



**CITY OF FAIR OAKS RANCH  
AGENDA – CITY COUNCIL REGULAR MEETING**

January 5, 2017; 9:30 AM

City Hall Council Chambers, 7286 Dietz Elkhorn, Fair Oaks Ranch

**I. ROLL CALL – DECLARATION OF A QUORUM**

**II. OPEN MEETING**

Pledge of Allegiance

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

To address the Council, please sign the Attendance Roster located on the table at the entrance of the Council Chamber. In accordance with the Open Meetings Act, Council may not discuss or take action on any item which has not been posted on the agenda.

A. Citizens to be heard.

B. Presentation of Employee of the Quarter Award to Investigator Price.

Mayor Manitzas/Aldерwoman Havard

**IV. CONSENT AGENDA**

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion. Items may be removed by any Council Member by making such request prior to a motion and vote.

A. Approval of December 14, 2016 Special City Council Meeting Minutes.

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B. Approval of December 15, 2016 Regular City Council Meeting Minutes.

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**V. DISCUSSION/CONSIDERATION ITEMS**

A. Discussion and possible action on Resolution 2017-01 establishing the start times of the regular monthly City Council meetings.

Mayor Pro Tem Schmidt

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**VI. REPORTS FROM STAFF / COMMITTEES / COUNCIL**

A. Announcement of upcoming public events – January 12, 2017 Town Hall Meeting on proposed Home Rule Charter & January 26, 2017 Quarterly Wildlife Town Hall Meeting.

Assistant City Administrator, Vanzant

Pgs. 10-12

**VII. CONVENE INTO EXECUTIVE SESSION**

Pursuant to Section 551.101 of the Open Meetings Act, Texas Government Code, a quorum of the governing body hereby convenes into closed session to discuss the following matters:

A. Section 551.074 Personnel Matters; the governing body hereby convenes into closed session regarding the six-month evaluation of the City Administrator.

B. Section 551.071; Consultation with the City Attorney regarding Cause No. 2016-CI-05444; the City of Fair Oaks Ranch, Texas vs R.W. Pfeiffer Properties, LLC.

**VIII. RECONVENE INTO OPEN SESSION**

**IX. ADJOURNMENT**

Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

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Signature of Agenda Approval:                     *Tobin E. Maples*                    

I, Christina. Picioccio, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city's website [www.fairoaksranchtx.org](http://www.fairoaksranchtx.org), both places being convenient and readily accessible to the general public at all times. Said Notice was posted by 5:00 p.m., December 30, 2016 and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch City Hall is wheelchair accessible at the side entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to *Texas Government Code* Chapter 551 Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

**CITY COUNCIL SPECIAL MEETING MINUTES  
DECEMBER 14, 2016; 1:00 PM  
CITY OF FAIR OAKS RANCH  
7286 DIETZ ELKHORN  
FAIR OAKS RANCH, TEXAS 78015**

**I. CALL TO ORDER**

Council Members Present: Alderwoman Havard, Alderwoman Patel, Alderman Elizondo, and Alderman Hartpence.

Council Members Absent: Mayor Pro Tem Schmidt.

Having a quorum present, Mayor Manitzas called the special Council meeting to order at 1:05 PM.

**II. OPEN MEETING**

Pledge of Allegiance.

**III. CONVENE INTO CLOSED SESSION**

City Council convened into closed session pursuant to GC §551.071, to consult with the City Attorney regarding Cause No. 2016-CI-05444; the City of Fair Oaks Ranch, Texas vs R.W. Pfeiffer Properties, LLC; at 1:06 PM.

**IV. RECONVENE INTO OPEN SESSION**

At 2:38 PM, City Council reconvened into open session and took no action.

**V. ADJOURNMENT**

Mayor Manitzas adjourned the meeting at 2:39 PM.

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Garry Manitzas, Mayor

ATTEST:

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Christina Picioccio, City Secretary

**CITY OF FAIR OAKS RANCH**  
CITY COUNCIL MEETING MINUTES – December 15, 2016  
7286 Dietz Elkhorn  
Fair Oaks Ranch, TX 78015

**I. ROLL CALL – DECLARATION OF A QUORUM**

Council Members Present: Mayor Manitzas, Mayor Pro Tem Schmidt, Alderman Elizondo, Alderman Hartpence, Alderwoman Havard, and Alderwoman Patel.

With a quorum present, Mayor Manitzas called the Regular City Council meeting to order at 7:00 PM.

**II. OPEN MEETING**

The Pledge of Allegiance was led by Tobin Maples.

**III. CITIZENS AND GUEST FORUM/PRESENTATIONS**

- A. Citizens to be heard.  
No citizens signed up to speak.
- B. A badge was presented by Police Chief Rubin and Mayor Manitzas to newly promoted Lieutenant Tim Moring.
- C. A Proclamation was read and certificate provided to the former Interim Finance Officer, Linda S. Coones, honoring her exemplary dedication and service to the City of Fair Oaks Ranch.
- D. Wildlife Committee Chair, Bruce J. Nicholson, noted the Committee was established in September 2016 and presented a summary of achievements. Mr. Nicholson also outlined future goals and budgets.

