



CITY OF FAIR OAKS RANCH
AGENDA - CITY COUNCIL REGULAR MEETING
JULY 16, 2015; 7:00 PM
FAIR OAKS RANCH CITY HALL, 7286 DIETZ ELKHORN

I. ROLL CALL - DECLARATION OF A QUORUM

II. OPEN MEETING

Pledge of Allegiance.

III. CEREMONIAL EVENT

Oath of Office to newly hired Police Officers: Matthew Schultz, Alexander Willis, Elsie Serold, and Riley Gobeil.

IV. 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

V. 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 June 3, 2015, and June 25, 2015 Special City Council Meeting Minutes.

P1-P7

B. Approval of June 18, 2015 Regular City Council Meeting Minutes.

P8-P11

VI. CONSIDERATION ITEMS

Old Business:

A. Presentation of the drainage findings related to the Battle Intense Pathway Mobility Project and Consideration of awarding the Battle Intense Pathway Mobility construction to the low bidder, Myers Concrete Construction, LP at a total not-to-exceed the amount of \$169,092.

- Engineer In Training

P12-P19

New Business:

B. Approval of declaring Police vehicle and equipment as surplus and authorizing sale, auction, or salvage of said surplus.

- Police Chief

P20

C. Approval of Quarterly Investment Report.

- Finance Officer

P21-P22

D. Approval of authorizing the Mayor to sign an agreement with Bexar County for Fire Prevention and Inspection Services.

- Building Official

P23-P31

- E. Approval of Ordinance amending the Fair Oaks Ranch Code of Ordinances Chapter 3 "Building Regulations", Article 3.07 "Electricity" and Article 3.01, section 3.01.006 "Types of Inspections."
- Building Official P32-P34
- F. Approval of Resolution Appointing Directors to the Fair Oaks Ranch Municipal Development District Board of Directors.
- Mayor P35-P36
- G. Approval of Fair Oaks Ranch Municipal Development District's budget for fiscal year beginning October 1, 2015 and ending September 30, 2016.
- Mayor P37-P38
- H. Approval of Resolution nominating a Candidate for Director to the Comal Appraisal District Board of Directors.
- Mayor P39-P40
- I. Approval of Resolution Adopting Policy and Procedures for Conducting City of Fair Oaks Ranch Citizen Surveys and Establishing an Effective Date.
- Alderwoman Havard P41-42

VII. REPORTS FROM STAFF / COMMITTEES / COUNCIL

- 1) Deputy City Administrator - Annual Bulk/Brush Pickup Service. P43-P44
- 2) City Administrator -
 - a) Work Plan Status Report on recruitment and selection, classification & pay plan, employee evaluation process, personnel manual, IT support, upgrade audio/visual capabilities of City Council Chambers, enhance website, street bond issuance, separate operating and capital funds, multi-Year capital improvement program (CIP), strategic planning process, general law vs. home rule governance, revisions to city's subdivision regulations, expand water and sewer service into the City's remaining ETJ, inter-local development agreements, office of the City Administrator/City Manager, public safety building, oak wilt survey, TCEQ water system regulatory requirements, hydrologist findings of water availability and extension of solid waste contract. P45-P46
 - b) Updated Summer Planning Calendar. P47-P49
- 3) Mayor - Update on Guadalupe Valley Telephone Co-operative (GVTC) Fiber Optics Project.
- 4) Council - Requests from City Council member to place items on a future agenda.

VIII. ADJOURNMENT

Signature of Agenda Approval:



I, Priscilla Abrego, 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, both places being convenient and readily accessible to the general public at all times. Said Notice was posted by 5:00 p.m., July 10, 2015 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 *Tex Gov't 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).

**MINUTES, JUNE 3, 2015; 9:00 AM
CITY OF FAIR OAKS RANCH
7286 DIETZ ELKHORN
FAIR OAKS RANCH, TEXAS 78015**

I. ESTABLISH A QUORUM OF 4 COUNCIL MEMBERS

Council Members Present: Alderwoman Havard, Alderman Manitzas, Alderman Damstra, Alderman Hartpence, and Alderman Schmidt.

Having a quorum present, Mayor Landman called the Special Council meeting to order at 9:01 a.m.

II. DISCUSSION/PRESENTATION ITEMS

A. Texas Home Rule Charters Presentation

Charile Zech, City Attorney stated that Dillions Rule is the theory of state preeminence over local governments. When Texas was under the jurisdiction of Spain and Mexico, a municipality included surrounding rural areas as well as the town. In 1836 the Republic of Texas established municipalities as corporations. The first congress incorporated 18 cities and towns and 53 by the end of the Republic. Several Cities were incorporated by special congressional acts, with several cities incorporated by one act. Incorporations resembled charters with provisions for governing body, qualifications for office, powers of the city council and fire, street duty taxation. The 1837 charter granted to San Augustine resembled a home rule city by providing alderman the power to pass any ordinance for the benefit of its inhabitants without conflict with the Republic. On December 29, 1845 Texas is admitted into the United States as the 28th state. Texas voters were established in 1912 and the Enabling Act was passed in 1913. The major objectives were to create a favorable climate for more direct governing of cities by their citizens, secure adequate powers so that municipalities could meet increased demands for services, avoid interference in local government from the state legislature, and cities may act without affirmative action of the legislature. The different types of cities are Special Law, General Law (Type A, Type B, or Type C), and Home Rule. General Law cities are smaller cities (less than 5,000 in population). All general law cities operate according to specific state statues prescribing their powers and duties. General Law cities are limited by what the state authorizes or permits them to do. If state law does not grant general law cities to express or implied power to initiate a particular action, none can be taken. LGC Chapter 22 defines a General Law Type A city as Aldermanic consisting of wards (2 alderman from each ward; Mayor at large) or at large (5 alderman; Mayor) serving two year staggered terms. For Home Rule the municipal charter details the authority of the City, the structure of the government, and the process by which the government exercises authority. Some of the advantages of Home Rule status are: broad authority, flexibility in creating a form of government/administrative structure, annexation, initiative, referendum, and recall. The adoption of a Home Rule charter requires determination of the population (census, utility connections, other), the election of Charter Commission, and appointment of Charter Commission. A Home Rule city has all the powers of local self-government (including aldermanic or commission form) except where pre-empted by state or federal law. The municipality may create offices, determine the method for selecting officers, and prescribe the qualifications duties and tenure of office for officers. The governing body of the municipality may set the date of election for municipal officers in accordance with applicable provisions of the Election Code. Elections can be at large, at large by place, by district, mixed

district, plurality, and plurality with a minimum, majority, years, terms, or term limits. Office qualifications include age and residency requirements. An initiative petition asks the city council to act on a specific issue when it has not done so previously. A referendum petition asks the city council to reverse an action already taken or proposed. A recall petition asks the city council to call an election for a vote on removal of one or more council members from office.

B. City of Fair Oaks Ranch Governance Workshop Presentation

Charile Zech, City Attorney stated extraterritorial jurisdiction (ETJ) is a buffer area around the city, created in response to annexations by legislature. Its objective is to orderly assist with growth and some regulation is permitted. Fines and criminal penalties are not enforceable in the ETJ. Only means of enforcement is injunctive relief in District Court. A development agreement is a written contract with a land owner to guarantee the continuation of ETJ status and immunity from annexation (not to exceed 15 years – but can be extended up to 45 years). The municipality cannot require an agreement as a condition to providing water, sewer, electric, gas, and other utilities. A local government may inspect the public water in its area and determine whether or not: the quality of the water meets the state water quality standards adopted by the commission, persons discharging effluent into the public water located in the areas of which the local government has jurisdiction have obtained permits for discharge of the effluent, and person who have permits are making discharges in compliance with the requirements of the permits. The Water Code authorizes cities to establish water pollution control and abatement programs that include areas within their ETJs. The water pollution control and abatement program must be submitted to the commission for review and approval. The commission may adopt rules providing the criteria for the establishment of those programs and the review and approval of those programs. A City that has jurisdiction of territory in more than one county; and has been granted the power by the legislature to regulate solid waste handling, disposal practices or activities in its jurisdiction can regulate a land fill/ solid waste facility, including within its ETJ. The qualifying city may, by resolution, assume the exclusive authority to exercise, in the area subject to its jurisdiction, the powers granted by this chapter to a county, to the exclusion of the exercise of the same powers by the counties otherwise having jurisdiction over the area. In the exercise of those powers, the political subdivision is subject to the same duties, limitations, and restrictions applicable to a county. Certain sign regulations to be extended into a municipalities ETJ. The City may extend the provisions of its outdoor sign ordinances and enforce the ordinances in the ETJ. Outdoor sign regulations cannot include regulations of political signs on private property; however, it may regulate a political sign under 36 feet, more than eight feet high, illumination, and moving parts. Tex. Loc. Gov't Code § 216.003 authorizes a City to require the relocation, reconstruction, or removal of an existing sign within its limits or ETJ. The City must create a Municipal Board of Sign Control. The board's job is to decide the amount of compensation required in order to remove, reconstruct, or relocate the sign. The Board must be made up of specific individuals including 2 real estate appraisers, one person in the sign business, one employee of TxDOT, and an architect or landscape architect. The Private Real Property Rights Preservation Act requires that a governmental entity shall prepare a written takings impact assessment report of a proposed governmental action. The governmental action is void if no impact study is done. The court shall award a private real property owner who prevails in a suit reasonable and necessary attorney's fees and court costs. The takings impact assessment must describe the specific purpose of the proposed action, identify whether and how the proposed action substantially advances its stated purpose, the burdens imposed on private

real property, the benefits to society resulting from the proposed use of private real property, determine whether engaging in the proposed governmental action will constitute a taking, and describe reasonable alternative actions that could accomplish the specified purpose. It must also compare, evaluate, and explain how an alternative action would further the specified purpose and whether an alternative action would constitute a taking. Zoning regulates the use of land. Zoning authority may be extended to areas within a municipality's corporate limits. Once established, the Council has discretion to approve or disapprove requests for changes to the zoning map. Subdivision and Platting regulates the subdivision of land. This may be extended to a city's extraterritorial jurisdiction. If the plat application complies with the municipality's platting regulations it must be approved. Zoning regulates height, number of stories, size of buildings, other structures, percentage of a lot that may be occupied, size of yards, courts, other open spaces, population density, the location, use of buildings, other structures, land for business, industrial, residential, construction in areas of historical, cultural, and architectural importance (the bulk of buildings if home-rule). Zoning is designed to lesson congestion in the streets, secure safety from fire, panic, dangers, promote health & general welfare, provide adequate light & air, prevent overcrowding of land, avoid undue concentration of population, facilitate adequate provision of transportation, water, sewer, schools, parks, and etc. Home Rule must have the following and General Law may have: a planning commission may serve as the zoning commission, if no commission is appointed city council performs functions of zoning commission. Zoning procedures must be followed or else zoning ordinances are void. City Council establishes regulations and procedures for adopting and enforcing regulations and boundaries. Zoning Commission (or council if none) conducts land-use inventories, determines preliminary land-use goals and policies, formulates specific district regulations, and draws tentative district boundary lines. Zoning regulations must be uniform for each class or kind of building in a district but may vary from district to district. Regulations shall be adopted with reasonable consideration for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality. City Council holds public hearing on proposed regulations and district boundaries. City Council adopts zoning regulations and district boundaries. The City is not required to have a comprehensive plan in order to zone; however if a city adopts a comprehensive plan it must be followed when making zoning decisions. Special Use Permits (SUP) are uses that a zoning ordinance permits but are screened and specially approved based on particular conditions and suitability. The authority to grant an SUP must be provided for in the zoning ordinance. The ordinance must specify the conditions to be met for the SUP. Adoption of Subdivision Regulations - after a Public Hearing on the matter cities may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the city. The municipal authority responsible for approving plats is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission. The municipal authority responsible for approving plats shall act on a plat within 30 days after the date the plat is filled. A plat must be approved if it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playground, and public utility facility; and the extension of the municipality and its roads, streets, and public highways within the municipality taking into account access to and extension of sewer and water mains and the instrumentalities of

