

**CITY OF FAIR OAKS RANCH**  
**AGENDA – CITY COUNCIL REGULAR MEETING**  
December 17, 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. 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

**IV. CONSENT AGENDA**

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

- A. Approval of November 5, 2015 and November 19, 2015 Regular City Council Meeting Minutes. P1-P7
- B. Approval of the November 12, 2015 Special City Council Meeting Minutes. P8-P9
- C. Approval of the November 5, 2015 Town Hall Minutes. P10-P14
- D. Approval of the Annual Destruction of Scheduled City/Utility Records. P15-P20

**V. CONSIDERATION ITEMS**

- A. Approval of Alderman Schmidt's request to install edge lines on both sides of Keeneland Drive (Ralph Fair Road to Cibolo Creek Bridge) and Fair Oaks Parkway (Ralph Fair Road to Falls Terrace) at a minimum travel lane width of 12 feet and to appropriate the unbudgeted cost of \$12,012 and determine where the funds will be appropriated from. P21-P24  
- Public Works Director
- B. Approval of authorizing the City Administrator to sign an Agreement with Fencecrete America, Inc. for a replacement fence at the Wastewater Treatment Plant for \$43,700 and to appropriate unbudgeted funds of \$8,700 from the Utilities Fund fund balance. - Public Works Director P25-P26
- C. Approval of authorizing the Interim City Administrator to sign an Agreement with Davey Trees for tree pruning services at City Hall Complex and on Fair Oaks Parkway for \$19,150 and to appropriate the unbudgeted funds of \$9,310 from the general fund contingency. P27-P31  
- Deputy City Administrator  
- Mayor Landman  
- Mayor Pro Tem Schmidt

D. Approval of Ordinance establishing an agreement between the City of Fair Oaks Ranch Texas and The Woods at Fair Oaks Ranch Homeowners Association, Inc. for the purpose of providing traffic enforcement on private roads in The Woods at Fair Oaks Ranch subdivision. P32-P33  
- Police Chief

E. Approval of Ordinance establishing stop signs within the Woods at Fair Oaks Ranch subdivision, Fair Oaks Ranch, Texas. P34-P36  
- Police Chief

F. Approval of Ordinance setting the speed limit to 25 MPH in the Woods at Fair Oaks Ranch subdivision, Fair Oaks Ranch, Texas. P37-P38  
- Police Chief

G. Approval of Ordinance establishing stop signs within Trailside subdivision, Fair Oaks Ranch, Texas. P39-P41  
- Police Chief

H. Approval of Interlocal Agreement with Kendall County for Subdivision Regulation within the Extraterritorial Jurisdiction of the City of Fair Oaks Ranch. P42-P46  
- Deputy City Administrator

VI. CONVENE INTO CLOSED SESSION

Pursuant to Section 551.071 of the Open Meetings Act, Texas Gov't Code, Consultation with Attorney, a quorum of the governing body will convene into closed session to consult with Attorneys on legal issues regarding:

The City's authority regarding variances and/or encroachments in the drainage way, located in the Woods at Fair Oaks Ranch subdivision.

VII. RECONVENE INTO OPEN SESSION

VIII. REPORTS FROM STAFF / COMMITTEES / COUNCIL

- 1) Deputy City Administrator - Update on the City's Holiday Schedule and Republic's Holiday Trash Pickup. P47-P48
- 2) Council - Requests from City Council members to place items on a future agenda.

IX. 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](http://www.fairoaksranchtx.org), both places being convenient and readily accessible to the general public at all times. Said Notice was posted by 5:00 p.m., December 11, 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, NOVEMBER 5, 2015; 9:30 AM**  
**CITY OF FAIR OAKS RANCH**  
**7286 Dietz Elkhorn**  
**Fair Oaks Ranch, TX 78015**

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

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

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

**II. OPEN MEETING**

Pledge of Allegiance was led by the veterans.

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

Charlan Beal, FORHA 7286 Dietz Elkhorn, stated that the FORHA parks are closed after dark and violators are trespassing. Charlan thanked the Police Department for their support.

**IV. DISCUSSION / ACTION ITEMS**

**A. Update on the Chartwell Traffic Ordinance.**

Chief Rubin stated that on October 15, 2015 he was directed to draft an Ordinance. The Ordinance has been created and is currently being reviewed by the City Prosecutor. When he receives it back he will forward to the City Attorney for his review. Chief Rubin hopes to have it completed and placed on the November 19, 2015 agenda.

**B. Discussion of revising the water/wastewater rate structure.**

Alderman Hartpence stated he would like to explore a flat per gallon rate and expressed how the Country Club is the largest consumer of water. He would like to work with Ron Emmons, Public Works Director, on a new rate structure for next budget cycle. Mayor Landman suggested adding another tier covering 0-3,000 gallons. Mayor Pro Tem Schmidt stated this should be looked at as a conservation issue. Alderman Manitzas likes the simplicity of a flat rate structure.

**C. Presentation, discussion, and selection on the request for proposals from agency firms on the recruitment and hiring of a City Administrator.**

Marcus Jahns presented three request for proposals from Ron Cox Consulting, Waters & Company, and Chris Hartung Consulting. Marcus referred Council to view the summary paper enclosed in the packet to compare costs, timelines, and warranties. Council directed Marcus Jahns to arrange an interview with Chris Hartung.

Mary McConnell, 31036 Post Oak Trail, remarked that hiring a City Administrator is extremely important and encouraged Council to take their time and spare no expense.

**V. REQUESTS TO PLACE ITEMS ON A FUTURE AGENDA**

1. Marcus Jahns, Interim City Administrator, provided an update to Council stating that Carole Vanzant, Deputy City Administrator, and Charlie Zech, City Attorney met to comprise a plan on how to move forward on issues such as home rule, zoning, interlocal agreement with Kendall County, Cibolo Creek Bridge, and many other projects. Marcus announced to Council that he will

be bringing this plan to Council for their assistance in determining the order in which each project is worked.

2. Alderwoman Havard would like to sit down and work on a long term strategic plan.

VI. ADJOURNMENT

Mayor Landman adjourned the meeting at 10:31 a.m.

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Cheryl Landman, Mayor

ATTEST:

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P. Abrego, City Secretary

**MINUTES, November 19, 2015**  
**City of Fair Oaks Ranch**  
**7286 Dietz Elkhorn**  
**Fair Oaks Ranch, TX 78015**

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

Council members present: Mayor Pro Tem Schmidt, Alderman Damstra, Alderman Hartpence, Alderman Manitzas and Alderwoman Havard. Having a quorum present, Mayor Landman called the Regular City Council Meeting to order at 7:00 p.m.

**II. OPEN MEETING**

Pledge of Allegiance was led by Carole Willoughby a FOR resident.

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

**A. Citizens to be Heard -**

Cody Phillips, 29018 Tivoli Way, played video footage from the October 30, 2015 flooding revealing drainage issues in the Fountains and requested Council speed up the drainage project.

Amy Vogel, 28831 Pfeiffers Gate, requested pedestrian safety on Fair Oaks Parkway.

Bill Regan, 8624 Fairway Green, requested Council provide additional support to FORHA.

**B. Presentations -**

Steven Dean, Vice President, Pape Dawson Engineers, Inc. presented the Preliminary Engineering Report which covered the road rehab bond project, rehabilitate, reclamation, culvert issues structural failure at some locations, erosion (scour), PER process, original bond proposal, The Fountains subdivision, Meadow Creek Trail, Intrepid Drive/Robin Dale drainage issue, updated simplified schedule, community outreach ideas, and social media.

Scott Rubin, FOR Police Chief, presented the City's Standard Operating Procedure for Police, Fire, EMS, and School during road/bridge closures. The Chief stated that he receives weather information from the national weather center and emergency operations center in San Antonio. During potential flooding situations this information is sent to all of the Police Officers on duty, Public Works Department, Utility Department, and Fire Department. The Police Department starts reviewing staffing levels to see if additional support is needed, maintenance prepares their vehicles with barricades, and the fire department will stage one fire truck on the Northside of the City. As additional weather updates come in the Officers will increase patrol monitoring low water crossing areas in the City and close gates as necessary. The real concern is when water goes over Ralph Fair Road. It must be monitored closely and Fire trucks, police, utility, and maintenance staff must be in position on the Northside to ensure their response capabilities on both sides of the City. This is coordinated with the Fire Department, EMS, all city departments, and any schools that may be involved. When street closures start to happen we notify communications, the school (so buses can be on standby), and issue CodeRed warnings to inform our residents.

**IV. CONSENT AGENDA**

Mayor Pro Tem Schmidt requested to move the Ordinance amending the FY2014/15 General Fund budget by inter-departmental transfers in the amount of \$40,700 from the consent agenda to consideration items.

DISCUSSION: None.

MOTION: Made by Alderman Hartpence, seconded by Alderman Damstra to approve the October 1, 2015 and October 15, 2015 regular council meeting minutes; October 12, 2015 and October 23, 2015 special council meeting minutes.

VOTE: 5-0

V. CONSIDERATION ITEMS

A. **Item moved to Consideration Item from the Consent Agenda.**

DISCUSSION: Mayor Pro Tem Schmidt requested clarification from the Finance Officer on a few accounting adjustments that were made.

MOTION: Made by Alderman Manitzas, seconded by Alderwoman Havard to approve the Ordinance amending the FY2014/15 General Fund budget by inter-departmental transfers in the amount of \$40,700.

VOTE: 5-0

B. **Approval of Ordinance amending the Fair Oaks Ranch Code of Ordinances Chapter 3 "Building Regulations", adopting the 2015 International Building Code, the 2015 International Residential Code, the 2015 International Energy Conservation Code, the 2015 International Plumbing Code, the 2014 National Electric Code, the 2015 International Mechanical Code, the 2015 International Fuel Gas Code, and the 2015 International Fire Code, and creating a Board of Appeals.**

Jim Earl, Building Official stated this Ordinance will update codes, increase safety, and improve the ISO rating. This Ordinance will create a Board of Appeal process that will consist of three members and one alternate. Builders will be affected by the enforcement of stringent codes but this will improve safety. Surrounding cities such as San Antonio and Boerne have already adopted the new codes. Adopting new codes is a routine process and currently the 2009/2008 codes are in place for the city of Fair Oaks Ranch.

DISCUSSION: Ken Nichols, 30143 Cibolo Run, asked Council if the Ordinance is approved when it go into effect. Jim Earl responded once it has been published in the paper.

MOTION: Made by Alderman Damstra, seconded by Alderman Manitzas to approve the Ordinance amending the Fair Oaks Ranch Code of Ordinances Chapter 3 "Building Regulations", adopting the 2015 International Building Code, the 2015 International Residential Code, the 2015 International Energy Conservation Code, the 2015 International Plumbing Code, the 2014 National Electric Code, the 2015 International Mechanical Code, the 2015 International Fuel Gas Code, and the 2015 International Fire Code, and creating a Board of Appeals.

