

MINUTES, JULY 18, 2016; 2:00 P.M.
CITY OF FAIR OAKS RANCH
HOME RULE CHARTER COMMISSION
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015

I. ROLL CALL

Attendees: Greg Maxton, Bill Sparks, Dale Pearson, Tom Jaster, Conrad Fothergill, David Deleranko, John Merritt, Commission President Rich Nichols, James McConnell, and Bill Regan.
Absent: Frank Trapasso

II. CITIZENS/GUEST FORUM/PRESENTATION

- A. No citizens/guest requested to be heard.
- B. City Attorney Zech briefed the Commission on the requirements and compliance of the Texas Open Meetings Act. He noted emails, under the Public Information Act, are subject to release and because of such, he requested emails go through the City Secretary for dissemination.

III. CONSENT AGENDA

MOTION: Made by Sparks, seconded by Regan to amend the July 11 Commission minutes and to bring them back at the next meeting for approval.
DISCUSSION: Several members provided changes in their residency years. Sparks requested amending Section VII Approval Process to six members must be present to constitute a quorum, an affirmative vote by eight members is required to approve a Charter item, and an affirmative vote by nine members is required for final Charter approval for submission to the voters.
VOTE: 10-0; Motion Passed

IV. CONSIDERATION/DISCUSSION ITEMS

A. Discussion of creating a Home Rule Charter Commission calendar to track member attendance

Commission President Nichols requested members send the City Secretary their availability of dates so that a calendar can be created.

B. Discussion, consideration, and possible action on creating Home Rule Charter Commission meeting policies and procedures

Commission President Nichols handed out the Fair Oaks Ranch City Council Meeting Rules of Procedures and asked for consideration to adopt the same for the Commission. Members requested they be provided time to review and as such, delay consideration until next meeting.

C. Discussion, consideration, and possible action on the City of Fair Oaks Ranch form of government

A straw vote was taken with the results as follows: Mayor/Council – No; Commission – No; Council/Manager – Yes. City Attorney provided information on the Council/Manager form of government and noted later in the today's meeting the Mayor's powers will be discussed.

MOTION: Made by Regan, seconded by Sparks to approve the Council/Manager form of government.

DISCUSSION: Bill Sparks recommended the same wording used in the Cibolo Home Rule Charter be used for our Charter. A recommendation was also made for member's to review the City of Windcrest Home Rule Charter, a Council/Manager form of government, with strong powers retained by the Mayor.

VOTE: 10-0; Motion Passed

D. Discussion, consideration, and possible action on composition, qualifications, and procedures of the City Council

Members discussed the pros and cons of the number of Council seats, Mayor being a voting member of Council, Council candidates running for office "at large", "at large by place", or "by district", Council stagger terms, election of Mayor, and Council terms of office.

MOTION: Made by Sparks, seconded by Merritt to approve the Mayor being a voting member of Council.

VOTE: 9-1; Deleranko dissenting; Motion Passed

MOTION: Made by Sparks to approve adopting a 6 member City Council. Motion died due to lack of second.

MOTION: Made by Merritt, seconded by Deleranko to approve adopting a 7-member City Council.

VOTE: 8-2; Spark and McConnell dissenting; Motion Passed

MOTION: Made by McConnell, seconded by Merritt to approve electing City Council members at large, by place.

VOTE: 10-0; Motion Passed

MOTION: Made by Jaster, seconded by Merritt to approve 3 year City Council terms.

VOTE: 10-0; Motion Passed

MOTION: Made by Deleranko, seconded by Sparks to approve City Council stagger terms of 2, 2, and 3.

VOTE: 10-0; Motion Passed

MOTION: Made by Regan, seconded by Merritt to approve the Mayor to be elected by popular vote.

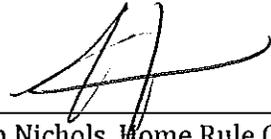
VOTE: 9-1; Sparks dissenting; Motion Passed

E. Discussion, consideration, and possible action on the duties, powers and authority of the Mayor

Commission requested City Staff send them a copy of the city ordinance dictating the duties of the city administrator. No further discussion or action was taken.

V. ADJOURNMENT

Rich Nichols, Home Rule Charter Commission President adjourned the meeting at 4:00 p.m.



Rich Nichols, Home Rule Charter Commission
President

ATTEST:



P. Abrego, City Secretary