public utilities; and it conforms to the city's subdivision regulations. A plat is considered approved unless it is denied within 30 days after the date the plat application is filled. Cities annex for growth, vitality, and future prosperity of all citizens. Annexation reduces parochialism and focuses on a larger population on working together to solve common regional problems. Annexation reduces inefficient propagation of numerous small governmental entities sharing a limited tax base. Annexation more fairly distributes the cost of urban services and urban infrastructure such as parks, roads, and utilities across all beneficiaries. Annexation protects against real or perceived threats from unsafe, unhealthy, or unplanned development immediately outside the City limits which negatively impacts City residents and property values. General annexation requirements: width of 1000 feet or more (cities under 1.6M), contiguous property (with few exceptions), strict adherence to deadlines, must provide Municipal Services, limited amount to annex per year, properly follow public notices and meetings, and vested rights. General Law cities typically have no unilateral annexation (only voluntary annexation). Home Rule cities have dense annexations and require a three year annexation plan, gives each area 3 years notice of intent to annex, provides for the areas designated for annexation to have representatives appointed to negotiate the Municipal Service Plan, negotiations are mandatory, possible arbitration regarding the extent of municipal services provided, strict adherence to deadlines, and vested rights. Consider the future costs of annexation when the property owners decide they are ready (it may be too expensive so annex early). Consider Development Agreements to save on providing services as opposed to early annexation. If provided within the municipality then on effective date of annexation municipality must provide: police protection, fire protection, ems, solid waste collection, operation/maintenance of water and wastewater facilities, roads and streets (including lighting), parks, playgrounds, swimming pools, and any other publicly owned facility, building, or service.

C. Proposed Regular Monthly Work Session

Mayor Landman proposed a regular monthly work session to be held the first Thursday of each month. All Council members were in agreement with a 9:30 a.m. start time. Charlie Zech recommended the new meeting be adopted as a regular City Council meeting by Resolution.

D. Council Committees and/or Work Groups

Marcus Jahns, Interim City Administrator stated that he may ask Council to take the lead on committee issues depending on their specialty. He referenced Conrad Fothergill being on the Beautification Committee and stated he is currently reviewing the Oak Wilt Ordinance.

E. Requests for Staff Information and Assistance Including Available Resources

Marcus Jahns recommended that Council contact staff directly for information, assistance, and available resources. He requested that Council keep him abreast of all situations.

F. Inquires of the City Attorney and Assistance

Mayor Landman informed Council that the City Attorney is a tool to help them with legal advice. He is not on a retainer. She requested Council contact the City Administrator for any legal issues or concerns.

G. Community Communications

Mayor Landman stated the City has conducted Citizen Engagement Surveys, updated the City's website, and utilizes the Boerne Star as its official paper. Marcus Jahns stated that he would like to utilize Council to communicate with the residents. Alderman Schmidt expressed his desire to see the quarterly newsletter reestablished. Alderman Manitzas said the road bond will give us an opportunity to have dialogue with the citizens and hold town hall meetings. He is not in favor of social media.

III. ADJOURNMENT

Mayor Landman adjourned the meeting at 3:41 p.m.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary

MINUTES, JUNE 25, 2015; 9:30 AM
CITY OF FAIR OAKS RANCH
7286 DIETZ ELKHORN
FAIR OAKS RANCH, TEXAS 78015

I. ROLL CALL - DECLARATION OF A QUORUM

Council Members Present: Alderman Damstra, Alderman Schmidt, Alderman Manitzas,
Alderman Hartpence and Alderwoman Havard.

Having a quorum present, Mayor Landman called the special City Council meeting to order at 9:30 a.m.

II. DISCUSSION ITEMS

A. Discussion of FY2015/2016 budget estimates and Council priorities.

Marcus Jahns, Interim City Administrator discussed property tax assumptions, other revenue assumptions, baseline expenditures assumptions, mandated expenditure assumptions, a three year general fund budget forecast, previous priority Council interests, and other requests to be considered by Council. Marcus stated that the General Fund reserve anticipates an increase in local sales tax collections, franchise fees, and building permit fees.

B. Discussion of replenishing the General Fund Capital Replacement Reserve.

Marcus Jahns presented financials for fiscal year end 2014/15 General Fund showing a forecast of a surplus which will go towards replenishing the Reserves.

III. CONSIDERATION ITEMS

A. Consideration of awarding the Public Safety Facility construction to the low bidder, M.J. Boyle General Contractor, Inc. at a total amount not-to-exceed \$2,084,000.

Council had several questions pertaining to the overall cost of the new Public Safety Facility. Carole Vanzant, Deputy City Administrator answered each question referencing the cost breakdown slide in the agenda packet. Alderman Schmidt asked if the \$2,084,000 is a fixed price. Ralph confirmed if the contract is awarded to M.J. Boyle they guarantee the building will be built within that price. Alderwoman Havard inquired about a three phase plan for the city complex. Marcus Jahns responded that is something that we will to review in a future budget.

MOTION: Made by Alderwoman Havard, seconded by Alderman Damstra to award the Public Safety Facility construction to the low bidder, M.J. Boyle General Contractor, Inc. at a total amount not-to-exceed \$2,084,000.

DISCUSSION: None

VOTE: 5-0; Motion Passed

B. Consideration of approving \$176,000 for change orders related to the Public Safety Facility overhead electrical services, for relocation and drainage design, and drainage construction of which \$116,000 to be funded by the General Fund Capital Replacement Reserve and \$60,000 to be funded by the Operating Reserve.

Alderman Schmidt asked if the Civil Engineers suggested the building be moved seven feet to accommodate for the drainage. Ralph Wiesepape confirmed and stated that the drainage and building can be constructed simultaneously.

MOTION: Made by Alderman Manitzas, seconded by Alderman Damstra to approve \$176,000 for change orders related to the Public Safety Facility overhead electrical services, for relocation and drainage design, and drainage construction of which \$116,000 to be funded by the General Fund Capital Replacement Reserve and \$60,000 to be funded by the Operating Reserve.

DISCUSSION: None

VOTE: 5-0; Motion Passed

IV. **ADJOURNMENT**

Mayor Landman adjourned the meeting at 1:25 p.m.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary

MINUTES, JUNE 18, 2015; 7:00 PM
CITY OF FAIR OAKS RANCH
7286 DIETZ ELKHORN
FAIR OAKS RANCH, TEXAS 78015

I. ROLL CALL – DECLARATION OF A QUORUM

Council Members Present: Alderman Damstra, Alderman Schmidt, Alderman Manitzas and Alderwoman Havard.

Council Members Absent: Alderman Hartpence.

Having a quorum present, Mayor Landman called the regular City Council meeting to order at 7:00 p.m. Alderman Hartpence arrived at 7:01 p.m.

II. OPEN MEETING

Pledge of Allegiance by Garry Manitzas.

III. CEREMONIAL EVENT

Police Officer Ysidro (Timo) Rodriguez took his Oath of Office.

IV. CITIZENS and GUEST FORUM / PRESENTATIONS

Holly Machann, Business Development Coordinator, with Acadian Ambulance Service provided City Council members with her contact information and added if the City holds an event in the future Acadian can place an ambulance on standby for the event.

V. CONSENT AGENDA

Mayor Landman approved an amendment to the May 21, 2015 regular city council meeting minutes on resident feedback from Roy Elizondo.

MOTION: Made by Alderman Manitzas, seconded by Alderman Schmidt to approve the May 21, 2015 regular city council meeting minutes, and the May 18 and May 27, 2015 special city council meeting minutes.

VOTE: 5-0; Motion Passed.

VI. CONSIDERATION ITEMS

A. Approval of Amending Resolution 2013-17 to include a second Regular City Council Meeting on the first Thursday of each month at 9:30 a.m.

Mayor Landman stated adding an additional monthly regular City Council meeting will provide a more proficient and effective planning process. The format will be geared towards discussions/presentations. If there's nothing to be discussed then the meeting will be canceled. Alderman Schmidt likes the concept and having a set calendar day. Alderman Hartpence expressed his concern that the City does not have enough business to validate this concept and feels special meetings will still be needed. He is concerned. Alderman Manitzas is in favor of the second meeting concept and stated if it does not work then we can amend the Resolution taking it away. Alderwoman Havard is in favor and stated we have a lot of things coming up this summer.

MOTION: Made by Alderman Damstra, seconded by Alderman Schmidt to amended Resolution 2013-17 to include a second Regular City Council Meeting on the first Thursday of each month at 9:30 a.m.

DISCUSSION: None

VOTE: 4-1; Motion Passed (Naye Alderman Hartpence)

B. Consideration of Electing Mayor Pro-Tem to serve for a one year term.

Mayor Landman mentioned that Alderman Schmidt has expressed interest and would like to be considered for the Mayor Pro-Tem position.

MOTION: Made by Alderman Damstra, seconded by Alderman Manitzas to elect Al Schmidt to serve as the Mayor Pro Tem for a one year term.

DISCUSSION: None

VOTE: 5-0; Motion Passed.

C. Approval of a Resolution removing and appointing a City Council Member to the Fair Oaks Ranch Capital Improvements Advisory Committee (CIAC).

Mayor Landman stated the CIAC is a standing committee that meets twice a year to review the utilities capital improvements. A replacement is needed as former Alderman Mark Anderson no longer serves. Mayor Landman mentioned that Alderman Damstra has expressed interest in being the new member to the CIAC committee.

MOTION: Made by Alderman Hartpence, seconded by Alderman Manitzas to appoint Glenn Damstra as the City Council Member to the Fair Oaks Ranch Capital Improvements Advisory Committee.

DISCUSSION: None

VOTE: 5-0; Motion Passed.

D. Consideration of authorizing the Mayor to sign a first amendment to the agreement for provision of professional services between the City of Fair Oaks Ranch and the Fair Oaks Ranch Municipal Development District (MDD) to include certain administrative services.

Carole Vanzant, Deputy City Administrator, stated as the Fair Oaks Ranch MDD is a separate entity from the city, it currently pays the city an annual fee of \$6,000 for expenses that the city incurs on their behalf. Covered expenses include the use of City Hall for their meetings, minor supplies (paper and postage), and the City's Finance Officers time for performing investment and financial transactions on their behalf. At this time the MDD is requesting to extend their services to include the City Secretary's Office to perform administrative functions such as posting meetings, preparing the meeting room, and clerical duties. The City Secretary will receive a stipend from this annual \$6,000 of \$35.00 per pay period. Every two years the MDD contract is reviewed to see if an increase to the fees is warranted. Alderman Manitzas asked if this was a replacement for hiring somebody from the outside. Carole responded yes, the MDD only meets twice a year and hiring a part-time individual would not be beneficial to them. Alderman Hartpence asked what the purpose is for the MDD. Conrad Fothergill, former MDD President, responded the MDD with the collection of sales tax revenue can fund certain projects in the district. Alderman Hartpence asked what type of projects these funds could finance. Conrad responded signage on Ralph Fair Road, an entrance on the Parkway, help businesses get started, or a new building. Alderman Damstra stated the money has not been spent on a project to date. Conrad Fothergill agreed and added at this time the MDD does not have any recommendations to spend funds on any upcoming projects.

MOTION: Made by Alderwoman Havard, seconded by Alderman Damstra to authorize the Mayor to sign a first amendment to the agreement for provision of

professional services between the City of Fair Oaks Ranch and the Fair Oaks Ranch Municipal Development District to include certain administrative services.