VOTE: 5-0

C. **Approval of Ordinance establishing no vehicle stopping, standing, or parking on Chartwell Lane between the 28000 block and the 29000 block during school zone hours; and Prohibiting U-Turns on Chartwell Lane.**

Police Chief Rubin stated the Homeowners of Chartwell requested an Ordinance be established due to safety concerns for children. This Ordinance states no U-Turns at all times, no stopping, standing, or parking will only be in effect during school hours only.

DISCUSSION: Danny Sikora, 29011 Chartwell Lane, requested to know about exceptions for the residents that would be affected by this Ordinance. Chief Rubin responded

there are no exceptions to an Ordinance. Mayor Pro Tem Schmidt inquired about a homeowner having a contractor complete work during school hours on their home. Police Chief Rubin responded the Ordinance will have to be enforced at all times. Doug Burford, 28927 Chartwell Lane, is in favor of the Ordinance. John DeLaSantos, 28910 Chartwell Lane is in favor of the Ordinance.

**MOTION:** Made by Alderman Hartpence, seconded by Alderman Damstra to approve the Ordinance establishing no vehicle stopping, standing, or parking on Chartwell Lane between the 28000 block and the 29000 block during school zone hours; and Prohibiting U-Turns on Chartwell Lane.

**VOTE:** 5-0

**D. Approval of Resolution appointing Vice Chairman and ETJ representative and Developer to the City of Fair Oaks Ranch Capital Improvements Advisory Committee.**

Ron Emmons, Public Works Director recapped that the rules and procedures were recently updated to include a Vice Chair position. LGC Chapter 395 states there must be an ETJ representative and a developer to be in compliance. This statute requires a minimum of five members meet twice a year.

**DISCUSSION:** None.

**MOTION:** Made by Alderman Damstra, seconded by Alderwoman Havard to approve Resolution appointing John Merritt, Vice Chairman and Paul Lampe, ETJ representative and Dana Green, Developer to the City of Fair Oaks Ranch Capital Improvements Advisory Committee.

**VOTE:** 5-0

**E. Approval of the final subdivision plat of Elkhorn Ridge Unit 2.**

Ron Emmons, Public Works Director stated this is the second Unit located on the west side of Dietz Elkhorn. Staff has reviewed the development agreement and subdivision requirements and all is in compliance. Since all items have been met it is Councils obligation to approve the plat.

**DISCUSSION:** Roy Elizondo, 28240 Steeplechase Lane, asked if the storm water had been reviewed. Paul Schroder, P.E. responded that is has been reviewed and looks good.

**MOTION:** Made by Alderman Damstra, seconded by Alderman Manitzas to approve of the final subdivision plat of Elkhorn Ridge Unit 2.

**VOTE:** 5-0

**F. Approval of Resolution determining that the City Council Town Hall held on November 5, 2015 served as a public purpose and as such, authorize a \$500 donation to the Cibolo Creek Community church for the use of their facilities and employees.**

Alderwoman Havard stated use of the Cibolo Creek Community Church (CCCC) auditorium on November 5, 2015 allowed for 263+ citizens of the City of Fair Oaks Ranch a face to face opportunity to hear a presentation from Texas Parks and Wildlife (TPW), and for TPW and Council to take questions and hear citizen comments. Invaluable support was provided free of charge by Church staff and Church members who assisted with event set-up, audio-visual equipment usage, parking, and welcomed citizens at the door. The location provided a one-of-a-kind forum for the town hall meeting. At this time we would like to thank CCCC for their deeds as a good neighbor, since the City of Fair Oaks Ranch does not have facilities, employees or audio equipment to accommodate the anticipated high volume attendance, at no charge, extended their facilities, equipment and employees to the City; and reimbursement for is appropriate. The City Council Town Hall meeting, held on November 5, 2015 served as a public purpose, was beneficial to the residents of Fair Oaks Ranch, and the information provided will continue to benefit the City.

DISCUSSION: None.

MOTION: Made by Alderwoman Havard, seconded by Mayor Pro Tem Schmidt to approve a Resolution determining that the City Council Town Hall held on November 5, 2015 served as a public purpose and as such, authorize the Finance Office to disburse a \$500 check to Cibolo Creek Community Church for the use of their facilities and employees by December 2, 2015.

VOTE: 5-0

**G. Approval of Resolution casting votes for candidates for the Board of Directors for Bexar, Comal and Kendall Appraisal Districts for tax years 2016 and 2017.**

Mayor Landman stated that Council nominated Bud Paulson and Dennis Ryther to Kendall and Comal Board of Directors. Jim Martin, resident referred Cherri Byrum, Bexar County, to receive the City's four votes.

DISCUSSION: None.

MOTION: Made by Alderman Hartpence, seconded by Alderman Damstra to approve the Resolution, as is, casting votes for candidates for the Board of Directors for Bexar, Comal and Kendall Appraisal Districts for tax years 2016 and 2017.

VOTE: 5-0

**H. Discussion and appropriate action of Fiscal Year 2015-2016 Work Plan.**

Marcus Jahns, Interim City Administrator, presented a PowerPoint to Council that covered Governance (strategic planning, home rule, city administrator recruitment, code of ethics/conduct), Development (land use planning, zoning, annexations, and sewer CCN), Public Works (street bonds, white line shoulder striping, Battle Intense/Cibolo Creek Bridge, municipal campus complex, Fair Oaks Gateway, Boerne ISD mulch site replacement), Water and Wastewater Infrastructure, Environmental (Deer management, storm water management, solid waste contract, hazardous waste pick-up, oak wilt ordinance, water and wastewater rate structure, drought fees), Public Safety (Fire/EMS Planning, golf cart ordinance, school crossing safety), Administration (Employee Evaluation Process, Personnel Manual, Audio/Visual capabilities in Council Chambers, digitize City records and management, website enhancement, revamp budget process), Inter-governmental (Interlocal subdivision agreements with Bexar and Kendall Counties, Ralph Fair/Cibolo Creek Bridge, Traffic Access Plan, and TCEQ Compliance). In conclusion Mr. Jahns requested for Council to assist in prioritizing the 2015-2016 Work Plan by December 1, 2015.

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

- 1) Carole Vanzant, Deputy City Administrator, announced that the technology enhancements have been completed, the spilt unit air condition unit has been installed in the IT room, microchip credit card machines have been ordered, and disclosed Republic's Holiday/Christmas Tree Trash Pickup Schedule which is published on the City's website and she will forward to FORHA for their website.
- 2) Mayor Landman recapped the November 5, 2015 Town Hall Deer Management meeting held at Cibolo Creek Community Church and stated that she has received the preliminary survey polling results from Jessica at Texas Parks and Wildlife; provided a report on County Interlocal Agreements with Kendall and Bexar and announced that on December 17, 2015 Dr. Lopez will do present the COSA/FOR Water Policy Study.
- 3) Council - Requests from City Council members to place items on a future agenda.
  1. Alderman Hartpence - Requested a discussion on withdrawing the water and sewer CCN from the ETJ (except on the Reserve).

VII. ADJOURNMENT

Mayor Landman adjourned the meeting at 10:13 p.m.

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Mayor Cheryl Landman

ATTEST:

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City Secretary P. Abrego

**MINUTES, NOVEMBER 12, 2015; 10:00 AM  
CITY OF FAIR OAKS RANCH  
7286 DIETZ ELKHORN  
FAIR OAKS RANCH, TEXAS 78015**

**I. CALL TO ORDER**

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

Having a quorum present, Mayor Landman called the Special Council meeting to order at 10:04 a.m.

**II. CONVENE INTO CLOSED SESSION**

City Council convened into closed session pursuant to GC §551.071, to consult with the City Attorney and Consulting Attorneys on legal issues regarding the Corley sewer CCN opt-out request in PUC Docket No. 43666, the Pfeiffer water and sewer CCN opt-out request in PUC Docket No. 43666 and the Reserve at Fair Oaks Ranch Development Agreement at 10:06 a.m.

**III. RECONVENE INTO OPEN SESSION**

At 10:58 a.m., Mayor Landman reconvened into open session.

**IV. DISCUSSION/PRESENTATION/ACTION ITEMS**

**A. Discuss and take any action as required on item III.**

Alderman Manitzas expressed concerns that the CCN extension may not accomplish what needs to be done. Alderman Hartpence stated he would like to send the amended maps and have a more thoughtful and detailed discussion in the future. Alderwoman Havard and Alderman Damstra agreed.

**MOTION:** Made by Alderman Manitzas, seconded by Alderman Hartpence to move forward with the compliance on the PUC order and remove the sewer CCN voluntary from the Pfeiffer Property.

**DISCUSSION:** None

**VOTE:** 5-0.

**B. Discuss and take any action as required on item III.**

No action required.

**C. Discussion and authorizing the City Administrator to enter into an Agreement with Chris Hartung Consulting to perform the recruitment and selection service for the City Administrator position.**

Marcus Jahns, Interim City Administrator stated that he requested proposals from three different firms and Chris Hartung was Council's first choice. Chris Hartung provide Council a summary of his qualifications prior to being interviewed. Alderwoman Havard expressed her desire to have a well-defined profile. Alderman Manitzas requested a "not to exceed clause" be added to the contract. Alderman Damstra would like someone with Home Rule experience. Alderman Hartpence would like residents who are interested in the position be able to apply. Mayor Pro Tem Schmidt would like for the final candidate to go through a background and credit check. Mayor Landman stated that Council would like to accelerate the hiring process.

MOTION: Made by Alderman Damstra, seconded by Alderman Hartpence to authorize the Interim City Administrator to enter into a contract with Chris Hartung Consulting to perform the recruitment and selection service for the City Administrator position.  
DISCUSSION: None  
VOTE: 5-0.

**V. ADJOURNMENT**

Mayor Landman adjourned the meeting at 11:34 a.m.

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Cheryl Landman, Mayor

ATTEST:

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P. Abrego, City Secretary

**MINUTES, NOVEMBER 5, 2015; 6:00 PM**  
**CITY OF FAIR OAKS RANCH – TOWN HALL MEETING**  
**Cibolo Creek Community Church**  
**30395 Ralph Fair Road**  
**Fair Oaks Ranch, TX 78015**

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

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

Having a quorum present, Mayor Landman called the Town Hall meeting to order at 6:00 p.m.

**II. DISCUSSION / PRESENTATION**

**A. Presentation, discussion, and polling of resident opinions by Jessica Alderson, Urban Biologist at San Antonio Urban Wildlife Office on managing Deer Population within the City of Fair Oaks Ranch.**

Jessica Alderson, Urban Biologist at San Antonio Urban Wildlife Office on Managing Deer Population provided a presentation on white-tailed deer in Texas (4 million), reproduction, supplemental feeding, lack of predators, habitat loss, no hunting, chronic wasting disease (CWD), public's perception of urban deer, steps for success, identifying goals, building consensus, urban deer management options, and the associated costs.

Jessica Alderson facilitated an opinion based real time polling, to the residents, for the purpose of helping City Council formulate a deer management solution. Below are the questions with and response percentages received for the approximate 263 residents that attended the Town Hall meeting.