**IV. CONSENT AGENDA**

- A. Approval of the December 1, 2016 Regular City Council Minutes.

MOTION: Made by Alderman Elizondo, seconded by Alderman Hartpence to approve the December 1, 2016 Regular City Council Meeting Minutes.

VOTE: 5:0; Motion Passed.

**V. DISCUSSION/CONSIDERATION ITEMS**

- A. Consideration and possible action approving the Arbors, Unit 1 Final Plat.

MOTION: Made by Alderwoman Havard, seconded by Alderman Elizondo to grant approval of the final plat that establishes the Arbors at Fair Oaks Ranch, Unit 1.

VOTE: 5:0; Motion Passed.

- B. Consideration and possible action authorizing the City Administrator to sign a professional services agreement with Civic Plus.

Subsequent to additional legal review this item is deferred.

**VI. REPORTS FROM STAFF / COMMITTEES / COUNCIL**

- A. Public Works Director R. Emmons provided an update on the Roadway Reconstruction Project.
- B. City Administrator Maples provided a Full Time Equivalent update regarding City Operations.

**VI. CONVENE INTO EXECUTIVE SESSION**

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, City Council convened at 8:05 to discuss Section 551.074 Personnel Matters; regarding the six-month evaluation of the City Administrator and 551.071, to consult with the City Attorney regarding Cause No. 2016-CI-05444; the City of Fair Oaks Ranch, Texas vs R.W. Pfeiffer Properties, LLC.

**VII. RECONVENE INTO OPEN SESSION**

City Council reconvened into Open Session at 10:03 PM and took no action.

**VIII. ADJOURNMENT**

Mayor Pro Tem Schmidt requested that an agenda topic, changing the start time for the evening Council Meetings, be placed on the January 5, 2017 agenda.

Alderswoman Patel requested that staff pursue options with TxDOT for personalizing 1-10 bridge as it is the Gateway into the City.

Mayor Manitzas adjourned the meeting at 10:04 PM.

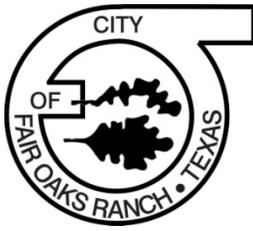
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Garry Manitzas, Mayor

ATTEST:

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Christina Picioccio, City Secretary



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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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AGENDA WORDING: Approval of Resolution 2017-01 rescinding and replacing the City Council Rules of Procedure, Part II – Time and Place of Meetings; Rule 4 - Regular Meetings

START/END DATE: Upon Approval of Resolution

PRESENTED BY: Mayor Pro Tem Schmidt

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#### **BACKGROUND/INTRODUCTION:**

In January 2014, changing the City Council 3<sup>rd</sup> Thursday monthly meeting start time from 7 PM to 6 PM was considered but not approved (3-2 vote). The only opposition was the thought that some working residents outside of Fair Oaks Ranch might not be able to get home from work in time to attend an earlier meeting.

Currently, various City Council workshops and most Committee meetings (Capital Improvement Advisory, Home Rule Commission, Municipal Development District, etc.) are held before 7 PM. Furthermore, City Council added a second regular monthly meeting on the 1<sup>st</sup> Thursday at 9:30 AM. **With all the various meetings, we have found that residents attend the meetings, especially if an agenda item is of interest to them, regardless of the time.**

As we have more significant agenda topics, inclusive of Executive Session items, the 7 PM. City Council meeting has resulted in meetings lasting until 9 PM or so. **The 7 PM start time has been historically set as a possible convenience to residents allowing them time to get home from work, eat, and attend. However, the 7 PM time with a late finish has a significant impact on staff, presenters, and citizens who are required or have a desire to attend. It creates a two-hour gap for staff, they are unable to go home for dinner as they live outside Fair Oaks Ranch, and their work day now ends at 9 PM or so (not including travel time to return home). Guest speakers, advisors, contractors, etc. who need to attend also face the same situation in addition to returning to work first thing the following morning. At times, their presentations or answering of questions occur after 8 PM.**

Changing to 6 PM would benefit the City Council, staff, speakers, presenters, residents and children that attend. The attached survey of start times for neighboring city or county meetings shows a 6 PM start time is in line.

#### **BENEFIT(S) TO CITIZENS:**

1. Earlier completion of meeting due to earlier starts.
2. Reduces length of attending staff working day.
3. Improves office efficiency.

**FINANCIAL IMPACT:**

None

**LEGAL REVIEW:**

Not required, however our attorney supports the earlier start time.

**MOTION:**

Approval of Resolution 2017-01 establishing a 6 PM start time for the regular 3<sup>rd</sup> Thursday monthly City Council meeting.