DISCUSSION: None
VOTE: 5-0; Motion Passed.

E. Consideration of approving Ordinance 2015-03; Granting to Grey Forest Utilities a non-exclusive natural gas franchise relating to the distribution and sale of gas in the City through the use of public streets, easements and rights of way.

Carole Vanzant, Deputy City Administrator, stated Grey Forest is servicing properties in Fair Oaks Ranch that we are not receiving franchise fees for. With the assistance of the City Attorney this Ordinance is being brought to you for your consideration. When asked by Council Carole confirmed that the City will post on its website notification of these Grey Forest fees.

MOTION: Made by Alderwoman Havard, seconded by Alderman Damstra to approve Ordinance 2015-03; Granting to Grey Forest Utilities a non-exclusive natural gas franchise relating to the distribution and sale of gas in the City through the use of public streets, easements and rights of way.

DISCUSSION: None
VOTE: 5-0; Motion Passed.

VII. REPORTS FROM STAFF / COMMITTEES / COUNCIL

Staff:

1) Project Manager – Update on the Public Safety Facility.

Project Manager Wiesepape has received a \$25,000 quote from CPS to perform overhead electrical services. Due to potential drainage issues, the civil engineer suggests we move the building forward seven feet as a solution. The estimate for the building relocation and drainage system design is \$20,000 and the construction estimate is \$132,503.02. Alderman Hartpence asked how much time this will add to the completion of the project. Ralph responded approximately thirty days and feels it can be done parallel with the construction of the building.

2) Police – Follow up report on After the Flood.

Chief Rubin stated the 7400 block of Rolling Acres Trail, the Battle Intense Bridge, Silver Spur, and Ralph Fair Road had to be closed due to flooding. Staff utilized the City's website and Code Red to notify residents. There was no structural damage reported in the City. However, there was some surface damage to the bridge on Ralph Fair Road. TXDOT determined it was not structural and it has been repaired. We did have someone run through the barricades/gates at 7800 block of Rolling Acres Trail that caused damage to City property.

3) City Administrator –

- a) Marcus Jahns, Interim City Administrator stated the classification and pay schedule is delayed as we have now joined a consortium of cities in a pay survey that will be a great resource. On the TCEQ as built documents we are working towards a compromise.
- b) Marcus Jahns, Interim City Administrator stated the June 25, 2015 meeting will cover the Budget General fund and approving of the Public Safety Facility. The July 2, 2015 Regular City Council will discuss establishing an Ordinance for the City Administrator duties,

qualifications, and hiring process. He closed by affirming we will continue to update the summer planning calendar and enclose it in the City Council packets.

4) Mayor – Texas Comptroller of Public Accounts 2015 Platinum Leadership Circle Award.

Mayor Landman presented Kristin Akers, Finance Officer, with the Platinum Leadership Circle Award. This award is issued by the Texas Comptroller's office and recognizes local governments for their high standard of financial transparency.

5) Council – Requests from City Council member to place items on a future agenda.

- a) Alderman Manitzas would like to discuss Resolution 2013-17 specifically the time limits that are placed on the residents when allowed to address Council.
- b) Alderman Hartpence would like to discuss City Council meeting video conferencing.

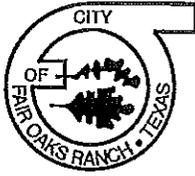
VIII. ADJOURNMENT

Mayor Landman adjourned the meeting at 8:07 p.m.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary



**CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS**

AGENDA TOPIC: Battle Intense Pathway Mobility Project Contractor Recommendation
START/END DATE: July 2015/October 2015
DEPARTMENT: Public Works
PRESENTED BY: Adrian Garcia

INTRODUCTION/BACKGROUND:

In 2014, City Council authorized and approved funds for Alamo Consulting Engineering & Surveying, Inc. to design a sidewalk along the west side of Battle Intense. The sidewalk starts at the intersection with Keeneland Drive and ties into the existing sidewalk just south of the Cibolo Creek. At the February 2015 regular City Council Meeting, Council motioned to approve the Battle Intense Pathway Mobility design and to proceed with the project. Bids were opened in May 13, 2015, but further analysis was necessary to determine the affect the sidewalk would have on the ponding issue at Battle Intense and Cibolo View. The accompanying presentation discusses the affect the sidewalk will have on drainage in this area.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Gives pedestrians an off-road path to navigate alongside Battle Intense.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

The city budgeted \$200,000 for this pathway mobility project in the 2014-2015 General Budget under account 01-509-300. On May 13, 2015 at 2:00 p.m., City staff opened and read aloud for the Battle Intense Pathway Mobility Project. The bids were as follows:

General Contractor	Base Bid
Myers Concrete Construction, LP.	\$153,720.00
R.L. Rohde General Contracting, Inc.	\$167,962.00

LEGAL ANALYSIS:

None

RECOMMENDATION/PROPOSED MOTION:

I move to award the Battle Intense Pathway Mobility construction to the low bidder, Myers Concrete Construction, LP, out of Wimberley, Texas at a total not-to-exceed amount of \$153,720 with an allowance for change orders not to exceed 10% of the award contract be included with the authorized award, which would add \$15,372 to the approval amount.

Battle Intense Pathway Mobility Project

Presented By: Adrian Garcia, E.I.T.

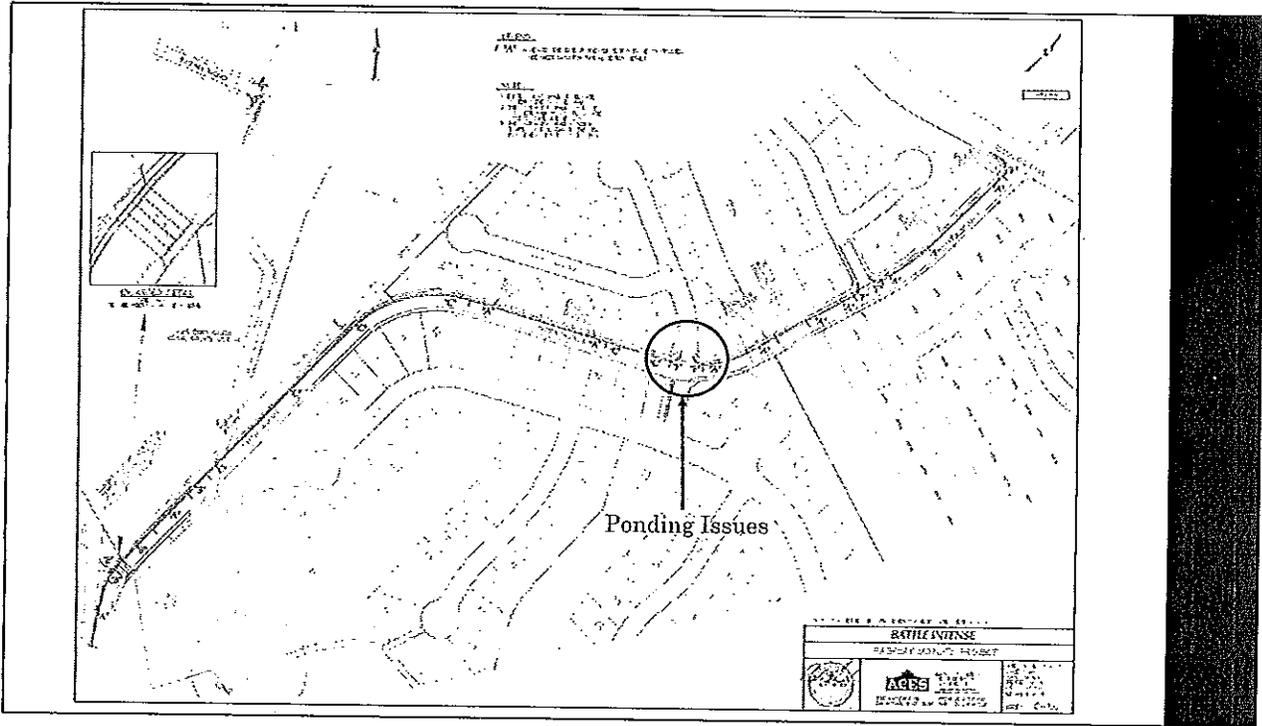
Background Information

- February 2015 Council Meeting:
 - Reviewed plans for sidewalk on west side of Battle Intense
- April 2015 Council Meeting:
 - Presented a cost estimate to add a second sidewalk on the east side of Battle Intense
 - Explored additional safety options in lieu of a second sidewalk
- May 2015 :
 - Bids opened
 - Approval postponed by PW Director to analyze the effect and liability, if any, of adding impervious cover to the area of ponding

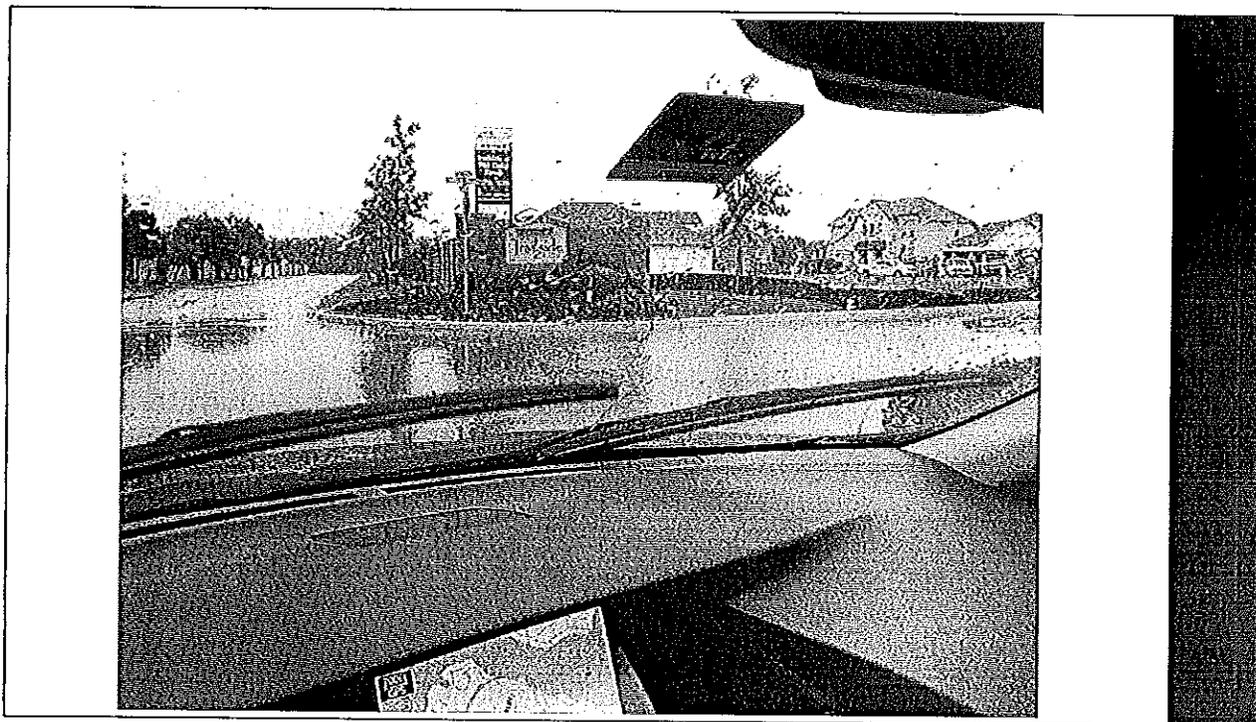
Contents

- Project Recap
- Discuss drainage at the intersection of Battle Intense and the Trailside Subdivision
- Explore the drainage impact of adding a sidewalk along Battle Intense

