

**CITY OF FAIR OAKS RANCH  
CITY COUNCIL SPECIAL MEETING MINUTES  
September 24, 2020  
7286 Dietz Elkhorn  
Fair Oaks Ranch, TX 78015**

**I. OPEN MEETING**

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

With a quorum present, the meeting was called to order at 1:00 PM.

**II. CITIZENS and GUEST FORUM / PRESENTATIONS**

- A. Snehal Patel – Council member Patel asked the Council to take a moment of silence in honor of Ruth Bader Ginsburg’s passing. The council then observed a moment of silence at Councilwoman Patel’s request.
- B. Wes Pieper – 9264 Dietz-Elkhorn. Mr. Pieper had questions regarding the Stormwater Utilities.

**III. CONSENTS AGENDA**

- A. **Approval of the second reading of an Ordinance amending the Fair Oaks Ranch Code of Ordinances Chapter 3 Article 3.16.04 Membership of Board.**
- B. **Approval of the second reading of an Ordinance amending the City’s Code of Ordinances, Chapter 13, “Utilities”, Article 13.08 Water and Wastewater Impact Fees, Division 1, Section 13.08.004 “Definitions” and Section 13.08.018 “Functions of Advisory Committee” – “Exemption from Ordinance”.**

MOTION: Made by Council Member Patel, seconded by Council Member Koerner to approve the consent agenda.

VOTE: 7-0; Motion passed.

**IV. CONSIDERATION / DISCUSSION ITEMS**

- A. **Approval of the second reading of an Ordinance adopting the City budget for fiscal year beginning October 1, 2020 and ending September 30, 2021.**

MOTION: Made by Council Member Maxton, seconded by Council Member Koerner to approve the 2020/21 Fiscal Year Budget Ordinance.

VOTE: 7-0; Motion passed as recorded:

Mayor Manitzas – For; Mayor Pro Tem Elizondo – For; Council Member Hartpence – For; Council Member Havard – For; Council Member Koerner – For; Council Member Patel – For; Council Member Maxton – For.

- B. **Approval of the second reading of an Ordinance levying a property tax rate of \$.3735 per \$100 taxable valuation on property in the City of Fair Oaks Ranch for tax year 2020; and determining due and delinquent dates.**

MOTION: Made by Council Member Hartpence, seconded by Council Member Patel made the motion that the property tax rate be increased by the adoption of a tax rate 0.3735, which is effectively a 1.14% increase in the tax rate.

VOTE: 7-0; Motion passed as recorded:

Mayor Manitzas – For; Mayor Pro Tem Elizondo – For; Council Member Hartpence – For; Council Member Havard – For; Council Member Koerner – For; Council Member Patel – For; Council Member Maxton – For.

**C. Consideration and possible action approving a Resolution ratifying the property tax increase reflected in the FY 2020-21 general fund and debt service fund budgets.**

MOTION: Made by Council Member Patel, seconded by Mayor Pro Tem Elizondo to approve a Resolution ratifying the property tax increase reflected in the fiscal year 2020/21 budget general fund and debt service fund budgets.

VOTE: 7-0; Motion passed.

**D. Consideration and possible action adopting a Resolution authorizing the creation of an employee benefits trust and designating all City Council Members as Trustees of said Trust.**

MOTION: Made by Council Member Havard, seconded by Council Member Hartpence approving a Resolution of the City Council of the City of Fair Oaks Ranch, Texas Authorizing creation of an employee benefits trust; designating all members of City Council to be Trustees of said Trust; and authorizing the Trust to purchase various forms of insurance for the benefit of City Officers, employees, and their dependents.

VOTE: 7-0; Motion passed.

**E. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for City Planning Consultant Services.**

MOTION: Made by Council Member Havard, seconded by Council Member Hartpence to authorize the City Manager to sign a Professional Services Agreement with Gunda Corporation for City Planning Consultant services.

VOTE: 7-0; Motion passed.

**F. Consideration and possible action authorizing the City Manager to sign a Professional Services Agreement for General Engineering Consultant Services.**

MOTION: Made by Council Member Maxton, seconded by Council Member Koerner to authorize the City Manager to sign a Professional Services Agreement with Legacy Engineering Group for GEC services.

VOTE: 7-0; Motion passed.

**V. 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 1:39 PM regarding:

**A.** Pursuant to Section 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.
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.

City Council did not convene into Executive Session regarding:

- A.**
2. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
  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.
  5. Cause No. 2020CI15746; Boerne Ranch Estates, LLC vs. the City of Fair Oaks Ranch, Texas.

*Council Member Patel left the meeting at 1:59 PM.*

#### **VI. RECONVENE INTO OPEN SESSION**

The Mayor reconvened into open session at 2:29 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.

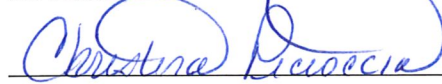
No action was taken.

#### **VII. ADJOURNMENT**

Mayor Manitzas adjourned the meeting at 2:30 PM.

  
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Garry Manitzas, Mayor

ATTEST:

  
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Christina Picioccio, City Secretary