1. What neighborhood do you live in?
  - a. North of Keeneland 18%
  - b. South of Dietz-Elkhorn 26%
  - c. Between Keeneland and Dietz-Elkhorn 56%
  
2. How long have you lived in the City of Fair Oaks Ranch?
  - a. Less than 5 years 21%
  - b. 5-10 years 11%
  - c. Longer than 10 years. 68%
  
3. During the time you have lived here, is it your impression that the deer population has
  - a. Increased 64%
  - b. Decreased 8%
  - c. Stayed about the same 27%
  
4. On average how many deer do you see on your property per week?
  - a. None 5%
  - b. 1 to 5 10%
  - c. 6 to 20 25%
  - d. 21 to 40 22%
  - e. More than 40 39%
  
5. Do you believe there are too many deer in Fair Oaks Ranch?
  - a. Yes 69%
  - b. No 26%

- c. Undecided 5%
6. Would you support efforts to reduce the size of the deer population in Fair Oaks Ranch?
- a. Yes 74%
  - b. No 17%
  - c. Undecided 9%
7. How often do you feed the deer in Fair Oaks Ranch?
- a. Regularly 18%
  - b. Seldom 18%
  - c. Not at all 64%
8. Have you found a fawn and/or rescued a sick/injured deer in Fair Oaks Ranch?
- a. Yes 56%
  - b. No 44%
9. Have you used repellents, fencing and/or vegetation protection devices to control deer damage to your property?
- a. Yes 69%
  - b. No 31%
10. Have you planted deer resistant plants to control deer damage to your landscape?
- a. Yes 87%
  - b. No 13%
11. Have you or a member of your family been involved in a deer-vehicle collision in Fair Oaks Ranch?
- a. Yes 45%
  - b. No 55%
12. Would you support an ordinance which prohibits the feeding of deer in Fair Oaks Ranch?
- a. Yes 73%
  - b. No 21%
  - c. Undecided 7%
13. Please rank in order, up to as many as three (3) urban deer management options you would like to see Fair Oaks Ranch pursue.
- a. Do nothing 9%
  - b. Develop a public education program 15%
  - c. Develop a City ordinance to prohibit feeding deer 23%
  - d. Trap, transport and process 20%
  - e. Trap, transport and translocate 15%
  - f. Organized archery hunts 9%
  - g. Sharpshooters 6%
  - h. Surgical sterilization 1%
  - i. Immunocontraception 2%

Option 1: C. Develop a City Ordinance to Prohibit Feeding Deer

Option 2: D. Trap, transport and process

Option 3: B. Develop a public education program & E. Trap, transport and translocate

14. The August 2014 deer study by Texas A&M Kingsville indicated that an urban deer management program may cost up to \$200,000 annually depending on the option chosen and allowed by the State of Texas. Which statement best describes your opinion on how much Fair Oaks Ranch should spend on urban deer management?

- |   |     |
|---|-----|
| a. The City should <b>not</b> spend money to manage deer        | 30% |
| b. The City should spend up to \$50,000 per year                | 41% |
| c. The City should spend up to \$100,000 per year               | 23% |
| d. The City should spend up to \$200,000 per year, but not more | 7%  |

**B. Opportunity for citizens to share their views with and ask questions of Urban Wildlife Office representative and council members.**

Barry Swartz, 8070 Pimlico Lane, stated he would like to review the statistics on vehicle/deer collisions and supports the trapping of deer.

Garry McWilliams, 30234 Fairway Run Drive, hopes that the environment does not become as sterile as Cordillera Ranch.

Roy E. Elizando, 28240 Steeplechase Lane, requested to address Council but was not present when his name was announced.

Jaci Sprencel, 29014 Angel Fire Drive, is not in favor of a no feed ordinance.

John F. Sprencel, 29014 Angel Fire Drive, requested to address Council but was not present when his name was announced.

Bud Holzman, 28422 Quadrille Lane, purchased his home because of the wildlife and enjoys feeding the deer.

David Bassi, 102 Misty Waters (non-resident of FOR), works for the wild life rescue center located in Kendalia stated they will accept deer fresh dead deer to help feed the animals.

Greg Buschmann, 30826 Keeneland Drive, requested to address Council but was not present when his name was announced.

Bennett Kennedy, 30230 Fairway Ash, endorses a deer management program that will assist in maintaining a sustainable deer population.

Joe Hutchison, 31725 Post Oak Trail, requested information from Council on how many deer were relocated and the cost of the relocation process. Mayor Landman responded to his questions.

Warren Rawls, 29040 Dapper Dan Drive, endorses a deer management program that will assist in maintaining a sustainable deer population and would like a program in place to help raise the funds to support such a program.

Larry Timpe, 29550 Slumberwood, would like the deer population reduced by offering a prize package to an archery group.

Kimberly McDonald, 30108 Fairway Vista, stated she moved to Fair Oaks so her children could experience nature.

Phyllis Pickar, 29727 Fairway Bluff, cannot have a fence due to the location of her home. In the past the deer have injured her dog. She requested that residents stop feeding the deer and supports a deer management program.

Candace L. Dudden, 8725 Dew Wood, requested to address Council but was not present when her name was announced.

Sandy Gullledge, 7840 Fair Oaks Parkway, enjoys the axis deer and would like for them to remain in the City.

Roy White, 8709 Cavalry Drive, requested to address Council but was not present when his name was announced.

James Schweitzer, 8728 Dew Wood, requested to address Council but was not present when his name was announced.

Robert Moser, 29443 Red Bud Hill, spent more than \$4,000 on landscaping, experienced multiple auto accidents and is favor of a deer management program.

David Lickteig, 9015 Jodhpur Drive, requested to address Council but was not present when his name was announced.

Frank Pickart, 29642 Fairview Place, is in favor of a deer management program and feels there are too many vehicle accidents due to deer damage.

Steve Doneghy, 8870 Fair Oaks Parkway, would like to see a deer education program put in place.

Robert (Bob) Tancrede, 29531 Fairway Bluff, would like to see a deer education program put in place, enjoys the deer and feels that money could be better spent on other projects.

Ray Branch, 30611 Keeneland Drive, requested to address Council but was not present when his name was announced.

Fabian Alonso, 30211 Fairway Ash, requested to address Council but was not present when his name was announced.

Al Velo, 29412 No Le Hace Drive, would like the safety of the people placed before the safety of the animal.

Marion Nofer, 29738 Fairway Vista, requested to address Council but was not present when her name was announced.

Karen Lutto, 8621 Delta Dawn Lane, stated that deer trapping and transport have a higher mortality rate and feels that money could be better spent on other projects.

Barbara Singleton, 8627 Willow Wind Drive, is in favor of a deer management program.

Pete Shepherd, 28267 Ruffian Drive, requested to address Council but was not present when his name was announced.

James G. Branaum, 8551 Rolling Acres Trail, requested to address Council but was not present when his name was announced.

Kelly Reeve, 8727 Timberland Trail, requested to address Council but was not present when her name was announced.

Donna Taylor, 31043 Keeneland Drive, stated native vegetation is diminishing due to the deer population and supports a deer management program.

### III. ADJOURNMENT

Mayor Landman adjourned the meeting at 8:12 p.m.

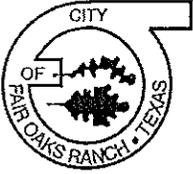
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Cheryl Landman, Mayor

ATTEST:

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P. Abrego, City Secretary



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

---

AGENDA TOPIC: Approval of annual destruction of scheduled city records.  
START/END DATE: January 2016  
DEPARTMENT: All  
PRESENTED BY: City Secretary

---

**INTRODUCTION/BACKGROUND:**

Pursuant to Resolution 46.0, the City follows the Texas State Library & Commission records retention schedule for city and utilities' records. City Code, Section 1.05.006 (4) states, "*Records Management Committee shall give final approval to the destruction of records in accordance with the approved records control schedules*". Section 1.05.002 of the Code defines Records Management Committee as the City Council. LGC 22.073 states the secretary shall take charge of, arrange, and maintain the records of the governing body. Destruction of records is performed on site at City Hall by a commercial shredding company on a designated day.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

Compliance with State Law and City Ordinance.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

Funds budgeted at \$400; past two years total cost per years has been \$125

**LEGAL ANALYSIS:**

N/A

**RECOMMENDATION/PROPOSED MOTION:**

I recommend the approval of the annual destruction of scheduled city records.

# CITY OF FAIR OAKS RANCH RECORDS SCHEDULED FOR DESTRUCTION

Pursuant to Texas State Library and Archives Commission Records Schedule  
and  
City Code Sec. 1.05.006 (4):

## LEGEND:

<u>Color Code</u>	<u>Years of Retention (FY)</u>
B	1 (FY13-14)
G	2 (FY12-13)
O	4 (FY10-11)
Y	6 (FY08-09)

City Council Approval: December 17, 2015  
Destruction Start Date: January 11, 2016  
Form of Destruction: Commercial Shredding

## CITY RECORDS

### ADMINISTRATIVE RECORDS

G	1000-01	Agendas
G	1000-03-04	Audio Tapes of Workshop Sessions
B	1000-03-05	Audio Tapes of Open Meetings
G	1000-03-07	Council Packet Data
O	1000-06	Petitions
G	1000-07	Proclamations
B	1000-21-02	Affidavits - Public Election Notice
G	1000-21-03	Affidavits - Public All Other
G	1000-24	Complaints
O	1000-25	Contracts, Leases, Licenses no longer in effect
G	1000-26-01	Correspondence
O	1000-29	Insurance Policies no longer in effect
B	1000-33	News Release
G	1000-34	Open Records Request
G	1000-35	Organizational Chart no longer in effect
G	1000-36	Permits - Solicitation
Y	1000-38	Policy/Procedures no longer in effect
O	1000-41-02	Reports, Studies - Monthly, Quarterly, Semi-Annual Reports
B	1000-41-03	Reports, Activity
O	1000-47	Customer Surveys, if no longer needed

### FINANCIAL RECORDS

O	1025-01-02	Audit Records - Working papers
O	1025-02-01	Bank Security Records, if no longer needed
G	1025-04-02	Budget Document - Working Papers and Amendments
O	1025-05-01	Fixed Assets - Purchases, depreciation, and inventory no longer own
B	1025-05-04	Fixed Assets - Sale/Disposal Of
O	1025-07-01	Financial Reports - Monthly
O	1025-08	Grants
Y	1025-09	Investment Transactions
O	1025-26-01	Accounts Payable
O	1025-27	Accounts Receivable - Franchise, Receipt Books, Cash Reports, Register Tapes, State Comptroller
O	1025-27-04	Accounts Receivable - Uncollectible, Write Offs
Y	1025-28-01	Banking Records - Statements, Check Registers, Deposit Slips, Cancelled Checks
Y	1025-30	Financial Statements, Batches, Journals
G	1025-31-03	Transaction Summaries - Monthly