Project Recap

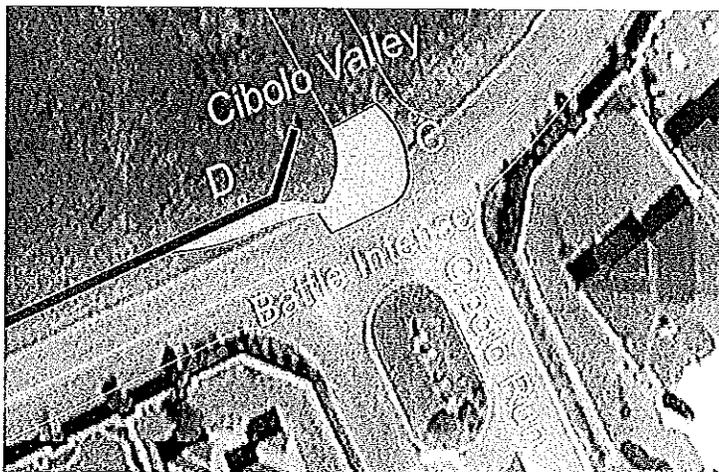


May 2015 Rain Events

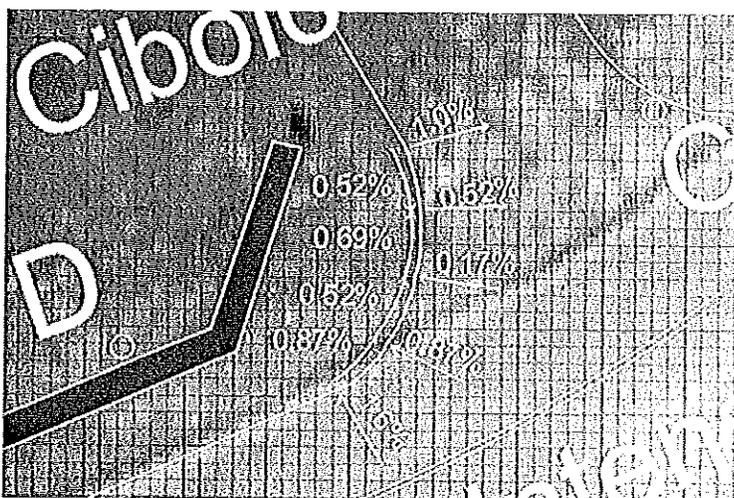
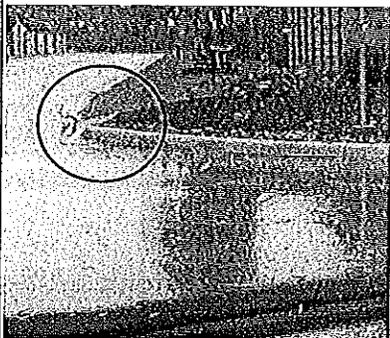


Post Development Drainage Calculations

- Did not consider sidewalk
- Increase in impervious surface cover
- Increase in runoff coefficient



Local Elevation Data



Drainage Calculations

- Change in flow for different storm events before and after sidewalk

	Combined Flow at Corner (c.f.s)		
	Q5	Q25	Q100
Before	9.80	12.60	15.22
After	10.03	12.90	15.57

- Q5 is the flow rate at this point for a storm event that occurs every 5 years

- Pond dimensions at this corner

Combined Pond Dimensions	Storm Events		
	Q5	Q25	Q100
Depth at Curb (In)	4.23	4.65	4.99
Spread (ft)	40.65	45.06	47.94

- Spread is the distance the runoff encroaches on the roadway

Change in Pond Dimensions

- Approximately 0.87% increase in pond size

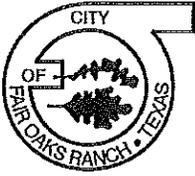
Change in Dimensions	Storm Events		
	Q5	Q25	Q100
Depth at Curb (In)	0.037	0.041	0.043
Spread (In)	4.26	4.75	4.93

- 1/25th of an inch in Depth

- 4-5 inch increase in Spread

Conclusion

- Multiple drainage scenarios have been analyzed and runoff flows have been calculated
- The addition of a sidewalk will have a *negligible* effect on drainage issues at the intersection of Battle Intense and Cibolo View



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Declaring vehicle and assorted equipment surplus and authorizing sale or auction of surplus items.

START/END DATE: July 16, 2015

DEPARTMENT: Police

PRESENTED BY: Chief Rubin

INTRODUCTION/BACKGROUND:

In the 2014/2015 Budget the Fair Oaks Ranch Police Department was authorized to purchase two new patrol vehicles. These new vehicles have arrived and are being placed in service to replace the following vehicles;

2011 Ford Police Interceptor VIN 2FABP78V8BX127790 with 103009 miles.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Historically better return by auction of vehicles
2. Equipment is no longer usable, anticipate better return as scrap metal
- 3.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

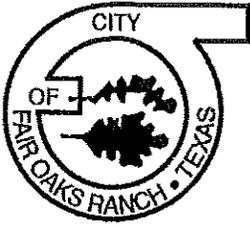
This will have no negative impact on the City of Fair Oaks Ranch.

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Staff recommends the City Council declare one police vehicle and assorted property as surplus and approve the sale or auction of the vehicle/equipment.



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

TITLE: Approval of Quarterly Investment Inventory Report for quarter April 1, 2015 through June 30, 2015

START/END DATE: N/A

EXPENSE: None

DEPARTMENT: Administration

PRESENTED BY: Kristin Akers, Finance Officer

INTRODUCTION:

The Investment Inventory Report is provided to the city council each quarter. The investment report represents the balances in the City's investment accounts for both the General Fund and the Utility Fund. The report is in compliance with the requirements of the Public Funds Investment Act.

BACKGROUND:

The investment inventory report is normally submitted in the consent section of the agenda. However, since there are new councilmembers it was recommended that the report be submitted in consideration items to provide more information. As of June 30, 2015, the City had six accounts with an investment pool, TexPool and three certificate of deposits. During the quarter two certificate of deposits matured and were not renewed. The Trust Deposit account, which is the escrow account for the Siemens Performance Contract was closed in the quarter because the project was complete and funds were paid. The balance of the UMB account was transferred and applied to the first debt service payment.

BENEFIT(S) TO CITIZENS:

Compliance with audit requirements and the Public Funds Investment Act.

FINANCIAL IMPACT:

No financial impact

RECOMMENDATIONS

Approve Quarterly Investment Inventory Report for the period of April 1, 2015 through June 30, 2015.

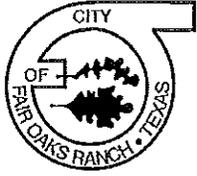
City of Fair Oaks Ranch
Investment Inventory Report
4/1/15-6/30/15

General Fund	Security	Yield	Beg Bal	Transfers	Ending Bal	Ending Market	Earnings	Accrued Interest	Maturity	Notes
	Pool (Texpool 004)	0.055%	4,824,176.28	75,000.00	4,999,854.52	4,899,854.52	678.24	0.00	-	
	Pool (Texpool 006)	0.055%	7,015,510.56	0.00	7,016,047.66	7,016,047.66	537.10	0.00	-	New Account 5/13/15- Bond Proceeds
	Certificate of Deposit (248)	1.10%	61,023.35	-62,380.72	62,380.72	62,380.72	1,357.37	0.00	04/09/2015	Matured 4/9/15, no renewal
	Certificate of Deposit (711)	0.15%	62,319.23	0.00	62,319.23	62,319.23	0.00	23.13	10/09/2016	
	Certificate of Deposit (254)	0.15%	63,362.51	0.00	63,362.51	63,362.51	0.00	24.24	10/09/2016	
	Certificate of Deposit (066)	1.60%	229,000.00	0.00	229,157.72	229,157.72	4,157.72	0.00	04/28/2015	Matured 4/28/15, no renewal
	TOTAL		12,251,391.93	12,619.28	12,333,122.36	12,333,122.36	6,730.43	47.37		

Utility Fund	Security	Yield	Beg Bal	Transfers	Ending Bal	Ending Market	Earnings	Accrued Interest	Maturity	Notes
	Pool (Texpool 001)	0.055%	1,328,376.44	-145,000.00	1,183,545.72	1,183,545.72	169.28	0.00	-	
	Pool (Texpool 002)	0.055%	469,303.22	107,000.00	576,877.27	576,877.27	74.05	0.00	-	
	Pool (Texpool 003)	0.055%	231,395.33	38,000.00	269,430.51	269,430.51	35.18	0.00	-	
	Pool (Texpool 005)	0.055%	6,628.74	0.00	6,629.65	6,629.65	0.91	0.00	-	
	Certificate of Deposit (222)	0.710%	208,113.39	0.00	208,113.39	208,113.39	0.00	369.25	12/28/2015	
	UMB - Trust Deposit Plus Money Market Deposit Account - Proceeds (.1)	varies	1,992.81	-2,024.16	0.00	0.00	31.35	0.00	-	Escrow Account for Siemens Project, closed 5/7/15
	TOTAL		2,246,309.93	-2,024.16	2,244,596.54	2,244,596.54	310.77	369.25		

This report is in compliance with the City's Investment Policy Section 9 and 11 and Texas Government Code Section 2256.023.

Kristin Akers
Investment Officer



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Authorizing the Mayor to sign a Fire Prevention and Inspection Services agreement with Bexar County.

START/END DATE: July 16, 2015

DEPARTMENT: Building Codes

PRESENTED BY: Interim City Administrator

INTRODUCTION/BACKGROUND:

Texas Local Government Code authorizes a County to enter into agreements with cities for the administration and enforcement of the fire code for Fire Preventing inspections, Fire Protection System Plans reviews, and Fire Protection System Acceptance Test services.

The County currently provides the service(s) to the City but without a signed agreement.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

With this agreement, it formalizes that Bexar County will continue providing commercial establishments and public buildings with the required inspections, reviews and test services.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

No budgetary impact as service costs are borne by the customer.

LEGAL ANALYSIS:

Approved as to Form

RECOMMENDATION/PROPOSED MOTION:

I move to authorize the Mayor to sign an agreement with Bexar County for Fire Prevention and Inspection Services.

STATE OF TEXAS
COUNTY OF BEXAR

§
§
§

CITY OF FAIR OAKS RANCH
FIRE PREVENTION AND
INSPECTION SERVICES
AGREEMENT

This Fire Prevention and Inspection Services Agreement ("Agreement") is made and entered into by and between the COUNTY OF BEXAR, a political subdivision of the State of Texas ("County"), and THE CITY OF FAIR OAKS RANCH, a political subdivision of the State of Texas ("City"), situated in Bexar County, Texas.

WITNESSETH

WHEREAS, the Texas Local Government Code Section 233.061(a) authorizes the commissioners court of a county with a population of over 250,000 or a county adjacent to a county with a population of over 250,000 to adopt a fire code and rules necessary to administer and enforce the fire code; and,

WHEREAS, Bexar County is a county with a population over 250,000; and

WHEREAS, The Texas Local Government Code Section 223.061(b) authorizes a County to enter into contracts with municipalities for the administration and enforcement of the fire code; and,

WHEREAS, the County provides Fire Prevention Inspection, Fire Protection System Plans Reviews, and Fire Protection System Acceptance Testing Services; and

WHEREAS, it is the desire of the City to receive such services and to use them in accordance with the terms and conditions hereinafter stated;

NOW, THEREFORE, in consideration of the mutual covenants and agreement stated herein, the parties agree as follows:

**ARTICLE I
PURPOSE**

- 1.01 The purpose of this Agreement is to assist City in providing fire prevention inspections, fire protection systems plan reviews, and fire protection systems acceptance testing services in the incorporated area of the City of Fair Oaks Ranch.

