

**CITY OF FAIR OAKS RANCH
CITY COUNCIL VIDEOCONFERENCE MEETING MINUTES
AUGUST 6, 2020
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Manitzas and Mayor Pro Tem Elizondo
Council Members: Havard, Koerner, Patel and Maxton.

Absent: Council Member Hartpence

With a quorum present, the City Council meeting was called to order at 9:36 AM.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. Citizens to be heard.

1. Rich Nichols spoke in favor of contractor registration and fees regarding the proposed amendment to the Oak Wilt Control Ordinance however he believed that having a contractor purchase a permit for each job was unreasonable. He recommended a distinction between fines for the contractor and the property owner as well as incorporating an educational component to aid resident compliance.
2. Dave Deleranko spoke regarding the Oak Wilt presentation and how it may affect his property. He expressed alarm at untrained contractors that have spread the oak wilt and recommended issuing 30-day permits and requiring contractors to be certified arborists. He expressed that he is against home-owner tree maintenance permits and instead is in favor of permits by contractors.

Council Member Hartpence joined the meeting at 9:47 AM.

III. CONSENT AGENDA

- A. **Approval of the June 12, 2020 Special City Council meeting minutes.**
- B. **Approval of the July 16, 2020 Regular City Council meeting minutes.**
- C. **Affirmation modifying a declaration of local disaster; establishing rules and regulations for the duration of the disaster and restricting certain activities.**
- D. **Approval of the second reading of an Ordinance regarding Fat, Oil and Grease Management.**
- E. **Approval of Mayor Manitzas' absence from the July 16, 2020 City Council Meeting.**

MOTION: Made by Council Member Havard, seconded by Mayor Pro Tem Elizondo to approve the Consent Agenda as written.

VOTE: 7-0; Motion passed.

IV. CONSIDERATION/DISCUSSION ITEMS

- A. **Discussion and possible action accepting the Board and Commission Subcommittee recommendations.**

MOTION: Made by Mayor Pro Tem Elizondo, seconded by Council Member Maxton to accept the Boards and Commissions Subcommittee recommendation to:

- Accept the request of all incumbents that have expressed a willingness to serve an additional term (formal reappointment for a term starting on October 1 and details on term length will be presented for vote at a September City Council meeting)
- Post remaining open or vacant positions on the City's Boards and Commission webpage, with the standardized application, encouraging citizens to apply, with a deadline of Aug 24, 2020. The City Communications Team will assist with outreach to city residents
- Have the subcommittee meet again the week of Aug 24th-Aug 28th to review the applications and determine recommendations to City Council including recommended term lengths to create staggers, as needed/possible.
- Have the subcommittee present recommendations to Council at the Sept 3rd City Council, seeking guidance on whether interviews are desired or needed.
- Present proposed appointments and reappointments for consideration and possible action to Council at the Sept 17th City Council meeting, for terms start on October 1, 2020.

VOTE: 6-1; Motion passed. Council Member Patel - Nay.

B. Discussion regarding a potential amendment to the Oak Wilt Control Ordinance.

Melissa Castro, Environmental Compliance Manager, led a discussion and presentation to the Council regarding Oak Wilt Control and answered questions.

Council Member Patel left the meeting at 11:00 AM.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. Sarah Buckelew, Finance Director, presented to Council the Quarterly Finance and Investment Reports.

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 convened into Executive Session at 11:55 AM regarding:

- A. Sec. 551.071 (Consultation with Attorney) the City Council will meet in private consultation with legal counsel to seek the advice of its attorneys about pending or contemplated litigation, a settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Government Code; to wit:
1. Claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
 2. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

City Council did not convene into Executive Session regarding:

- A. 3. To receive legal advice and to receive and deliberate an offer of settlement for claims made on behalf of a real property owner against the City's operation of well K-2.
- 4. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Kuitjen, 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

The Mayor reconvened into open session at 12:17 PM.

A roll call reestablishing a quorum was taken:

Present: Mayor Manitzas and Mayor Pro Tem Elizondo

Council Members: Havard, Koerner, and Maxton.

Absent: Council Members Hartpence and Patel.

No action was taken.

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 12:18 PM.


Garry Manitzas, Mayor

ATTEST:


Christina Picioccio, City Secretary