### PERSONNEL/PAYROLL RECORDS

G	1050-01	Test Papers of Prospective Employees
Y	1050-03	Awards and Commendations
G	1050-07	Disciplinary Actions - Appeal Records
G	1050-08	Benefit Forms - Pension, Def Comp, Life, Health, and Disability
G	1050-10	Employee Security Records
G	1050-13	Employment Ads
B	1050-14	Employment Applications
Y	1050-18	Fidelity Bond
G	1050-20	Grievance Records (Not EEOC complaints)
G	1050-21	Job Evaluations
G	1050-22	Physical Exam Reports/Certificates
Y	1050-23	Oaths of Office
O	1050-25	Personnel Studies/Surveys
O	1050-26	Job Description for jobs no longer in existence
Y	1050-28	Training Records
Y	1050-28	Unemployment Compensation Claims
O	1050-30	I-9 Forms
B	1050-31	Work Schedules
Y	1050-32	Workers Compensation Claims
O	1050-52-01	Payroll Register
O	1050-53	Federal and State Tax Forms/Reports
O	1050-56	Time/Attendance Records by Month

O 1050-58 Reimbursable

#### MAINTENANCE RECORDS

O 1075-01-01 Bid Documentation - Successful  
G 1075-01-02 Bid Documentation - Unsuccessful  
O 1075-15 Accident / Damage Report - Property  
O 1075-17 Lost/Stolen Property  
B 1075-18-01 Maintenance, Repair and Inspection Records - Vehicle and Equipment  
O 1075-18-02 Maintenance, Repair and Inspection Records - Facilities  
B 1075-23 Vehicle and Equipment Warranties for vehicles and equipment no longer own  
G 1075-41 Telephone Logs

#### ELECTRONIC DATA PROCESSING RECORDS

Y 5800-03 Hardware Documentation no longer own  
Y 5800-06 Software Documentation no longer own  
B 5825-16 System Activity Monitoring Logs (Backup Logs)

#### MUNICIPAL COURT RECORDS

G 2350-01 Appeal Records  
Y 2350-03-03 Case Papers - Criminal (traffic and city ordinances)  
Y 2350-04-02 Dockets - Criminal (traffic and city ordinances)  
G 2350-06-01 Jury Records - Jury Venire  
G 2350-06-02 Jury Records - Juror Information/Reply  
O 2350-08-01 Report to State - TX Judicial Court  
B 2350-08-02 Report to State - Motor Vehicle Convictions

#### PROPERTY TAX RECORDS

O 3000-01 Appraisal District Budget  
O 3000-02 Appraisal Rolls, Amendments  
G 3000-05 Delinquent Tax Rolls  
O 3000-11-01 Tax Collection Report - Monthly  
O 3000-15 Tax Rate Calculation Worksheet  
O 3000-17 Tax Refund / Application For  
20 yrs 3000-18 Tax Rolls Levy

#### ELECTION/CANDIDACY RECORDS

G 3100-01-01 Absentee ballot voting records  
O 3100-04-01 Statements of Compensation  
G 3100-03-02 Election Notices  
G 3100-03-03 Election Orders  
G 3100-10-01 Election Records - Combo Forms, Tally sheets, Ballots, etc.  
G 3125-01-01 Campaign finance reports / filings - Contribution / Expenditures and Treasurer Designation  
G 3125-02-01 Candidacy apps / certifications - Applications and Certificate of Candidates

#### HEALTH INSPECTION AND PERMIT RECORDS

O 4775-21 Notification of Violations and Warning Notices  
O 4775-25-01 Permits and Licenses; Issued  
B 4775-25-01a Permits and Licenses; Denied  
O 4775-27 Sanitary Evaluation Reports

#### ANIMAL CONTROL RECORDS

O 4850-02 Animal bite records (if minor, held until 20<sup>th</sup> birthday)  
O 4850-03 Animal permit and license records  
B 4850-04 Animal shelter records  
O 4850-05 Citations, notifications of violations, and warning notices  
B 4850-09 Lost Animals, Reports of

#### BUILDING PERMITS AND INSPECTION RECORDS

G 5250-01-02 Blueprints and Specifications - Residential  
G 5250-01-03 Blueprints and Specifications - Miscellaneous  
O 5250-02-02 Building Code Violations  
Y 5250-04 Building Permit Applications

Y 5250-06 Building Permits and Certificates of Occupancy  
 Y 5250-08 Inspection Reports  
 O 5250-11-02 Reports of Building Permits Issued for the US Census Bureau - Monthly

**PUBLIC SAFETY RECORDS**

B 4025-01-01 Activity and Statistical Reports - Daily/Weekly  
 O 4025-01-02 Activity and Statistical Reports - Monthly, Quarterly  
 B 4025-01-04 Activity and Statistical Reports - Chronological logs/registers  
 O 4025-03-02 General and Emergency Orders - Declaration of emergency, evacuation, etc.  
 Y 4025-05-02 Planning Studies/Reports  
 B 4050-03 Vehicle Assignment Records  
 O 4050-04-04 Vehicle History and Maintenance Records - Inspection reports of vehicles and apparatus  
 O 4050-05-01 Weapons Report - Records of issuance  
 O 4050-05-02 Weapons Report - Records of inspection/repair  
 O 4050-05-03 Weapons Report - Records of sale, loss, gift or destruction  
 O 4050-05-04 Weapons Report - Records of inventory  
 G 4075-02 Off Duty Assignment Records  
 G 4125-01 Activity Logs/Dockets  
 75 yrs 4125-02 Arrest Reports (charged with a felony or a misdemeanor not punishable by fine only)  
 B 4125-04 DWI Video Tapes  
 B 4125-05-01 Offense Investigation Records - Class C misdemeanors punishable by fine  
 G 4125-05-02 Offense Investigation Records - Class A and B misdemeanors and state jail felonies  
 10 yrs 4125-05-03 Offense Investigation Records - Second and third-degree felonies  
 50 yrs 4125-05-04 Offense Investigation Records - First-degree and capital felonies  
 10 yrs 4125-05-05 Offense Investigation Records - DWI offenses  
 B 4125-07 Statutory Warning Tapes  
 G 4150-01 Accident Reports  
 O 4150-02 Child Abuse Reports - reports received by a law enforcement agency pursuant to FC 261.103 and 105  
 O 4150-04 Family Violence Reports - Reports that do not become part of arrest or offense investigation records  
 B 4150-05 Field Interrogation Reports - Reports due to suspicious behavior  
 O 4150-06 Gunshot Wounds Reports - Reports received from physicians or other persons  
 G 4150-07 Incident Reports - incidents/complaints that do not involve a crime  
 O 4150-08 Missing and Unidentified Persons File  
 B 4150-09 Warning Citations  
 G 4175-01 Chemical Breath Test Records  
 G 4175-02 Criminal Intelligence and Analysis Files  
 G 4175-03 Fingerprint Records (Class C Misdemeanors - 75 years)  
 O 4175-05 Law Enforcement Information Dissemination, Inquiry, and Receipt Records  
 O 4175-09 Property Records  
 75 yrs 4175-10 Sex Offender Registration Records  
 G 4175-11 Home Watch Records  
 G 4175-12 Stolen Property Records  
 O 4175-14-01 Uniform Crime Reports - Monthly  
 B 4175-15 Wanted Persons Files  
 B 4175-16-01 Protective Orders - Issued by magistrates to Article 17.292 CCP  
 B 4175-16-02 Protective Orders - Issued pursuant to FC 3.581, 71.11-12, 71.15; including vacation of orders  
 B 4175-16-03 Protective Orders - Periodic lists  
 G 4175-18 Concealed Handgun Records - Reports submitted to TDPS that is not part of an arrest record  
 O 4175-19 Help End Auto Theft Records (HEAT)  
 B 4225-01 Juvenile Disposition Reports and Procedural Documentation  
 18 yrs 4225-02-01 Juvenile Delinquency Records - Referred (Prior to 1 September 1987)  
 23 yrs 4225-02-02 Juvenile Delinquency Records - Referred (After 31 August 1987)  
 B 4225-03-01 Juvenile Delinquency Records - Non-Referred; Fingerprints  
 B 4225-03-02 Juvenile Delinquency Records - Non-Referred; Photographs  
 18 yrs 4225-03-03 Juvenile Delinquency Records - Non-Referred; All other case papers  
 O 4325-02 Weapons Proficiency Tests

**UTILITY SERVICES RECORDS**

**ADMINISTRATIVE**

Y 1000-25 Contracts, Leases, Licenses

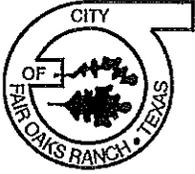
G	1000-26-01	Correspondence
O	1000-29	Insurance Policies
B	1000-33	News Release
G	1000-34	Open Records Request
O	1075-01-01	Bid Documentation - Successful
G	1075-01-02	Bid Documentation - Unsuccessful
O	1075-17	Lost / Stolen Property
B	1075-23	Vehicle and Equipment Warranties no longer own
G	1075-41	Telephone Logs
G	5000-02	Complaints including Appeals
G	5000-03	Confidentiality Requests on account closures
O	5000-04	Customer Billing Records
G	5000-05	Customer Account Histories on account closures
O	5000-06	Customer Usage Reports and Plans
B	5000-07	Discontinuance of Service Records
O	5000-08-02	Equipment History Records - Calibration testing and monitoring
B	5000-09	Equipment Inventory Record - Annually revised
O	5000-11	Meter Reading Records
B	5000-16	Service Application
O	5000-17	Service Interruption Records
G	5000-19	Work Orders

#### WATER AND WASTEWATER RECORDS

Y	5025-01	Bacteriological Analysis Records
O	5025-03	Groundwater Monitoring Records
O	5025-04	Inspection Records
Y	5025-06-01	Operational Permits and Approvals (Agencies)
Y	5025-06-02	Operational Permits and Approvals (Variances/Exemptions)
O	5025-07-01	Operations Records (Monitoring Activities)
O	5025-11	Violation Reports and Correspondences
Y	5025-12-01	Water and Wastewater Permit Files
Y	5025-12-02	Water and Wastewater Permit Files (Variances/Exemptions)
Y	5025-14	Water and Wastewater Treatment Sludge Records
Y	5025-15	Water Pollution Control and Abatement Files

#### SOLID WASTE AND HAZARDOUS WASTE MANAGEMENT RECORDS

O	5050-01	Air Pollution
O	5050-05	Manifests and Trip Tickets
O	5050-06-01	Operations Records (Solid Waste)
Y	5050-06-03	Operations Records (Sewage Sludge)
O	5050-11	Tonnage Reports
O	5050-12	Transportation of Solid and Hazardous Waste Records
Y	5050-13	Underground Injection Control Monitoring
Y	5050-14	Underground Injection Control Well Permits



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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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AGENDA TOPIC: Edge Lines for Keeneland Drive and Fair Oaks Parkway  
START/END DATE: December 2015  
DEPARTMENT: Public Works  
PRESENTED BY: Ron Emmons

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

Edge lines were not installed on various street segments during FY 2014-2015 due to only \$2,508 remaining in the budget for the City's annual Street Maintenance and Repair Program. Therefore, City staff was requested by Mayor Pro Tem Al Schmidt to evaluate the placement of edge lines on Keeneland Drive from Ralph Fair Road to the Cibolo Creek Bridge and on Fair Oaks Parkway from Ralph Fair Road to Falls Terrace. Each road previously had a single edge line on one side of the road, which was covered by the recent seal coat program. There are a few items for City Council to consider regarding edge lines.