**ARTICLE II
DEFINITIONS**

- 2.01 For purposes of this agreement, the following terms shall have the meanings set forth below:
- (a) **FIRE INSPECTOR** means a member of the Bexar County Fire Marshal's Office who has been tested and licensed by the Texas Commission on Fire Protection as a Basic Fire Inspector or greater.

- (b) COMMERCIAL ESTABLISHMENT means a place where goods and commodities or services are provided, displayed, exchanged, sold or bought.
- (c) PUBLIC BUILDING means a place in which the possession and/or use, as well as the property in it, gives members of the of the public free access or use, and includes buildings in which the public may enter or gather for the purposes of civic, social, religious, or recreational functions, the consumption of food or drink, including where an entry fee is charged, or otherwise classified in Section 302.1 of the 2015 International Building Code. Exception: Properties regulated by the 2015 International Residential Code for One and Two family Dwellings.
- (d) FIRE PREVENTION INSPECTION means the examination of the interior, and when necessary the exterior, of a commercial establishment or public building to ensure the occupancy or building complies with the fire safety requirements of the locally adopted fire code.
- (e) FIRE PROTECTION SYSTEM PLAN REVIEW means the examination and evaluation of the technical drawings and associated design calculations for fire protection systems and associated design calculations for fire protection systems installed in a building as required by the locally adopted Building and Fire Codes. The review is to ensure compliance with nationally accepted standards and practices.
- (f) FIRE PROTECTION SYSTEM ACCEPTANCE TESTING means the witnessing of a fire protection system performance test, conducted by a licensed fire protection system installer, to ensure operational compliance with appropriate National Fire Protection Association minimum standards.
- (g) FIRE CODE means the edition of the International Fire Code as adopted by the City.
- (h) BUILDING CODE means the edition of the International Building Code as adopted by the City.
- (i) INSPECTION REPORT means a hand written or computer generated document detailing any fire safety deficiencies found during a fire prevention inspection. The inspection report may also include corrective action information as well as fire code violation references.
- (j) CITY BUILDING OFFICIAL means the officer or other designated authority charged with the administration and enforcement of the locally adopted codes, or a duly authorized representative of the City.
- (k) OWNER'S AGENT means the architect, engineer, contractor, manager, or other person who has the owner's consent to act on his/her behalf in regards to the construction, maintenance and code compliance of a commercial establishment or public building.
- (l) CERTIFICATE OF OCCUPANCY means a certificate or document issued by the City, indicating the building, structure, or occupied area within a structure, has been inspected and is found to be in compliance with locally adopted codes and state laws.

- (m) CHANGE OF OCCUPANCY means a change in the purpose or level of activity within a building that involves a change in application of the requirements of the Fire Code.
- (n) CLIENT means the individual, owner, owner's agent, occupant, contractor, or other person in responsible charge or control of and occupied public building, commercial establishment, or construction related project.
- (o) NOTICE OF VIOLATION means a written document issued by a fire inspector upon finding that a serious violation of the Fire Code exists. The Notice of Violation identifies the violation, the fire code or state law reference, and information relative to correcting the violation and establishes a minimum timeline in which the violation must be corrected.

**ARTICLE III
TERM AND TERMINATION**

- 3.01 This Agreement shall be in effect for a period of one year from the Effective Date and shall automatically renew from term to term unless otherwise terminated as provided for herein.
- 3.02 This Agreement be may be terminated by either party with or without cause, upon sixty (60) days written notice delivered by certified mail or in person to the other party.

**ARTICLE IV
OBLIGATION OF COUNTY**

- 4.01 County agrees to provide to the City, the following:
 - (a) Fire Prevention Inspections of all commercial establishments or public accessible buildings within the incorporated city limits of the City of Fair Oaks Ranch.
 - (b) Plan reviews for installed fire protection systems required in commercial establishments or public accessible buildings, as required by the Building Code, including:
 - (1) Automatic Fire Sprinkler Systems
 - (2) Alternative Automatic Fire-Extinguishing Systems (Vent/Hood System)
 - (3) Standpipe Systems
 - (4) Fire Alarm and Detection Systems
 - (5) Emergency Alarm Systems
 - (6) Smoke Control Systems
 - (7) Smoke and Heat Vent Systems
 - (8) Fire Command Centers
 - (c) Witnessing and documentation of Fire Protection Systems acceptance test conducted by properly licensed and qualified Fire Protection System installers.
 - (d) Copies of all Fire Protection Inspection reports and all Fire Protection Systems Permits Issued for commercial establishments or public accessible buildings within the incorporated city limits of the City of Fair Oaks Ranch.

- (e) Consultation services, to the City Building Official, related to fire-resistive rated construction requirements identified in the Building Code. These services may be provided by phone, e-mail, mail, or when necessary by on-site visits.
- (f) Maintenance of all Fire Prevention Inspection documents and all Fire Protection Systems related documents to include plan review comments, permit information, and test inspection reports.

**ARTICLE V
OBLIGATIONS OF CITY**

5.01 City agrees to provide to the County, the following:

- (a) Within 60 days of adoption of this agreement, a map of the current incorporated boundaries of the City of Fair Oaks Ranch; and updated maps within 60 days of any changes to the incorporated boundaries, including future annexations or de-annexations.
- (b) When it is determined by the City Building Official that a fire protection system, as defined in Article IV, section 401(b) (1-8), is required in a commercial establishment or public building, the City Building Official will refer the building owner or owner's agent to the Bexar County Fire Marshal's Office - Fire Code Enforcement Section to obtain the necessary Fire Protection System Plan Reviews, Permits, Inspections and Acceptance Testing.
- (c) When a new commercial establishment or public building that does not require a fire protection system is constructed within the incorporated city limits, the City Building Official will notify the Bexar County Fire Marshal's Office to schedule a joint fire safety/final inspection prior to the issuance of a Certificate of Occupancy. This will allow both the City and County the opportunity to discuss and determine the minimum level of Fire Safety for the given structure.
- (d) When a Change in Occupancy occurs in an existing commercial establishment or public building, the City Building Official will notify Bexar County Fire Marshal's Office to schedule a joint fire safety/occupancy inspection prior to the issuance of a Certificate of Occupancy. This will allow both the City and County the opportunity to discuss and determine the minimum level of Fire Safety for the altered occupancy.

**ARTICLE VI
INTERAGENCY COMMUNICATIONS**

- 6.01 The County agrees to provide the City Building Official copies of Fire Prevention Inspection reports, Fire Protection System Permits, and Fire Protection System Acceptance Testing reports within 3 working days of completion of said report or issuance of permits.
- 6.02 Transfer or exchange of documents indicated in 6.01 may be made by fax, e-mail, or in person.

Exception: If, during the course of a Fire Prevention Inspection, it is determined that a building condition exists in violation of the Building Code or Fire Code, a "Stop Work Order" may be issued by the Fire Inspector, and the Fire Inspector shall immediately notify the City Building Official by phone.

- 6.03 The City agrees to provide a minimum of 48 hours advance notice when requesting a Fire Inspector for an on-site code consultation or fire safety inspection.

Exception: Where emergency conditions exist that would place a person in immediate danger.

**ARTICLE VII
FEES**

- 7.01 The County agrees to provide the services indicated in this Agreement at no cost to the City.
- 7.02 The City agrees and acknowledges the County will charge the customer who receives the services indicated in this Agreement the normal fees for such services indicated in the fee schedule, attached hereto as Exhibit "A", and as adopted by the Bexar County Commissioners Court order.

**ARTICLE VIII
COMPLIANCE WITH LAWS AND REGULATIONS; TERMINATION**

- 8.01 In providing all services pursuant to this Agreement, the County shall abide by all statutes, ordinances, rules and regulations pertaining to, or regulating the provisions of, such services, including those now in effect and hereafter adopted. Any violation of said statutes, ordinances, rules and regulations shall constitute a material breach of this Agreement, and shall entitle City to terminate this Agreement immediately upon delivery of written notice of termination to County.
- 8.02 In providing all services pursuant to this Agreement, the City shall abide by all statutes, ordinances, rules and regulations pertaining to, or regulating the provisions of, such services, including those now in effect and hereafter adopted. Any violation of said statutes, ordinances, rules and regulations shall constitute a material breach of this Agreement, and shall entitle County to terminate this Agreement immediately upon delivery of written notice of termination to City.

**ARTICLE IX
AMENDMENT**

- 9.01 No amendment, modification, or alteration to this Agreement shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

**ARTICLE X
PARTIES BOUND**

- 10.01 This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors, and assigns where permitted by the Agreement.

**ARTICLE XI
TEXAS LAW TO APPLY**

11.01 This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable solely within the Somerset incorporated city limits.

**ARTICLE XII
LEGAL CONSTRUCTION**

12.01 In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

IN WITNESS WHEREOF, this Agreement is executed ("Effective Date") in duplicate originals this 16th day of July, 2015.

COUNTY OF BEXAR

CITY OF FAIR OAKS RANCH

By: _____
NELSON W. WOLFF
County Judge

By: _____
CHERYL LANDMAN
Mayor

ATTEST:

By: _____
GERARD RICKHOFF
County Clerk

By: _____
P. ABREGO
City Secretary

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

By: _____
Assistant Criminal District Attorney

By: _____
City Attorney Charles Zech

APPROVED:

By: _____
CHRIS LOPEZ
County Fire Marshal



BEXAR COUNTY FIRE MARSHAL'S OFFICE

622 DOLOROSA SAN ANTONIO, TX 78207-4535 (210) 335-0300
FEE SCHEDULE (Effective June, 2015)



The following fees are hereby established for obtaining permits from the Bexar County Fire Marshal's Office. All payments will be made by money order or check made out to the **BEXAR COUNTY CLERK** or in cash, and will be paid prior to the start of the particular process for which the fee is charged.

All fees paid to the Bexar County Fire Marshal's Office are non-refundable.

Systems Permits and Fees

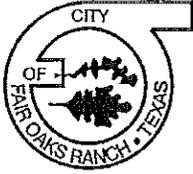
1. **Vent/Hood Suppression System** \$150.00
This fee covers reviewing plans, witnessing the testing, and inspection of fire extinguishing systems in kitchen vent hoods and exhaust ducts.
2. **Fire Sprinkler System** \$300.00+
This fee covers reviewing plans, conducting rough-in inspections, and witnessing the 2 hour hydrostatic testing of fire sprinkler systems. The fee is \$300.00 plus \$.75 per sprinkler head.
3. **Fire Alarm System** \$300.00+
This fee covers reviewing plans, conducting rough-in inspections, and witnessing the fire alarm acceptance testing. The fee is \$300.00 plus \$.75 per initiating and/or alarm signaling device. Fire Sprinkler Monitoring Systems shall pay a flat fee of \$300.00.
4. **Paint/Spray Booth System** \$350.00
This fee covers the reviewing of plans, witnessing the testing, and inspection of commercial paint/spray booth fire suppression systems.
5. **Underground Fire Protection System** \$350.00
This fee covers reviewing plans, conducting rough-in inspections, and witnessing the 2 hour hydrostatic testing on underground fire protection lines for fire sprinkler systems, fire protection standpipes, and fire hydrants installed on both public and private water systems.
- 5a. **Underground Inspections** 100.00 per inspection
Where an underground fire protection system requires multiple underground inspections, the first inspection is covered in the permit fee, and each separate additional inspection will pay an additional inspection fee.
6. **Smoke Control System** \$350.00
This fee covers reviewing plans and witnessing the testing of building smoke control systems (including fire dampers, smoke dampers, fire/smoke dampers, and duct smoke detectors) required by the Building or Fire Code.
7. **Alternative Fire Protection Systems** \$350.00
This fee covers reviewing plans, conducting rough-in inspections, and witnessing the acceptance testing of alternative fire protection and fire suppression systems.
8. **System Retest/Multiple System Test Fee** \$150.00/system
This fee will be assessed when the failure of a required fire protection system requires a retest to ensure operational compliance with the adopted Fire Code and N.F.P.A. requirements. This fee also applies when a fire protection system with a single permit is broken into multiple visual inspections and/or system tests.
9. **Knox Box Authorization** \$30.00
This fee is for registration and processing of key access box applications on multi-family residential gated communities such as apartment and town home complexes or other structures required to have key access control.
10. **Siren Operated Sensor Electric Gate Authorization** \$30.00
This fee is for registration and processing of siren operated sensor system applications on multi-family residential gated communities such as apartment, town home complexes, and gated communities required to have S.O.S. system access control.