**RESOLUTION 2017-01**

**RESCINDING AND REPLACING THE CITY COUNCIL RULES OF PROCEDURE, UNDER RESOLUTION 2015-05, PART II – TIME AND PLACE OF MEETINGS; RULE 4 - REGULAR MEETINGS”; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Texas Local Government Code, Section 22.038 states the governing body of a municipality shall meet at the time determined by a resolution adopted by the governing body; and,

**WHEREAS**, Resolution 2013-17, passed and approved November 21, 2013 established the City Council shall meet in regular session on each third Thursday in each calendar month beginning at 7:00 PM unless postponed or cancelled; and,

**WHEREAS**, Resolution 2015-05, passed and approved June 18, 2015 established the City Council shall meet in regular session on each first Thursday in each calendar month beginning at 9:30 AM and the third Thursday in each calendar month beginning at 7:00 PM unless postponed or cancelled; and,

**WHEREAS**, the Fair Oaks Ranch City Council, the governing body for the City of Fair Oaks Ranch, Texas, finds that it is in the best interest of Council, staff, presenters, and attendees to amend the third Thursday regular City Council meeting start time to 6 PM.

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

**SECTION 1  
AMENDMENT**

The City Council Meeting Rules of Procedure, under Resolution 2015-05; Part II – Time and Place of Meetings; Rule 4- Regular Meetings is hereby rescinded and replaced as follows and all other resolutions or part of resolutions in conflict herewith are hereby repealed:

**Rule 4. Regular Meetings.** The City Council shall meet in regular session on each first Thursday in each calendar month beginning at 9:30 AM and the third Thursday in each calendar month beginning at ~~7:00 p.m.~~ *6 PM.* unless postponed or cancelled for valid reason(s), in the Fair Oaks Ranch Council Chambers. The City Council, by a majority vote, may reschedule any regular meeting.

**SECTION 2  
EFFECTIVE DATE**

This Resolution will take effect immediately upon its passage and approval.

PASSED and APPROVED on this the 5th day of January, 2017.

\_\_\_\_\_  
Mayor Garry Manitzas

ATTEST:

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Christina Picioccio, City Secretary



**City of Fair Oaks Ranch, Texas**  
**7286 Dietz Elkhorn**  
**Fair Oaks Ranch, TX 78015**

## Save the Date

January 12, 2017 at 6:30 PM

City Hall Council Chambers

Please join us for a Town Hall Meeting to discuss the proposed Home Rule Charter for the City of Fair Oaks Ranch.

View on the homepage under quicklinks @

[www.fairoaksranchtx.org](http://www.fairoaksranchtx.org)

### General Law City vs Home Rule Charter City

Characteristics	General Law City	Home Rule Charter City (Council-Manager Governance)
Legislative Authority	Prescribed by the Texas Legislature	<b><i>*Prescribed by Fair Oaks Ranch Citizens in the adopted home rule charter</i></b>
Representatives of the Citizens	Elected Mayor & City Council	Elected Mayor & City Council
Pass Laws & Set Policies	Elected Mayor & City Council	Elected Mayor & City Council
Initiative, Referendum, & Recall	No Authority Exists for General Law City	<b><i>*Qualified voters have the power to propose ordinances, require reconsideration of ordinances, and petition for the recall of the Mayor or any Council Member</i></b>
Adopt Budgets & Set Tax Rates	Elected City Council	Elected City Council
Administer Governmental Operations & Carryout City Council Policies	Elected Mayor & City Council	<b><i>*Professional City Manager (appointed by the City Council)</i></b>
Growth Management (Strategic Planning)	Prescribed by State of Texas	<b><i>*Prescribed by Fair Oaks Ranch Citizens in the adopted home rule charter:</i></b> <ul style="list-style-type: none"> <li>• <b><i>Increased Annexation authority</i></b></li> <li>• <b><i>Enhanced ETJ authority</i></b></li> <li>• <b><i>Mandated Comprehensive Plan</i></b></li> <li>• <b><i>Mandated Planning and Zoning Commission</i></b></li> </ul>
Selection of Mayor & City Council	Popularly elected by the citizens (Ballot Box)	Popularly elected by the citizens (Ballot Box)
Removal of Mayor & City Council	Via regular elections by the citizens (Ballot Box)	Via regular elections by the citizens <b><i>*and/or Recall</i></b> (Ballot Box)
Tenure of Mayor & City Council	two (2) year terms No Term limits	three year terms Term limits as defined in the Charter (Ballot Box)
Selection of City Administrator/Manager	Appointed by Mayor & City Council	Appointed by Mayor & City Council
Removal of City Administrator/Manager	As prescribed by the Texas Legislature	<b><i>*At the pleasure of the Mayor &amp; City Council</i></b>

***\*significant differences are bolded & italicized***

The Home Rule Council-Manager form of government is based on the model of a business with a board of directors that appoints a chief executive officer. A familiar public example of this form of governance is the school board-superintendent relationship.

**Fair Oaks Ranch**  
**Quarterly Wildlife Education Meeting**  
**Fair Oaks Ranch City Hall**  
**January 26 2017, 7-9 PM**

- Introduction by Wildlife Education Committee
- Wildlife Overview by Texas Parks and Wildlife Department
  - Large Mammals -- deer, mountain lions, feral hogs
    - Fawning Season
  - Small Mammals
  - Birds
  - Reptiles
- Q&A, Survey, Feedback