Edge lines are typically delineated as a solid white line, which can indicate a shoulder marking, transition zone, and lane use control. Drivers should avoid crossing these solid white lines. It is important to understand that since the seal coat was completed, the Public Works Department has had several requests from residents as to when the "golf cart lanes" would be placed on the road again. Clearly, there is a perception that the edge lines are delineated for golf carts travel lane. Note that the golf carts are considered vehicles and should comply with all laws of the Texas Department of Transportation, including not crossing an edge line, yet residents regularly drive their golf carts between the edge line and curb.

The Texas Manual on Uniform Traffic Control Devices (TMUTCD) provides municipalities guidance for edge lines. The 2011 edition, Revision 2, which was adopted in October 2014, discusses edge lines under Sections 3B.06 and 3B.07 (see attached). The manual defines edge line markings as "white or yellow pavement marking lines that delineate the right or left edge(s) of a traveled lane." The use of the edge line assists road users during poor weather and visibility conditions.

The TMUTCD encourages edge lines for roads when the Average Daily Traffic (ADT) exceeds 3,000 vehicles per day even though the standard minimum is 6,000 vehicles per day. Staff had a few segments on Fair Oaks Parkway and Keeneland Drive evaluated to determine if they warranted an edge line. Unfortunately, due to limited time and weather factors impeding the collection of data, staff obtained incomplete data. The data does suggest, however, that the City does not meet the minimum 3,000 vehicles per day. For example, the ADT for Keeneland Drive at Battle Intense measured 1,570 vehicles and Fair Oaks Parkway at Hansel Drive measured 2,150 vehicles.

Travel lane width can vary depending on the type of roadway, speed limit, and whether it is winding or straight. Since the roads under evaluation are considered Arterial and Collector roads, they are recommended to be 10 to 12 feet in width per the TMUTCD. Staff recommends that a 12 foot travel lane width should be established for both Keeneland Drive and Fair Oaks Parkway. For Keeneland Drive, this

would place the edge line 10 feet from the curb. For Fair Oaks Parkway, the edge line would range from 6 to 9 feet from the curb.

The edge line is a control device that provides some safety measures, as such it should be installed for each travel lane proposed, and not just one side of the road as was previously practiced.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

An edge line assists road users during poor weather and visibility conditions. It creates a delineating line to separate vehicular travel away from the curb as they cannot cross the white line.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

Financing the edge lines falls under Street Maintenance line item 01-506-530, which is geared for the City's annual Street Maintenance and Repair Program. The City budgeted \$351,536 for this year's program. Note that edge lines for Kenneland Drive and Fair Oaks Parkway was not factored into the budgeted amount; therefore, funds would have to be taken from unallocated sources.

**LEGAL ANALYSIS:**

N/A

**RECOMMENDATION/PROPOSED MOTION:**

Staff does not recommend the edge line since the City does not meet the minimum 3,000 vehicles per day on either Keeneland Drive or Fair Oaks Parkway. In addition, edge lines were not budgeted for Keeneland Drive or Fair Oaks Parkway in this fiscal year's budget.

Since a motion has to be made in the affirmative, the below motion is proposed for Council consideration:

I move to approve the installation of edge lines on both sides of Keeneland Drive (Ralph Fair Road to Cibolo Creek Bridge) and Fair Oaks Parkway (Ralph Fair Road to Falls Terrace) at a minimum travel lane width of 12 feet at a cost of \$12,012.

- 10 White chevron crosshatch markings (see Section 3B.24) may be placed in the neutral area of exit ramp and entrance ramp gores for special emphasis as shown in Figures 3B-8 and 3B-10 and Drawing A of Figure 3B-9. The channelizing lines and the optional chevron crosshatch markings at exit ramp and entrance ramp gores may be supplemented with white retroreflective or internally illuminated raised pavement markers (see Sections 3B.11 and 3B.13) for enhanced nighttime visibility.

### Section 3B.06 Edge Line Pavement Markings

#### Standard:

- 01 If used, edge line pavement markings shall delineate the right or left edges of a roadway.
- 02 Except for dotted edge line extensions (see Section 3B.08), edge line markings shall not be continued through intersections or major driveways.
- 03 If used on the roadways of divided highways or one-way streets, or on any ramp in the direction of travel, left edge line pavement markings shall consist of a normal solid yellow line to delineate the left-hand edge of a roadway or to indicate driving or passing restrictions left of these markings.
- 04 If used, right edge line pavement markings shall consist of a normal solid white line to delineate the right-hand edge of the roadway.

#### Guidance:

- 05 *Edge line markings should not be broken for minor driveways.*

#### Support:

- 06 Edge line markings have unique value as visual references to guide road users during adverse weather and visibility conditions.

#### Option:

- 07 Wide solid edge line markings may be used for greater emphasis.

### Section 3B.07 Warrants for Use of Edge Lines

#### Standard:

- 01 Edge line markings shall be placed on paved streets or highways with the following characteristics:
- A. Freeways,
  - B. Expressways, and
  - C. Rural arterials with a traveled way of 20 feet or more in width and an ADT of 6,000 vehicles per day or greater.

#### Guidance:

- 02 *Edge line markings should be placed on paved streets or highways with the following characteristics:*
- A. *Rural arterials and collectors with a traveled way of 20 feet or more in width and an ADT of 3,000 vehicles per day or greater.*
  - B. *On other paved streets and highways where an engineering study indicates a need for edge line markings.*
- 03 *Edge line markings should not be placed where an engineering study or engineering judgment indicates that providing them is likely to decrease safety.*

#### Option:

- 04 Edge line markings may be placed on streets and highways with or without center line markings.
- 05 Edge line markings may be excluded, based on engineering judgment, for reasons such as if the traveled way edges are delineated by curbs, parking, or other markings.
- 06 If a bicycle lane is marked on the outside portion of the traveled way, the edge line that would mark the outside edge of the bicycle lane may be omitted.
- 07 Edge line markings may be used where edge delineation is desirable to minimize unnecessary driving on paved shoulders or on refuge areas that have lesser structural pavement strength than the adjacent roadway.

### Section 3B.08 Extensions Through Intersections or Interchanges

#### Standard:

- 01 Except as provided in Paragraph 2, pavement markings extended into or continued through an intersection or interchange area shall be the same color and at least the same width as the line markings they extend (see Figure 3B-13).

#### Option:

- 02 A normal line may be used to extend a wide line through an intersection.

SOLID WHITE LINE  
BOTH SIDES



**Flasher Equipment Co.**  
Established 1956

246 W JOSEPHINE  
SAN ANTONIO TEXAS  
Office: 210-736-4251  
Fax: 210-736-2084

QUOTE # 9490

PROJECT: CITY OF FAIR OAKS  
DATE: 10/21/15  
TERMS: 30 DAYS WITH ACCOUNT  
LOCATION: FAIROAKS PARKWAY/ KEENELAND

**FAIR OAKS PARKWAY**

ITEM	Description	Unit	Qty.	Price	Amount
1	REFL PAV MRK TY I (W)4"(SLD)	LF	14800	\$0.42	\$6,216.00
<b>TOTAL</b>					<b>\$6,216.00</b>

**KEENELAND RD**

ITEM	Description	Unit	Qty.	Price	Amount
1	REFL PAV MRK TY I (W)4" (SLD)	LF	13800	\$0.42	\$5,796.00
<b>TOTAL</b>					<b>\$5,796.00</b>

**NOTES AND EXCLUSIONS**

**PAVEMENT MARKINGS**

- \* PRIOR CLEARING OF DIRT, ROCK, AND DEBRIS IS EXCLUDED FROM OUR RATES.
- \* CONTRACTOR SHALL PROVIDE ACCURATE REFERNSE POINTS FOR STRIPING LAYOUT.
- \* PRICE IS BASED ON TY I THERMOPLASTIC.
- \* CONTRACTOR SHALL HAVE AREAS TO BE STRIPED CLEAR OF ALL VEHICLES.
- \* THERE WILL BE NO WARRANTY ON ANY MARKINGS APPLIED TO CONCRETE THAT HAS NOT CURED AT LEAST 30 DAYS.

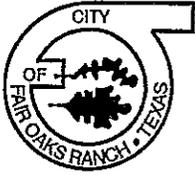
12,012.00

**GENERAL**

- \* PRICING IS BASED ON ONE MOVE IN, EACH ADDITIONAL WILL BE \$950.00.
- \* PRICES DO NOT INCLUDE TAX.
- \* FLASHER EQUIPMENT WARRANTS WORKMANSHIP AND MATERIALS ONLY. REPAIRS DUE TO NORMAL WEAR, VANDALISM, OR NEGLIGENCE WILL BE PERFORMED ON AN EXTRA WORK BASIS.
- \* ITEMS NOT SPECIFICALLY NOTED WILL BE ADDITIONAL.
- \* PRICES QUOTED ARE GOOD FOR 30 DAYS.
- \* Any discrepancy between the Flasher Equipment Company bid proposal, this document, and the contract documents, this bid proposal shall supersede and prevail.
- \* IF RETAINAGE IS NOT DEFINED BELOW, THEN ALL MONEY'S WILL BE DUE AS BILLED.
- \* FLASHER EQUIPMENT COMPANY DOES NOT INDEMNIFY GENERAL CONTRACTOR OR PROJECT OWNERS FOR ACCIDENTS, INJURY, OR DEATH CAUSED SOLEY BY GENERAL CONTRACTOR OR PROJECT OWNERS ACTIVE OR PASSIVE NEGLIGENCE.

SUBMITTED \_\_\_\_\_  
JOHN CRYSUP / ESTIMATOR

ACCEPTED: \_\_\_\_\_  
Name  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Job/PO#



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

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**AGENDA TOPIC:** Approval of authorizing the City Administrator to sign an Agreement with Fencecrete for a replacement fence at the Wastewater Treatment Plant for \$43,700 and to appropriate \$8,700 from the Utilities Fund fund balance

**START/END DATE:** December 2015

**DEPARTMENT:** Public Works

**PRESENTED BY:** Ron Emmons

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**INTRODUCTION/BACKGROUND:**

The City's Wastewater Treatment Plant has an exterior solid "fencecrete" wall on the property line. The segment along the western boundary line has weathered and experienced fatigued and failure. There are several segments that are presently "boarded" shut to prevent unlawful intrusion. The replacement fence proposal by Fencecrete America, Inc. is attached.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

Provides security of City property and eliminates an existing safety hazard.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

The Utility Department allocated \$35,000 in this years' budget to improve the fencecrete wall in Utility Fund Item 05-502-150. The additional \$8,700 should be taken from the Utilities Fund fund balance.

**LEGAL ANALYSIS:**

N/A

**RECOMMENDATION/PROPOSED MOTION:**

I move to authorize the City Administrator to approve the replacement fencecrete wall at the Wastewater Treatment Plant at a cost of \$43,700 and to appropriate \$8,700 from the Utilities Fund fund balance.