Flammable/Combustible Liquids and Gas Permits and Fees

1. **Underground Fuel Tank Installation/Removal (per tank – including LPG)** \$350.00
This fee is for reviewing plans, witnessing tank testing, and inspecting pre and post underground fuel tank installation or removal to ensure compliance with the adopted Fire Code requirements.
2. **Aboveground Fuel Tank Installation/Removal (per tank – including LPG)** \$350.00
This fee is for reviewing plans, witnessing the placement, and inspection of aboveground fuel tank installation or removal to ensure compliance with the adopted Fire Code requirements.
3. **Underground Fuel Line/Fuel Dispensing Installation /Testing (per fuel line/dispenser)** \$175.00
This fee will be assessed for witnessing the installation and pressure test of modified or newly installed fueling system supply lines and/or dispensers.
4. **Aboveground Fuel Tank Renewal (Annual – per tank)** \$150.00
This fee is for inspecting each aboveground fuel tank to ensure continued safety and compliance with the adopted Fire Code requirements.
5. **Fuel Dispensing Facility Inspection and Registration** \$150.00 (annual)
This fee is applicable for the registration of all facilities in unincorporated Bexar County where flammable or combustible liquid or gas are dispensed. This fee includes the annual fire/safety inspection.

Inspection Fees

1. **Fire/Safety Inspection Fee** \$80.00/hr.-½ hr. minimum
This fee will be assessed for all fire inspections conducted by the Bexar County Fire Marshal's Office personnel to ensure a building or occupancy is in compliance with the adopted Fire Code, State Laws and Commissioner's Court Orders. This fee is applicable for each building inspected.
2. **State Licensed Facility Fire/Safety Inspection** \$80.00
This fee will be assessed for all fire inspections conducted by the Bexar County Fire Marshal's Office personnel of state licensed or regulated facilities to ensure a building or occupancy is in compliance with the adopted Fire Code, State Laws and Commissioner's Court Orders. This fee is applicable for each building inspected. This fee is applicable for each building inspected.
3. **Reinspection Fee** \$50.00
This fee will be assessed for each reinspection required to bring a previously identified fire hazard related problem into compliance with the adopted Fire Code, State Laws and Commissioner's Court Orders. All reinspection fees shall be paid before the reinspection will be performed. This fee will also be assessed for failure to show up for a scheduled fire inspection without prior notice or if a scheduled fire inspection is not canceled within four hours of the scheduled time and date. This fee is applicable for each building inspected.
4. **After-Hours Fee** \$125.00/hr.-2 hr. minimum
If circumstances warrant, and with prior approval, the Fire Marshal may have an inspector review a plan, conduct an inspection, or witness a test after normal working hours of 8:00 a.m. to 5:00 p.m. (Monday through Friday) when a written request is made by the contractor or the owner's representative at least 3 days in advance of the desired work. The cost of this service is \$100.00 per hour or fraction of an hour, with a minimum 2 hour charge. The fee for this service shall be paid immediately after the conclusion of the special service in addition to any other required fees.



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Ordinance 2015-xx amending the Fair Oaks Ranch Code of Ordinances Chapter 3 "Building Regulations", Article 3.07 "Electricity" and Article 3.01, section 3.01.006 "Types of Inspections."

START/END DATE: July 16, 2015

DEPARTMENT: Building Codes

PRESENTED BY: Jim Earl

INTRODUCTION/BACKGROUND:

Chapter 3, Article 3.01, Section 3.01.006 calls for an insulation inspection to be performed prior to the installation of sheetrock. This is the only inspection performed by the Building Codes that does not bear directly on health and safety. Many municipalities accept a certificate of insulation in lieu of an inspection to satisfy the requirements of the International Energy Code.

The National Electric Code Sec. 250.104(B) requires metallic gas piping within a building to be bonded to the grounding electrode system, but offers an exception if certain situations exist. This is further complicated by a bulletin from the Gastite manufacturer pertaining to their specific product. The result is confusion on the part of the contractors about when and where to bond gas piping.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Insures the safety of the occupants.
2. Saves time in re-inspections due to misinterpretations of the code.
3. Easier to communicate and enforce.
4. Streamlines the building process, decreasing delays.
5. Saves 150 inspections yearly.
6. Allows more time for the Building Department to conduct plan reviews, answer code questions, and meet with citizens and contractors concerning building projects.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Saves payroll hours by deleting insulation inspections and reducing re-inspections for incorrect gas bonding. Delays the necessity of increasing inspector hours.

LEGAL ANALYSIS:

The attached proposed ordinance has been approved to form by the City Attorney.

RECOMMENDATION/PROPOSED MOTION:

I move to approve Ordinance 2015-xx amending the Fair Oaks Ranch Code of Ordinances Chapter 3 "Building Regulations", Article 3.07 "Electricity" and Article 3.01, section 3.01.006 "Types of Inspections."

ORDINANCE 2015-xx
AMENDING THE FAIR OAKS RANCH CODE OF ORDINANCES CHAPTER 3 "BUILDING REGULATIONS" ARTICLE 3.01, SECTION 3.01.006 "TYPES OF INSPECTIONS"; 3.07 "ELECTRICITY"; AND PROVIDING SEVERABILITY CLAUSE AND EFFECTIVE DATE

WHEREAS, it is the desire of the City of Fair Oaks Ranch, Texas, to adopt, in all respects, the various International Codes relating to buildings, residential, energy conservation, plumbing, mechanical, and gas, and to adopt the National Electrical Code, and;

WHEREAS, the adoption of these Codes is done to facilitate proper inspection activities by the City of Fair Oaks Ranch, Texas relating to construction and to maintenance of buildings within the corporate city limits and relating to public safety, health and general welfare, and;

WHEREAS, from time to time, it is necessary to update the city's Building Regulations, found in the Fair Oaks Ranch Code of Ordinances Chapter 3.

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

SECTION I. Amendments

A. Chapter 3 "Building Regulations"

1. Article 3.01 "General Provisions; Section 3.01.006 "Types of Inspections" is hereby amended as follows:

(b)(5) *Insulation/energy compliance inspection. In lieu of an inspection, a certificate of insulation/energy compliance must be provided after the installation of insulation and before the installation of inside wallboard. Labels must remain attached to all windows/fix glass to verify glazing efficiency ratings. Blown-attic insulation may be inspected at time of final inspection.*

(c)(5) *Insulation/energy efficiency inspection. Failure to provide an insulation/energy compliance certificate secure inspection prior to concealment by the installation of inside wallboard or other interior wall covering as set out in subsection (b)(5) of this section shall result in a \$400.00 penalty assessed against the permit holder. If a notarized signed statement is provided by a certified insulation installer certifying that all concealed portions of the building were insulated and sealed in accordance with the currently adopted energy conservation code, removal of the materials concealing the insulation and sealing mechanisms will not be necessary; however, the penalty will be assessed. If such certification is not provided, then removal of such material to facilitate exposure of insulation and sealing mechanisms will be required.*

2. Article 3.07 "Electricity" is hereby amended by adding the following Section:

Sec. 3.07.005 Gas Bonding

All gas piping shall be bonded at the point of entry

SECTION II. Severability and Effective Date

If for any reason any section, paragraph, subsection, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a Court of competent jurisdiction it shall not affect any other section, paragraph, subsection, clause, phrase, work or provision of this Ordinance, for it is the definite intent of this City Council that every section, paragraph, subsection, clause, phrase, work, or provision hereof be given full force and effect for its purpose.

This Ordinance shall take effect immediately upon its passage and approval as required by law.

Passed and approved this the 16th day of July, 2015.

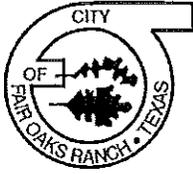
Mayor Cheryl Landman

ATTEST:

APPROVED AS TO FORM:

City Secretary Priscilla Abrego

City Attorney Charles Zech



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Resolution Appointing Directors to the Fair Oaks Ranch Municipal Development District (MDD) Board of Directors 2015-2016

START/END DATE: Immediately effective

DEPARTMENT: Executive

PRESENTED BY: Mayor Cheryl Landman

INTRODUCTION/BACKGROUND:

Voters elected May 2011 to create the FOR MDD and City Council adopted an ordinance creating the District's Board of Directors and their appointment. Currently, the MDD needs two Council members added to the Board. Alderman Glenn Damstra and Alderman Garry Manitzas have agreed to fulfill that requirement of two council members on the MDD Board.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. The two Council members fulfill the requirements of the Ordinance
2. The Board of Directors serving At-Large are in place
3. The MDD Board is complete with seven members

LONGTERM FINANCIAL & BUDGETARY IMPACT:

The MDD is a legal separate entity from the City and does not have direct impact on the City's financial or budget

LEGAL ANALYSIS:

This consideration item is complying with City Ordinance 2011-08.

RECOMMENDATION/PROPOSED MOTION:

Recommend to Appoint Directors to the Fair Oaks Ranch Municipal Development District as listed.

RESOLUTION 2015-XX

APPOINTING DIRECTORS TO THE CITY OF FAIR OAKS RANCH MUNICIPAL DEVELOPMENT DISTRICT BOARD OF DIRECTORS

WHEREAS, as authorized by Texas Local Government Code §377.021, and, upon the favorable results of the May 7, 2011 City of Fair Oaks Ranch election, the Fair Oaks Ranch Municipal Development District was created and the imposition of a sales and use tax of one-half of one-percent in the district's boundaries was approved; and,

WHEREAS, on August 8, 2011, the City Council of the City of Fair Oaks Ranch adopted Ordinance 2011-08 creating the District's Board of Directors and providing for the appointments of its' Directors; and

WHEREAS, the Ordinance provides the Board shall consists of seven (7) Directors, each of whom shall be appointed by the City Council by resolution. Each of the Directors shall be a resident of the City of Fair Oaks Ranch or a resident of the City of Fair Oaks Ranch's Extraterritorial Jurisdiction. Two (2) Directors shall be persons who are members of the Fair Oaks Ranch City Council and one (1) Director shall be a person who is a member of the Fair Oaks Ranch Homeowner's Board of Directors; and,

WHEREAS, the Ordinance also provides that each Director shall be appointed for a two (2) year staggered term to begin on October 1st and end on September 30th of the second year.

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

The following persons are appointed to the Fair Oaks Ranch Municipal Development District Board of Directors for the terms herein provided for:

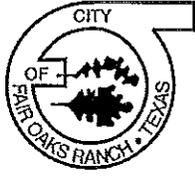
City Council Member:	Glenn Damstra	Term Ending: 2017
City Council Member:	Garry Manitzas	Term Ending: 2016
FORHA Director:	Al McDavid	Term Ending: 2017
At Large:	Mike Murphy	Term Ending: 2017
At Large:	Faira Stevick	Term Ending: 2016
At Large:	Bradley Dutton	Term Ending: 2017
At Large:	Jim Martin	Term Ending: 2016

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF JULY, 2015.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Fair Oaks Ranch Municipal Development District's budget for fiscal year beginning October 1, 2015 and ending September 30, 2016.

