD, MANN-BLODGETT SUBDIVISION, CB 4707E, BLOCK 1, LOT 1, FAIR OAKS RANCH, BEXAR COUNTY TEXAS FROM EXISTING RESIDENTIAL THREE (R-3) TO NEIGHBORHOOD COMMERCIAL (NC)

WHEREAS, an application to rezone 9120 Old Dietz Elkhorn Road, Fair Oaks Ranch, Texas from Existing Residential three (R-3) to Neighborhood Commercial (NC) and more particularly described in the attached Exhibit A (herein, the “Property”) has been filed with the City; and,

WHEREAS, the City Council of the City of Fair Oaks Ranch, Texas as previously created and appointed a Planning and Zoning Commission as authorized by the Texas Local Government Code; and,

WHEREAS, the Texas Local Government Code authorizes a municipality to adopt zoning districts after compliance with statutory notice provisions; and,

WHEREAS, on December 13, 2018, the Planning and Zoning Commission conducted a public hearing on the potential rezoning application and after considering the testimony and evidence, hereby makes a recommendation of approval of the rezoning application; and,

WHEREAS, on December 13, 2018 the City Council conducted a public hearing and after considering the testimony, evidence and recommendation by the Planning and Zoning Commission, determined it to be in the public interest to approve the Zoning Change request by amending the City’s Comprehensive Zoning Ordinance and Zoning Map, which in its best judgment promotes the health, safety, morals, and general welfare and protect the use and enjoyment of property throughout the City.

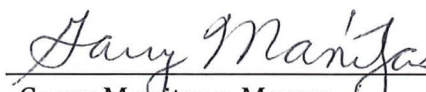
NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

- Section 1. The Property commonly known as 9120 Old Dietz Elkhorn Road, and located at CB 4707E, Block 1, Lot 1, Bexar County, Texas as shown and more particularly described in the attached Exhibit A, is hereby zoned Neighborhood Commercial (NC).
- Section 2. The Official Zoning Map of the City of Fair Oaks Ranch, shall be revised to reflect the above amendment.
- Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.
- Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

- Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.
- Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Fair Oaks Ranch, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Fair Oaks Ranch except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED and APPROVED on first reading the 3rd day of January, 2019.

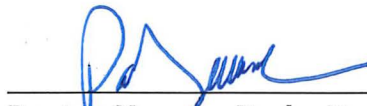
PASSED, APPROVED AND ADOPTED on second reading this 17th day of January, 2019.


Garry Mahitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary

APPROVED AS TO FORM:


Denton Navarro Rocha Bernal & Zech,
P.C., City Attorney