# FENCECRETE AMERICA, INC.

Corporate Office: 15089 Tradesman Drive, San Antonio, Texas 78249  
(210) 492-7911 Phone \* (210) 492-8943 Facsimile \* (800) 229-7811 Toll Free \* [www.fencecrete.com](http://www.fencecrete.com)

November 4, 2015

City of Fair Oaks  
Attention: Jimbo Ford

210-394-7675

**Re: Waste Water Plant (Fair Oaks, TX)**

The price to supply and install approximately 475 LF of 8' high precast concrete fencing (woodstyle) @ \$72.00/LF:

**\$ 34,200.00**

The price to remove existing concrete fence (post to be cut leaving foundation in ground)

**\$ 3,800.00**

The price to dispose of existing concrete fence

**\$ 5,700.00**

**TOTAL PROJECT \$ 43,700.00**

**Notes:**

- This price includes materials, shipping, installation, and any sales tax applicable to complete this project. The only addition to this quoted price shall be a result of any and all obstacles needing to be removed or replaced for installation purposes. This will be addressed upon our physical review of the project prior to installation.
- Final contract price shall be based upon installed fence sections. Each fence section will be counted as 5 linear feet (LF) depending on style. The total LF of the completed wall will be multiplied by the quoted price per linear foot.
- Final contract price shall be based upon the field measured footage of the completed wall multiplied by the quoted price per linear foot.
- Fencecrete America will spread along fence line soil from foundation, if any or all of the excavated soil cannot be spread along the fence line Customer shall be responsible for reimbursement of additional cost incurred for hauling off excess dirt.
- Fencecrete America shall be responsible for cleanup and hauling of all debris resulting from the scope of the project.
- Customer responsible for providing water at jobsite for project.
- The finish grade on fence line must be graded by the owner prior to fence installation.
- The fence line shall be cleared of all trees, shrubs, and debris by the Customer prior to the installation of the fence.
- Pricing does not include any saw cutting or coring of asphalt and or concrete if necessary.
- Fencecrete America will take all precautions not to damage existing landscaping however, we will not be responsible for any damages that may occur.
- Sprinklers must be marked prior to the installation of the fence, otherwise Fencecrete America will not be held responsible for any sprinklers damaged.
- The Customer is responsible for any necessary permits.
- Bid is valid for 30 days from date of bid.

Thank you for your consideration of this proposal. Please contact me should you have any questions.

Sincerely,

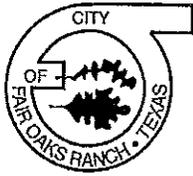
\_\_\_\_\_  
\*Signature of Approval & Accepted by:

Print Name: \_\_\_\_\_

Matt Booth  
Sales Representative

Date: \_\_\_\_\_

\*When accepted by the customer, this proposal becomes a binding contract or an addendum to a contract.



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

---

**AGENDA TOPIC:** Approval of authorizing the Interim City Administrator to sign an Agreement with Davey Trees for tree pruning services at City Hall and on Fair Oaks Parkway for \$19,150 and to appropriate unbudgeted funds of \$9,310 from the General Fund contingency

**START/END DATE:** Upon approval

**DEPARTMENT:** Administration

**PRESENTED BY:** Deputy City Administrator, Mayor Landman and Mayor Pro Tem Schmidt

---

**INTRODUCTION/BACKGROUND:**

In September 2015, Mayor Landman requested a quote for removal of tree deadwood, ball moss and sucker growth from trees on the City Hall complex. In October 2015, Mayor Pro Tem Schmidt requested the same on Fair Oaks Parkway. Excessive ball moss blocks out sunlight to the trees; limited sun to the inner tree limbs does create damage leading to the demise of tree limbs. Each tree has a financial value to property. City's responsibility is to protect City property values as residents do on their properties. City desires to demonstrate good stewardship of the trees as well as guard the special "quality of life" they provide to all.

The cost for both projects, by Davey Trees, a vendor the City has regularly used is \$19,150 (proposal attached).

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

1. Health of trees – Minimize damage to tree limbs and unnecessary demise of trees. Aging trees should be trimmed. Excessive ball moss can choke growth and foster insects.
2. Value of trees – The condition of the trees convey the type of care the City gives its' assets and protection of assets and property valuations is essential.
3. Aesthetics – Fair Oaks Parkway is the main entrance into the City for residents and visitors and the City Hall complex is a close-up impression of the City's caring for both residents and visitors.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

A short fall of \$9,310 as the FY2015/16 budget for beautification is \$10,000 of which \$160 has been used.

**LEGAL ANALYSIS:**

N/A

**RECOMMENDATION/PROPOSED MOTION:**

Should the Council desire to move forward with the project, the appropriate motion would be:

*I move to authorize the Interim City Administrator to sign an Agreement with Davey Trees for tree pruning services for \$19,150 and to appropriate unbudgeted funds of \$9,310 from the General Fund contingency.*

CITY OF FAIR OAKS RANCH  
 REVENUE & EXPENSE REPORT (UNAUDITED)  
 AS OF: DECEMBER 31ST, 2015

01 -GENERAL FUND

25.00% OF FISCAL YEAR

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>CONTRACTUAL SERVICES</u>					
01-506-530 STREET MAINTENANCE	351,536.00	0.00	2,700.88	0.77	348,835.12
01-506-532 DRAINAGE WORK	137,550.00	0.00	5,162.34	3.75	132,387.66
01-506-540 GREENSPACE MAINTENANCE	<u>39,910.00</u>	<u>0.00</u>	<u>5,565.94</u>	<u>13.95</u>	<u>34,344.06</u>
TOTAL CONTRACTUAL SERVICES	528,996.00	0.00	13,429.16	2.54	515,566.84
<hr/>					
TOTAL 06-MAINTENANCE	995,228.00	7,114.37	67,020.97	6.73	928,207.03
<hr/>					
<u>07-CULTURE/RECREATION/OTH</u>					
=====					
<u>GENERAL</u>					
01-507-300 POSTAGE	2,900.00 (	2.45)	24.08	0.83	2,875.92
01-507-305 BEAUTFICATION	10,000.00	0.00	160.00	1.60	9,840.00 ←
01-507-306 DONATIONS/GRANTS	3,000.00	0.00	500.00	16.67	2,500.00
01-507-310 PUBLIC RELATIONS	8,500.00	0.00	162.45	1.91	8,337.55
01-507-311 EMPLOYEE APPRECIATION	5,310.00	0.00	0.00	0.00	5,310.00
01-507-315 COMMITTEES	35,500.00	0.00	0.00	0.00	35,500.00
01-507-330 URBAN WILDLIFE	50,000.00	0.00	1,219.44	2.44	48,780.56
01-507-340 EMPLOYEE TURNOVER SVGS	( 115,000.00)	0.00	0.00	0.00 (	115,000.00)
01-507-390 CONTINGENCY	<u>60,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>60,000.00</u> <i>take funds from here for this printing cv</i>
TOTAL GENERAL	60,210.00 (	2.45)	2,065.97	3.43	58,144.03
<hr/>					
TOTAL 07-CULTURE/RECREATION/OTH	60,210.00 (	2.45)	2,065.97	3.43	58,144.03
<hr/>					
<u>09-CAPITAL OUTLAYS</u>					
=====					
<u>GENERAL</u>					
01-509-303 PERSONAL PROPERTY	<u>161,000.00</u>	<u>0.00</u>	<u>6,186.00</u>	<u>3.84</u>	<u>154,814.00</u>
TOTAL GENERAL	161,000.00	0.00	6,186.00	3.84	154,814.00
<hr/>					
<u>FUND BALANCE TRANSFERS</u>					
01-509-980 FUND BALANCE	75,000.00	0.00	0.00	0.00	75,000.00
01-509-981 COURT TECHNOLOGY	5,000.00	0.00	0.00	0.00	5,000.00
01-509-982 COURT SECURITY BUILDING	3,800.00	0.00	0.00	0.00	3,800.00
01-509-984 CAPITAL REPLACEMENT	236,408.00	0.00	0.00	0.00	236,408.00
01-509-985 COURT EFFICIENCY	<u>75.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>75.00</u>
TOTAL FUND BALANCE TRANSFERS	320,283.00	0.00	0.00	0.00	320,283.00
<hr/>					
TOTAL 09-CAPITAL OUTLAYS	481,283.00	0.00	6,186.00	1.29	475,097.00
<hr/>					
TOTAL EXPENDITURES	<u>4,981,862.00</u>	<u>90,639.46</u>	<u>694,464.26</u>	<u>13.94</u>	<u>4,287,397.74</u>
<hr/>					
REVENUES OVER/(UNDER) EXPENDITURES	0.00 (	35,005.40)	1,791,797.43	(	1,791,797.43)



**City of Fair Oaks**  
Tree Pruning  
Fairway Oaks Parkway  
Prepared for Carole Van Vandt

November 11, 2015

**Ms. Van Zandt:**

Thank you for the opportunity to serve you. The scope of this proposal includes: Elevation, Thinning of Sucker Growth, Deadwood Removal and removal of 80% Ball Moss. Project starts at IH 10 and extends to the islands in front of the Country Club.

**Pruning:** Fair Oaks Parkway Medians from IH 10 to the islands in front of the Country Club. To Include: Removal of Deadwood ½" and larger, Removal of 80% Ball Moss, Elevation over streets of 14 feet, thinning of sucker growth. Debris cleaned-up and pruning wounds sealed.

**Cost Before Tax: \$7,160.00**

Please contact me directly at 698-0515 with any questions and to schedule work.

Thank you,

Tim Jackson  
District Manager  
Certified Arborist #TX-0611A

2/16-19

# DAVEY



*Proven Solutions for a Growing World*

The Davey Tree Expert Company  
24175 Boerne Stage Rd  
San Antonio, TX 78255  
Phone: (210) 698-0515 Fax: (210) 698-7022  
Email: Tim.Jackson@davey.com  
Tree Maintenance License #TL-915779  
Commercial Pesticide Applicator License #0381108



Client

9/30/2015

CITY OF FAIR OAKS RANCH  
ATTN CAROLE VANZANT  
7286 Dietz Blkhorn Rd  
Fair Oaks, TX 78015-4707

Proposal #: 00994012-00000676  
Account #: 657378  
Home: (210) 698-0900  
Email: carole@fairoaksranchtx.org

**Tree Pruning and Surgery**

Price                      Tax                      Total

Tree Pruning

\$6,140.00                      \$6,140.00

*City Hall:*

- Class I prune to remove 1/2" diameter and larger deadwood, 80 % ball moss, and trunk/interior 3rd sucker growth from 29 Trees marked with tape.
- Elevate for 5' roof clearance and provide 3' lateral clearance.
- Elevate 8' over lawn/sidewalk, 13.5' over drives, and 13.5' over street for clearance.
- Paint oak wounds and haul debris.

Tree Pruning

\$5,850.00                      \$5,850.00

*Police Station and Behind:*

- Class I prune to remove 1/2" diameter and larger deadwood, 80 % ball moss, and trunk/interior 3rd sucker growth from 18 Trees marked with tape.
- Elevate for 5' roof clearance and provide 3' lateral clearance.
- Elevate 8' over lawn/sidewalk, 13.5' over drives, and 13.5' over street for clearance.
- Paint oak wounds and haul debris.

Sales tax will be added per local jurisdiction unless tax exempt form is on file.

Yes, please schedule the services marked above.