START/END DATE: Fiscal Year Oct. 1, 2015 – September 30, 2016

DEPARTMENT: Executive

PRESENTED BY: Mayor Cheryl Landman

INTRODUCTION/BACKGROUND:

Council also approves the FOR MDD's annual budget as well as the Board of Directors. The budget revenues come from one-half of one-percent sales tax in the district's boundaries. Budgeted revenue minus expenses provides \$102,100 for the MDD's this coming Fiscal Year.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. The Budget approval by Council keeps all informed of status and plans
2. The MDD sales tax brings revenue from many sources such as non-resident purchases
3. The MDD maintains a financially conservative budget

LONGTERM FINANCIAL & BUDGETARY IMPACT:

The MDD does pay the City for light administrative duties/professional services at \$6,000-7,000 annually.

LEGAL ANALYSIS:

City is following the Ordinance requirements for the MDD.

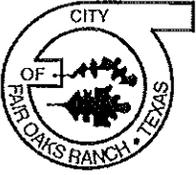
RECOMMENDATION/PROPOSED MOTION:

Approval of Fair Oaks Ranch Municipal Development District's budget for fiscal year beginning October 1, 2015 and ending September 30, 2016 with revenue at \$120,000 and expenses \$17,900.

**FAIR OAKS RANCH MUNICIPAL DEVELOPMENT DISTRICT
BUDGET REPORT
OCTOBER 1, 2015 - SEPTEMBER 30, 2016**

20 -MDD FUND

REVENUES	BUDGET
TAXES	
20-400-121 LOCAL SALES TAX	120,000
TOTAL TAXES	120,000
<hr/>	
TOTAL REVENUES	120,000
<hr/>	
EXPENDITURES	
GENERAL	
20-501-300 SUPPLIES	600
20-501-307 POSTAGE	200
20-501-315 TRAINING/SEMINARS	1,000
20-501-323 TELEPHONE	200
20-501-390 MISCELLANEOUS	500
TOTAL GENERAL	2,500
CONTRACTUAL SERVICES	
20-501-500 ATTORNEY	5,000
20-501-501 AUDITOR	3,000
20-501-502 PROFESSIONAL SERVICES	7,000
20-501-510 INSURANCE	400
TOTAL CONTRACTUAL SERVICES	15,400
<hr/>	
TOTAL EXPENDITURES	17,900
<hr/>	
REVENUE OVER/(UNDER) EXPENDITURES	102,100



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Resolution nominating a Candidate for Director to the Comal Appraisal District Board

START/END DATE: Current Vacancy on Board – District needs Candidates by July 20, 2015.

DEPARTMENT: Executive

PRESENTED BY: Mayor Cheryl Landman

INTRODUCTION/BACKGROUND:

Comal Appraisal District has a vacancy on the Board of Directors due to a recent Board member resignation. According to the law, Comal Appraisal District informs the property taxing units (city, school, etc.) within the county for nominations to fulfill the unexpired term. Currently, City of Fair Oaks Ranch has a resident Board member on both Bexar Appraisal and Kendall Appraisal Districts. A candidate must have no less than 2 years residency in Comal County. Board members are elected and the one selected by current Board members to fulfill this vacancy will run for election when this term expires.

Michael Murphy, a resident since 2007 in FOR/Comal County, has expressed interest in being nominated. His career background includes in-depth appraisal experience and brings that to the BOD table immediately. In addition, Mike is a Director/Member of the MDD and past president of his local HOA.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Provides information consistency on appraisal issues and changes to City Hall
2. Keeps the City's presence active in the appraisal district(s)
3. Board of Directors set policy for the Appraisal District

LONGTERM FINANCIAL & BUDGETARY IMPACT:

There is no direct City financial / budget item for revenue or expenses.

LEGAL ANALYSIS:

Comal Appraisal District must obey the state laws; again, there is no direct legal concerns to the City.

RECOMMENDATION/PROPOSED MOTION:

Recommend to approve the Resolution nominating Michael Murphy a resident of FOR/Comal County since 2007 as a candidate for the current Comal Appraisal District Board of Director vacancy.

**RESOLUTION 2015-xx
NOMINATING A CANDIDATE FOR DIRECTOR TO THE COMAL
APPRAISAL DISTRICT BOARD OF DIRECTORS**

WHEREAS, the City of Fair Oaks Ranch, is required by Texas Tax Code Section 6.03(g) to file, by July 20, 2015, with the Chief Appraiser a nomination by resolution for positions on the Appraisal District Board of Directors; and,

WHEREAS, a portion of the City of Fair Oaks Ranch is serviced by the Comal Appraisal District; and,

WHEREAS, Comal Appraisal District strives for representation throughout its District; and,

WHEREAS, City of Fair Oaks Ranch is a Comal County taxing unit; and,

WHEREAS, Comal Appraisal District strives for representation throughout its District; and,

WHEREAS, Comal Appraisal District has this current vacancy; and,

NOW, THEREFORE, be it resolved that the City Council of Fair Oaks Ranch hereby nominates to the Comal Appraisal District Board of Directors the following candidate for the position of Director:

**Michael Murphy
29938 Cibolo Run
Fair Oaks Ranch, Texas 78015**

PASSED and APPROVED this 16th day of July, 2015

Cheryl Landman, Mayor

Attest:

P. Abrego, City Secretary



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Consideration of Resolution adopting policy and procedures for conducting City of Fair Oaks Ranch citizen surveys

START/END DATE: Upon Resolution approval

DEPARTMENT: City Council

PRESENTED BY: Alderwoman Havard

INTRODUCTION/BACKGROUND: Several citizen surveys were conducted in the last year. Frustration was experienced by the developer of surveys, the City Council and, express by citizens regarding content, methodology, etc. In order to provide a standardized process for development and approval of surveys, a proposed list of requirements for City Council approval of surveys was provided and discussed at the July 2, 2015 City Council meeting. Council determined to move forward with a proposed Resolution which is being presented now for review and approval.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Increased communication and transparency
2. Published guidance for a standardized process with identified requirements for Council approval

LONGTERM FINANCIAL & BUDGETARY IMPACT:

To be determined dependent on method(s) used

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Recommend approval of Resolution adopting policy and procedures for conducting City of Fair Oaks Ranch citizen surveys

RESOLUTION 2015-xx
ADOPTING POLICY AND PROCEDURES FOR CONDUCTING CITY OF FAIR OAKS RANCH
CITIZEN SURVEYS AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Fair Oaks Ranch, on July 2, 2015, at a regular City Council meeting, expressed a desire to establish rules governing the conduct of the Mayor, Council and staff performing surveys of citizens in the City of Fair Oaks Ranch; and,

WHEREAS, City Council deems it appropriate to adopt, by Resolution, policy and procedures for conducting City of Fair Oaks Ranch citizen surveys.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS that the following policy and procedures for conducting City of Fair Oaks Ranch citizen surveys are adopted:

I. Council Approval Prior to Survey Process

Any and all proposed citizen surveys will be brought before the City Council for approval prior to survey initiation.

II. Requirements for City Council Approval

1. Desired survey goal(s) or objective(s)
2. Proposed questions and rating scale to be used, if applicable
3. Time line for conducting the survey, presentation of results to City Council and public release of results
4. Population to be surveyed and whether or not employees will participate in the survey
5. If survey will solicit anonymous or non-anonymous feedback
6. Method of disseminating, advertising and/or notification (email, US Mail, website, telephone) to citizens of survey and release of results
7. Who will be involved in collection of results and analysis of results
8. Desired use or not of professional firm
9. Direct and indirect costs of survey

FURTHER, this Resolution shall take effect upon its passage and approval.

PASSED and **APPROVED** on this the 16th day of July, 2015.

Mayor Cheryl Landman

ATTEST:

City Secretary Priscilla Abrego

**IMPORTANT INFORMATION
REGARDING BI-ANNUAL BULK/BRUSH PICKUP SERVICE**

The City of Fair Oaks Ranch contracts with Republic Services to provide a bi-annual bulk/brush pickup service. The pickup is "by the rules" as stated under Quick Reference. Republic Service will not pickup any pile that has excess brush, commingled brush/metal objects, items not placed out by the appropriate time/date, or piles placed near obstructions to the crane on their truck. Those passed by will need to be moved out of the city right of way or make arrangements with Republic Services or other private contractor for immediate pickup. Any resident placing bulk/brush items out either prior to or after their authorized date as noted below or for not moving items if passed by will be issued a summons for violating City Ordinance and will appear in court to pay the appropriate fine.

This is your official notice of your scheduled pickup time as noted below. *Please make note of the dates for your sector as this is the only notice you will receive for the pickup.* DO NOT PUT ITEMS OUT PRIOR TO YOUR SECTOR'S START DATE AS THIS IS A VIOLATION OF CITY ORDINANCE, AND WILL RESULT IN A CITATION BEING ISSUED AND MAY RESULT IN A FINE OF NOT MORE THAN \$2000 FOR EACH DAY OF THE VIOLATION. The items must be placed at the curb in front of your property, but not in the street.

The pickup schedule is divided into three (3) sectors with one assigned bulk/brush pickup per sector:

- Sector 1** All residential homes South of (Below) Dietz Elkhorn - Not including homes ON Dietz Elkhorn
- Sector 2** All residential homes between Cibolo Creek and Dietz Elkhorn (Including homes on Dietz Elkhorn)
- Sector 3** All residential homes North of Cibolo Creek plus Deer Meadow Estates

BULK/BRUSH PICKUP SCHEDULE

- SECTOR:** The area where you live in the City as described above.
- START DATE:** The first day that you can put items at the curb for pickup starting at 7:00 AM.
- END DATE:** The last day to put out items at the curb - no later than 9:00PM the day before Pickup Begins.
- PICKUP DATE:** The day that brush/bulk trash pickup starts in your sector.

SECTOR	START DATE to PUT ITEMS OUT	END DATE to PUT ITEMS Out	PICKUP STARTS
1	July 11, 2015	July 19, 2015	July 20, 2015
2	July 18, 2015	July 26, 2015	July 27, 2015
3	July 25, 2015	August 2, 2015	August 3, 2015

Please follow the instructions listed under QUICK REFERENCE to ensure a complete and timely pickup by Republic Services. Failure to follow these instructions may result in items not being picked up and having to pay an additional fee for a special pickup. With your cooperation, your sector should be cleared of trash within four (4) weeks.

There are a few issues listed below that need special attention:

Contractors that you hire for brush or tree trimming must remove the trimmed waste as it will not be picked up by Republic Services. If your contractor does not want to haul the trimmings off you may contact Republic Services at 210-304-2700 / 800-275-4234 for a price estimate to remove the contractor's waste.

Brush piles larger than fifteen (15) feet in length, six (6) feet in width, and six (6) feet in height will not be picked up and will be subject to additional charges.

Hazardous Materials (batteries, oil, gasoline, tires, paint, etc.) will not be picked up and placing them in the street right of way is a violation of city ordinance (See backside of this notice for additional information, or visit city's website).

Illegal Dumping (i.e. trash on vacant lots) is a violation of State Law with fines and/or jail penalties. Please place your brush/bulk trash on your own property.

The City's goal is to ensure a speedy and effective brush/bulk trash removal with the intent of keeping our beautiful city a great place to live and visit. This can only be accomplished with your cooperation. Your neighbors, the Mayor and the City Council respectfully ask for your personal commitment to help achieve such.

QUICK REFERENCE

1. Place items out no later than 9:00 PM the day before pickup is to begin in your sector. If you miss your pickup, contact Republic Services for information on receiving a special pickup. Items must be placed at the curb in front of your residence only (not on street).
2. Keep all bulk items separated three feet from brush and shrubbery trimmings especially scrap iron, wire, metal, etc. to avoid equipment damage. Do not place bulk items near fences, mail boxes, water meters, telephone pedestals, fire hydrants, under trees or other low hanging lines as the trash truck cannot safely pick up items there.
3. Remove gasoline/oil/propane/butane from items being discarded, i.e. lawn mowers, small engines, bar-b-que pits, gas cans, etc.