*2/24 - 3/2*

ACCEPTANCE OF PROPOSAL: The above prices and conditions are hereby accepted. You are authorized to do this work as specified. I am familiar with and agree to the terms and conditions appended to this form. All deletions have been noted. I understand that once accepted, this proposal constitutes a binding contract. This proposal may be withdrawn if not accepted within 30 days.

*Tim Jackson*

Tim Jackson ISA Certified Arborist TX-0611A Texas  
Oak Wilt Certified 0035

Authorizing Signature

Date

## Client Care Guarantee

We use quality products that are administered by trained personnel. We guarantee to deliver what we have contracted to deliver. If we do not, we will work with you until you are satisfied, or you will not be charged for the disputed item. Our Client Care Guarantee demonstrates our commitment to creating lifelong client relationships.

### Tree Pruning and Surgery

**PRUNING:** Performed by trained arborists using industry and Tree Care Industry Association (TCIA) approved methods.

**TREE REMOVAL:** Removal to within 6" of ground level and cleanup of debris.

**STUMP REMOVAL:** Mechanical grinding of the visible tree stump to at or just below ground level. Stump area will be backfilled with stump chips and a mound of remaining chips will be left on site unless otherwise stated in the contract. Chip removal, grading and soil backfill are available.

**CLEAN-UP:** Logs, brush, and leaves, and twigs large enough to rake are removed. Sawdust and other small debris will not be removed.

**CABLING/BRACING:** Cabling and bracing of trees is intended to reduce damage potential. It does not permanently remedy structural weaknesses, is not a guarantee against failure and requires periodic inspection.

### Tree and Shrub Fertilization

Our advanced formula, Arbor Green PRO, works with nature to fertilize without burning delicate roots, building stronger root systems and healthier foliage. It contains no chlorides or nitrates. It is injected into the root zone and the nutrients are gradually released over time. Research and experience shows the dramatic benefits Arbor Green PRO provides: greater resistance to insect and disease, greater tolerance to drought stress, increased vigor, and healthier foliage.

### Tree and Shrub Plant Health Care

**PRESCRIPTION PEST MANAGEMENT:** Customized treatments to manage disease and insect problems specific to plant variety and area conditions. Due to the short term residual of available pesticides, repeat applications may be required.

**INSECT MANAGEMENT:** Inspection and treatment visits are scheduled at the proper time to achieve management of destructive pests. Pesticides are applied to label specifications.

**DISEASE MANAGEMENT:** Specific treatments designed to manage particular disease problems. Whether preventative or curative, the material used, the plant variety being treated, and the environmental conditions all dictate what treatment is needed.

EPA approved materials will be applied in accordance with State and Federal regulations.

### Lawn Care

**FERTILIZER AND MECHANICAL SERVICES:** Balanced fertilizer treatments applied throughout the growing season help provide greener turf color and denser root development. To help bring about a better response to these applications, we also provide aeration, lime, overseeding, and lawn renovation.

**WEED CONTROL AND PEST MANAGEMENT:** Broadleaf weed control is spot-applied during the active growing periods of the year. It is not broadcast over the entire lawn. Granular weed management may be broadcast. We also offer pre-emergent crabgrass management in the spring and, if needed, a postemergent application later in the year. Our surface insect management is timed to reduce chinchbugs, sod webworms, and billbugs. We also offer a grub management application. Disease management materials and treatments are matched to particular disease problems. This usually requires repeat applications.

### Other Terms and Contract Conditions

**INSURANCE:** Our employees are covered by Worker's Compensation. The company is insured for personal injury and property damage liability. Proof of insurance can be verified by requesting a copy of our Certificate of Insurance.

**WORKING WITH LIVING THINGS:** As trees and other plant life are living, changing organisms affected by factors beyond our control, no guarantee on tree, plant or general landscape safety, health or condition is expressed or implied and is disclaimed in this contract unless that guarantee is specifically stated in writing by the company. Arborists cannot detect or anticipate every condition or event that could possibly lead to the structural failure of a tree or guarantee that a tree will be healthy or safe under all circumstances. Trees can be managed but not controlled. When elevated risk conditions in trees are observed and identified by our representatives and a contract has been signed to proceed with the remedial work we have recommended, we will make a reasonable effort to proceed with the job promptly. However, we will not assume liability for any accident, damage or injury that may occur on the ground or to any other object or structure prior to us beginning the work. Site inspections do not include internal or structural considerations unless so noted. Unless otherwise specified, tree assessment will not include investigations to determine a tree's structural integrity or stability. We may recommend a Risk Assessment be conducted for an additional charge.

**TREE CARE STANDARDS:** All work is to be performed in accordance with current American National Standards Institute (ANSI) Standard Practices for Tree Care Operations.

**OWNERSHIP OF TREES/PROPERTY:** Acceptance constitutes a representation and warranty that the trees and property referenced in this quote are either owned by the signee or that written permission has been received to work on trees which are not on the signee's property.

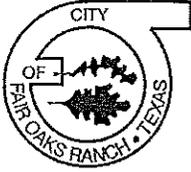
**TIME & MATERIAL (T&M):** Jobs performed on a T&M basis will be billed for the time on the job (not including lunch break), travel to and from the job, and materials used.

**BILLING & SALES TAX:** All amounts deposited with us will either be credited to your account or applied against any amounts currently due. Our invoices are due net 30 days from invoice date. Services may be delayed or cancelled due to outstanding account balances. Sales tax will be added as per local jurisdiction. Clients claiming any tax exempt status must submit a copy of their official exempt status form including their exemption number in order to waive the sales or capital improvement tax.

**PAYMENT:** We accept checks and credit cards. Credit card payments may be made online at our web site. Paying by check authorizes us to send the information from your check to your bank for payment.

**UNDERGROUND PROPERTY:** We are not responsible for any underground property unless we have been informed by you or the appropriate underground location agency.

**SCHEDULING:** Job scheduling is dependent upon weather conditions and work loads.



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

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**AGENDA TOPIC:** An Ordinance authorizing all traffic regulations currently in effect in the City of Fair Oaks Ranch, Texas to be enforced on the streets located within The Woods at Fair Oaks Ranch Development Homeowners Association, Inc. for the purpose of providing traffic enforcement on private roads in The Woods at Fair Oaks Ranch Subdivision.

**START/END DATE:** December 2015

**DEPARTMENT:** Police Department

**PRESENTED BY:** Police Chief

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**INTRODUCTION/BACKGROUND:**

City Council approved a memorandum of agreement with City of San Antonio to release the area from their ETJ. At that time, the City of Fair Oaks Ranch extended its ETJ to include the newly released area. Affidavit of Request to Annex the Woods of Fair Oaks Ranch into the City of Fair Oaks Ranch was received November 24, 2014. City Council passed the Annexation Ordinance on December 18, 2014 with the official annexation date of April 1, 2015.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

The City of Fair Oaks Ranch currently has the same agreement with Raintree Woods Homeowners Association and that the City's enforcement of traffic regulations within The Woods of Fair Oaks Ranch would increase safety.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

None

**LEGAL ANALYSIS:**

Approved to Form by the City Attorney.

**PROPOSED MOTION:**

I move to approve the Ordinance authorizing all traffic regulations currently in effect in the City of Fair Oaks Ranch, Texas to be enforced on the streets located within The Woods at Fair Oaks Ranch Development Homeowners Association, Inc. for the purpose of providing traffic enforcement on private roads in The Woods at Fair Oaks Ranch Subdivision.

**ORDINANCE NO. 2015-XX**

**AN ORDINANCE AUTHORIZING ALL TRAFFIC REGULATIONS CURRENTLY IN EFFECT IN THE CITY OF FAIR OAKS RANCH TEXAS TO BE ENFORCED ON THE STREETS LOCATED WITHIN THE WOODS AT FAIR OAKS RANCH DEVELOPMENT HOMEOWNERS ASSOCIATION, INC. FOR THE PURPOSE OF PROVIDING TRAFFIC ENFORCEMENT ON PRIVATE ROADS IN THE WOODS AT FAIR OAKS RANCH SUBDIVISION.**

WHEREAS, the Texas Legislature, 77<sup>th</sup> Regular Session passed Senate Bill 217 amending Chapter 542A, Transportation Code, by adding Section 542.008. This law which became effective on September 1, 2001, amends the law enabling Fair Oaks Ranch to enforce traffic regulations on private roads within gated communities; and

WHEREAS, the City Council of Fair Oaks Ranch has received a letter from the Woods at Fair Oaks Ranch Homeowners Association, Inc. requesting traffic enforcement service on the private roads in the Woods at Fair Oaks Ranch Subdivision; and

WHEREAS, both the City of Fair Oaks Ranch and the Woods at Fair Oaks Ranch Homeowners Association, Inc. agree a need exists for the enforcement of traffic regulations on the private roads maintained by the Woods at Fair Oaks Ranch Homeowners Association, Inc.; and

WHEREAS, both the City of Fair Oaks Ranch City Council hereby finds that this ordinance is in the interest of the municipality generally.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, that all traffic rules and regulations which are currently enforced within the city limits of Fair Oaks Ranch are hereby authorized to be enforced in the Woods at Fair Oaks Ranch Subdivision of the City of Fair Oaks Ranch and that all penalties associated with violations of said traffic rules and regulations are hereby adopted.**

This ordinance shall take effect immediately upon its passage, approval and publication as required by law.

PASSED, APPROVED and EFFECTIVE this 17th day of December, 2015.

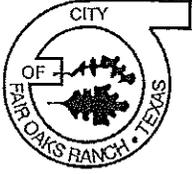
\_\_\_\_\_  
Cheryl Landman, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Priscilla Abrego, City Secretary

\_\_\_\_\_  
Charles Zech, City Attorney



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

---

AGENDA TOPIC: An Ordinance establishing stop signs within the Woods at Fair Oaks Ranch Subdivision, Fair Oaks Ranch, Texas.

START/END DATE: December 2015

DEPARTMENT: Police Department

PRESENTED BY: Police Chief

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**INTRODUCTION/BACKGROUND:**

City Council approved a memorandum of agreement with City of San Antonio to release the area from their ETJ. At that time, the City of Fair Oaks Ranch extended its ETJ to include the newly released area. Affidavit of Request to Annex the Woods of Fair Oaks Ranch into the City of Fair Oaks Ranch was received November 24, 2014. City Council passed the Annexation Ordinance on December 18, 2014 with the official annexation date of April 1, 2015.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

By the enforcement of traffic regulations within The Woods of Fair Oaks Ranch the City would increase safety within the subdivision.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

None

**LEGAL ANALYSIS:**

Approved to Form by the City Attorney.

**PROPOSED MOTION:**

I move to approve the Ordinance establishing stop signs within the Woods AT Fair Oaks Ranch, Texas.