When hiring a contractor to cut and trim your trees, shrubs, etc. or to replace decks, carpets, etc. please make arrangements for the Contractor to remove the waste. Otherwise, you need to contact Republic Services for a price quote to remove the waste for you.

Items containing FREON are not acceptable by State Law. Republic Services can only accept freezers, refrigerators, air conditioners, and other applicable appliances with a state approved certificate from a licensed technician disclosing removal of the Freon. Each appliance must have the proper certificate attached when placed at the curb for pickup. No Exceptions. Call a/c firms, appliance companies, refrigerant removal firms, etc. for information and costs.

Following items ARE NOT acceptable so PLEASE DO NOT put these out for pick up!

Tires	Batteries	Waste oil	Gasoline	Pool Chemicals	Household Chemicals
Acids	Poisons	Paints*	Solvents	Auto Fluids	Pesticides
Glass such as windows and doors			Electronics such as TV's, Computers, Monitors, or Any electronic equipment		

These items are considered hazardous waste creating legal problems, health & safety concerns as well as machinery problems. Please take an active role in disposing of your hazardous wastes responsibly. The following can provide helpful information for you: 1-800-CLEANUP or www.earth911.org.

*Only dried paint is acceptable. Paint must be a solid before placing on curb.

CITY OF FAIR OAKS RANCH
7286 DIETZ ELKHORN
FAIR OAKS RANCH, TX 78015
(210) 698-0900
Email: cityhall@fairoaksranchtx.org

REPUBLIC SERVICES
4542 SE LOOP 410
SAN ANTONIO, TX 78222
(800) 275-4234

WORK PLAN STATUS REPORT

July 16, 2015

HUMAN RESOURCE INITIATIVES

- **Recruitment and Selection:**
Human Resource Specialist: Complete.
Police Officers: Complete. Police Department is at full strength.
- **Classification & Pay Plan / Employee Evaluation Process:** Werling Associates is in the final stages of completing the Classification and Pay Study. Consultant recommendations will be incorporated into the Proposed Budget for Council consideration. Employee Evaluation process is in the beginning stages.
- **Personnel Manual:** Alamo HR Services has completed its final draft for Staff review and presentation of amendments to City Council no later than September 3.

USE OF TECHNOLOGY AND COMMUNICATIONS

- **IT Support:** Fully implemented.
- **Upgrade Audio/Visual Capabilities of City Council Chambers:** Underway.
Improve ability to have better visual presentations in the City Council Chambers for council members and the public. Any additional improvements are to be incorporated in the FY 2016 Proposed Budget for Council consideration.
- **Enhance Website:** The Front Desk Administrative Assistant continues to work with Department Heads to make updates and improvements to the City's website. Improvements will continue throughout the remainder of the fiscal year.

FINANCIAL MANAGEMENT INITIATIVES

- **Street Bond Issuance:** Implementation of the construction of the street bond projects is currently underway. Pape Dawson will provide a status report on the engineering of the projects at various strategic milestones to seek Council guidance regarding project priorities and timelines.
- **Separate Operating and Capital Funds:** Underway. A Capital Fund totaling \$2.4 million for construction of the Public Safety Building (\$2.2 million) and the Battle Intense Sidewalk (\$200,000) has been established. Separate funds will also be established for management of debt service contributions and expenditures in administering the street bond funds approved in the November 2014 Bond Election. Appropriation of separate operating/maintenance budgets and capital budgets for both General Operations and Utilities will be considered by City Council during the budget process.
- **Multi-Year Capital Improvement Program (CIP):** Staff will present a recommended Capital Improvement Program at a City Council Budget Work Session on September 8.

DEVELOPMENT AND GOVERNANCE ISSUES

- **Strategic Planning Process:** Consideration of the Strategic Planning process has been deferred pending City Council action.

- **General Law vs. Home Rule Governance:** A Council Work Session on Home Rule was conducted on June 25. Staff has been directed to include funding in the FY 2016 Budget for potential implementation next fiscal year.
- **Revisions to City's Subdivision Regulations:** Pending City Council direction
- **Expand Water and Sewer Service into the City's Remaining ETJ:** No change. Pending Public Utility Commission [PUC] action. Staff awaiting notification of administrative completeness of the City's application.
- **Inter-Local Development Agreements (Pending.)**
Staff is reviewing options proposed from both Bexar and Kendall Counties for the processing of plats in the ETJ.
- **Agreements for Fire Code Enforcement:** An agreement with the Bexar County Fire Marshal has been placed on the July 16 City Council Agenda.

ORGANIZATIONAL STRUCTURE AND MANAGEMENT

- **Staff Organization:** A number of organizational changes are being considered for inclusion in the 2016 Proposed Budget for Council consideration.
- **Office of the City Administrator / City Manager Pending.** A "white paper" outlining the qualifications, duties and responsibilities of the City Administrator position presented at July 16 City Council meeting during the City Administrators report of activity.

OTHER PROJECTS

- **Public Safety Building:** The contract with MJ Boyle for the construction of the building has been awarded and executed. Ground breaking for the building is scheduled for July 16.
- **Oak Wilt Survey:** Staff is developing a draft ordinance for consideration by Council to better address controlling the spread of oak wilt
- **TCEQ Water System Regulatory Requirements:** As a result of an inspection of the Fair Oaks Ranch Water System, TCEQ has notified the City of a potential technical violation of the Texas Administrative Code which requires "as built plans or record drawings" of its water system. The City has retained Lloyd Gosselink, LLC an environmental law firm, to represent the City in this matter. The Attorney has requested an exception to the requirements citing a provision of the code which allows the Executive Director to grant an exception provided "that the exception will not compromise the public health or result in a degradation of service or water quality". TCEQ action remains pending.
- **Extension of Solid Waste Contract:** The City has executed a contract for a one year extension with Republic Services which includes service to the Woods of Fair Oaks.
- **Water Availability Study:** The City retained Grant Snyder, hydro-geologist, to conduct a water availability study of the Fair Oaks Ranch water system. A status report presented during the City Administrator's report at the July 16 City Council meeting.

CITY COUNCIL BUDGET/PROPERTY TAX RATE PLANNING CALENDER
(July 2015)

- Jun 25 City Council Budget Summit held to discuss preliminary revenue estimates and expenditures for the FY2015-16 Budget including future impacts in accordance with representations made to Standard and Poor during bond rating conference call.
- Jul 16 At regular City Council meeting, Interim City Administrator presents an ordinance delineating the duties and responsibilities of the City Administrator utilizing the Council's input from the Governance and Development work session
- Jul 28 City receives final property tax rolls from Appraisal Districts and City Administrator receives direction from the Mayor regarding the assumptions for final development of the FY2015/16 proposed budgets
- Aug 6 City Council adopts ordinance defining the City Administrator position and defines the recruitment and selection process for posting by end of August.
- Mayor presents the proposed budgets – City, Utilities and Capital to City Council for review and discussion.
- Aug 14 Mayor files the proposed budgets with the City Secretary for public review.
- Aug 20 City Council votes to place a proposal to adopt the property tax rate at a future meeting and calls for two public hearings. Vote must be recorded and the motion must state the desired rate.
- City Council approves Ordinance creating the office of the City Administrator.
- Sep 8 week of City Council holds first Public Hearing on proposed Budgets and Tax Rate. Council postpones the adoption of the Budgets until September 17.
- Sep 17 City Council holds second Public Hearing and adopts the FY2015-16 Budgets.
- Sep 21 City Council votes on the Property Tax Rate
- Sep 30 Recruitment for City Administrator position closes. Review of applications begins.

BUDGET ADOPTION PROCEDURE

Step 1- Budget Officer Prepares Budget. The Mayor serves as the budget officer (LGC 102.001) and is required to prepare a budget to cover all proposed expenditures of the municipality for the succeeding year (LGC102.002). A proposed budget that requires raising more revenue from property taxes than in the previous year must contain a cover page with the following statement in 18-point or larger type:

“This budget will raise more total property taxes than last year’s budget by (insert total dollar amount of increase and percentage increase), and of that amount (insert amount computed by multiplying the proposed tax rate by the value of new property added to the roll) is tax revenue to be raised from new property added to the tax roll this year.”

Step 2 - Budget Filed with City Secretary and Public Hearing Set. Mayor shall file the proposed budget with the city secretary not less than 30 days prior to the time the city council passes the tax levy ordinance (LGC 102.005). The proposed budget shall be available for inspection by any person and shall be maintained on the city’s website (LGC 102.005c). Council shall call a public hearing on the proposed budget on a date at least 15 days after the date of filing it with the city secretary and prior to the date that the city council will pass the tax levy ordinance (LGC 102.006).

Filing Date: August 14, 2015

Public Hearing Date(s): September 8-11 and 17, 2015

NOTE: When the proposed tax rate requires two public hearings; budget schedule will follow the tax rate public hearing schedule.

Step 3 - Notice of Public Hearing on Budget. Public notice of the date, time and place of the hearing on the budget shall be published in one newspaper at least 10 days before the day of the hearing but not more than 30 days before the date of the hearing.

Notice Date: August 28 and September 4, 2015

Step 4 - Adoption of Budget. At the conclusion of the public hearing, Council shall, by motion, either adopt the budget or postpone consideration/action until a later date. The Council may make any changes in the budget that it considers warranted by the law or by the best interest of the city tax payers (LGC 102.007).

Adoption Date: September 17 or 21, 2015

Step 5 - Separate Vote. Two separate votes (action items) of the city council are required to enact a budget that will require raising more revenue from property tax than was raised in previous year (LGC 102.007c):

One vote must be limited to specifically ratifying the property tax increase reflected in the budget

Second vote is to adopt the budget

PROPERTY TAX RATE ADOPTION PROCEDURE

Proposed Tax Rate: .xxx or rollback rate
Effective Tax Rate: .xxx (the tax rate that would impose the same total taxes as last year)
Rollback Tax Rate: .xxx (the highest tax rate we can set before the taxpayers can start a rollback procedure)

Step 1 - By July 27, Appraisal Districts submits certified tax rolls to the Mayor. By August 7 or as soon thereafter as practicable, Kendall Appraisal calculates the effective and rollback tax rates. City Secretary, after reviewing rates, publishes them along with a statement of tax increase or decrease. Publication date:

Publication Date: August 11, 2015

Step 2 - Before August 14, the Mayor determines how much property tax revenue is needed to fund the budget and decides how much tax to levy. Proposed property tax rate:

.XXXX

Step 3 - As the proposed tax rate *exceeds* the effective or rollback tax rate (whichever is lower) Council must vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item and calls for two public hearings (the second hearing may not be held earlier than the 3rd day after the date of the first hearing). The vote must be recorded and the motion must state the desired rate.

Council Date for Adoption Proposal: August 20, 2015
Public Hearing Dates: September 8-11 and September 17, 2015
Tax Rate Adoption Date: September 21, 2015

Step 4 - City Secretary must notify the public of the dates, times and place of the hearings. The *Notice of Public Hearing on Tax Increase* on the proposed tax rate must be published in the newspaper and on city's website at least seven days before the first hearing.

Publication Date: August 28

Step 5 - A quorum of the Council must hold two public hearings; at each hearing, Council must announce the date, time and place of the meeting at which it will vote on the tax rate.

Step 6 - After the public hearings and before the meeting for the vote, City Secretary publishes in the newspaper and on the city's website a notice titled, "*Notice of Tax Revenue Increase*".

Publication Date: September 15

Step 7 - Council must adopt the tax rate no less than three days but no more than 14 days after the second public hearing (minimum of 4 council members must be present LGC 22.039).

Tax Rate Adoption Date: September 21