**ORDINANCE 2015-xx**

**AN ORDINANCE OF THE CITY OF FAIR OAKS RANCH, TEXAS ESTABLISHING STOP SIGNS WITHIN THE WOODS AT FAIR OAKS RANCH SUBDIVISION, FAIR OAKS RANCH, BEXAR COUNTY, TEXAS; PRESCRIBING FOR A PENALTY OF NOT LESS THAN \$25 NOR MORE THAN \$500; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF**

**WHEREAS**, the Woods at Fair Oaks Ranch subdivision, located in the City of Fair Oaks Ranch ("City"), has requested traffic enforcement within the subdivision; and,

**WHEREAS**, for the safety and well-being of the citizens of Fair Oaks Ranch, Ordinance 35.9 was passed and approved establishing and defining full stop signs within the City of Fair Oaks Ranch; and,

**WHEREAS**, all stop sign traffic control devices situated at the street intersections hereinafter designated conform to the manual and specifications for uniform traffic control devices as adopted by State Highway Commission;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS**, for the safety and well-being of the citizens of Fair Oaks Ranch, this Ordinance encompasses the following full stop – stop sign street location:

**THROUGH STREET**

Timberland Trail  
Woodland Parkway  
Heritage Trail  
Copper Leaf  
Autumn Haven  
Ivy Brook  
Turning Leaf  
Heritage Trail

**STOP SIGN STREET/LOCATION**

Heritage Trail  
Timberland Trail  
Woodland Parkway  
Woodland Parkway  
Monument Oak  
Turning Leaf  
Monument Oak  
Monument Oak (4 way stop)

**SECTION 1: Findings Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2: Violation.** It shall be unlawful to operate a vehicle without bringing the vehicle to a full and complete stop before proceeding. All vehicles shall remain stopped until the intersection is free and clear of all oncoming vehicles which might constitute a hazard to life or property under the condition then and there existing.

**SECTION 3: Severability.** Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Fair Oaks Ranch hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 4: Penalty Provision.** Any violation this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than \$25 nor more than \$500. The sign designated

in this Ordinance shall become property of the City and penalty for removing or having in possession any signs designated as property of the City shall be punishable by a fine not less than \$25 nor more than \$500. The City of Fair Oaks Ranch retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 5: Effective Date. This Ordinance shall be effective upon its passage, approval, and publication as required by law.

PASSED AND APPROVED this the 17<sup>TH</sup> day of December, 2015

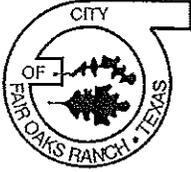
\_\_\_\_\_  
Cheryl Landman, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
P. Abrego, City Secretary

\_\_\_\_\_  
Charles E. Zech, City Attorney



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

---

**AGENDA TOPIC:** An Ordinance setting the speed limit to 25 MPH in the Woods at Fair Oaks Ranch Subdivision located within the City of Fair Oaks Ranch, Texas.

**START/END DATE:** December 2015

**DEPARTMENT:** Police Department

**PRESENTED BY:** Police Chief

---

**INTRODUCTION/BACKGROUND:**

City Council approved a memorandum of agreement with City of San Antonio to release the area from their ETJ. At that time, the City of Fair Oaks Ranch extended its ETJ to include the newly released area. Affidavit of Request to Annex the Woods of Fair Oaks Ranch into the City of Fair Oaks Ranch was received November 24, 2014. City Council passed the Annexation Ordinance on December 18, 2014 with the official annexation date of April 1, 2015.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

By the enforcement of speed limits within The Woods of Fair Oaks Ranch the City would increase safety within the subdivision.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

None

**LEGAL ANALYSIS:**

Approved to Form by the City Attorney.

**PROPOSED MOTION:**

I move to approve setting the speed limit to 25 MPH in the Woods at Fair Oaks Ranch subdivision located in the City of Fair Oaks Ranch, Texas.

ORDINANCE 2015-xx

AN ORDINANCE OF THE CITY OF FAIR OAKS RANCH, TEXAS SETTING THE SPEED LIMIT TO 25 MPH IN THE WOODS AT FAIR OAKS RANCH SUBDIVISION LOCATED WITHIN THE CITY OF FAIR OAKS RANCH ("CITY"); PRESCRIBING A FINE OF NOT LESS THAN \$1 AND NOT MORE THAN \$500; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Fair Oaks Ranch has passed and approved Ordinance 13.8 adopting the State of Texas prima facie maximum speed limit of thirty (30) miles per hour on all streets within the City, as prescribed in Article 6701d, Section 166 (a) 1, Vernon's Annotated Texas Statutes; and,

WHEREAS, pursuant to V.T.C.A., Transportation Code, title 7, subtitle C, chapter 542.202, the City of Fair Oaks Ranch City Council ("Council") has the authority to alter the speed limit within its' city limits; and,

WHEREAS, pursuant to V.T.C.A., Transportation Code, title 7, subtitle C, chapter 545.356 (b-1), the Council, if the Council determines the prima facie speed limit is unreasonable or unsafe, may declare a lower speed limit of not less than 25 miles per hour without performing an engineering and traffic investigation; and,

WHEREAS, the City has received a written request from the Woods at Fair Oaks Ranch Development Homeowners' Association Board to decrease the speed limit in the Woods at Fair Oaks Ranch subdivision to 25 mph; and,

WHEREAS, the Council finds that the maximum, reasonable and prudent speed limit for all streets in the Woods at Fair Oaks Ranch subdivision should be reduced to 25 mph.

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

1. That it hereby declares and establishes the maximum, reasonable and prudent speed limit to be:

*25 mph on Timberland Trail, Woodland Parkway, Heritage Trail, Copper Leaf, Autumn Haven, Ivy Brook, Turning Leaf, and Monument Oak.*

2. That any person violating the provision of this ordinance shall, upon conviction, be fined a sum of not less than \$1 and not more than \$500.

3. That this ordinance shall take effect immediately upon its passage, approval and publication as required by law.

PASSED AND APPROVED THIS 17<sup>th</sup> December, 2015.

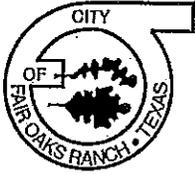
\_\_\_\_\_  
Mayor Cheryl Landman

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
P. Abrego, City Secretary

\_\_\_\_\_  
Charles E. Zech, City Attorney



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

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AGENDA TOPIC: An Ordinance establishing stop signs within Trailside Subdivision, Fair Oaks Ranch, Texas.

START/END DATE: December 2015

DEPARTMENT: Police Department

PRESENTED BY: Police Chief

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**INTRODUCTION/BACKGROUND:**

Trailside subdivision requested traffic enforcement within the subdivision and for the safety and well-being of the citizens of Fair Oaks Ranch, Ordinance 35.9 was passed and approved establishing and defining full stop signs within the City of Fair Oaks Ranch. All stop sign traffic control devices situated at the street intersections conform to the manual and specifications for uniform traffic control devices adopted by State Highway Commission.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

The enforcement of traffic regulations within the Trailside Subdivision in the City of Fair Oaks Ranch will increase safety within the subdivision.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

None

**LEGAL ANALYSIS:**

Approved to Form by the City Attorney.

**PROPOSED MOTION:**

I move to approve the Ordinance establishing stop signs within the Trailside subdivision located in the City of Fair Oaks Ranch, Texas.

**ORDINANCE 2015-xx**

**AN ORDINANCE OF THE CITY OF FAIR OAKS RANCH, TEXAS ESTABLISHING STOP SIGNS WITHIN TRAILSIDE SUBDIVISION, FAIR OAKS RANCH, COMAL COUNTY, TEXAS; PRESCRIBING FOR A PENALTY OF NOT LESS THAN \$25 NOR MORE THAN \$500; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF**

WHEREAS, Trailside subdivision, located in the City of Fair Oaks Ranch ("City"), has requested traffic enforcement within the subdivision; and,

WHEREAS, all stop sign traffic control devices situated at the street intersections hereinafter designated conform to the manual and specifications for uniform traffic control devices as adopted by State Highway Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, for the safety and well-being of the citizens of Fair Oaks Ranch, this Ordinance encompasses the following full stop – stop sign street location:

<u>THROUGH STREET</u>	<u>STOP SIGN STREET/LOCATION</u>
Cibolo Meadow	Cibolo Valley
Cibolo Valley	Battle Intense
Cibolo View	Battle Intense
Cibolo Oaks	Cibolo View

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Violation. It shall be unlawful to operate a vehicle without bringing the vehicle to a full and complete stop before proceeding. All vehicles shall remain stopped until the intersection is free and clear of all oncoming vehicles which might constitute a hazard to life or property under the condition then and there existing.

SECTION 3: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Fair Oaks Ranch hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 4: Penalty Provision. Any violation this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than \$25 nor more than \$500. The sign designated in this Ordinance shall become property of the City and penalty for removing or having in possession any signs designated as property of the City shall be punishable by a fine not less than \$25 nor more than \$500. The City of Fair Oaks Ranch retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 5: Effective Date. This Ordinance shall be effective upon its passage, approval, and publication as required by law.

PASSED AND APPROVED this the 17<sup>TH</sup> day of December, 2015

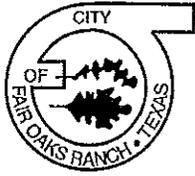
\_\_\_\_\_  
Cheryl Landman, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
P. Abrego, City Secretary

\_\_\_\_\_  
Charles E. Zech, City Attorney



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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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AGENDA TOPIC: Approval of Interlocal Agreement with Kendall County for Subdivision Regulation within the Extraterritorial Jurisdiction of the City and Kendall County

START/END DATE: Date of Execution until terminated or modified

DEPARTMENT: Administration

PRESENTED BY: Deputy City Administrator

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

A portion of the City's ETJ is within the jurisdiction of Kendall County and as such, pursuant to the Texas Local Government Code Chapter 242, the City and the County are required to enter into a written agreement that identifies which government entity is authorized to regulate subdivision plats and approve permits in the City's ETJ. **Kendall County Commissioners Court is considering the Agreement at their December 14, 2015 meeting and if approved, City Council will consider approval of the Agreement.**

In 2007, the City sent the County a proposed interlocal agreement authorizing the City to enforce its subdivision regs in the ETJ. Kendall County Commissioners Court did not approve the Agreement and no further discussions were held. In 2009, the Agreement resurfaced but neither party took action. In 2013, Kendall County proposed a new interlocal agreement which was declined by the then City Administrator and no further action was taken. The current Council, with recent developments being proposed in Kendall County, desires an Agreement be reached giving Kendall County the authority to regulate their subdivision regs in the City's ETJ. In November 2015 the City Attorney, County Attorney and staff met to discuss and create a draft Agreement that would be acceptable to both parties. The final draft will be first taken to the December 14 Kendall County Commissioners Court for approval and if approved, taken to City Council for approval.

#### **POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

1. Compliance with Texas law
2. Addresses regulatory authority

#### **LONGTERM FINANCIAL & BUDGETARY IMPACT:**

None as Agreement authorizes Kendall County to enforce their subdivision regulations within the City's ETJ.

#### **LEGAL ANALYSIS:**

Reviewed by City Attorney and County Attorney

#### **RECOMMENDATION/PROPOSED MOTION:**

Approval of Interlocal Agreement between the City of Fair Oaks Ranch and Kendall County authorizing the County to enforce its subdivision regulations within the City's ETJ.

**STATE OF TEXAS  
KENDALL COUNTY**

**INTERLOCAL COOPERATION AGREEMENT  
BETWEEN THE CITY OF FAIR OAKS RANCH AND KENDALL COUNTY  
FOR SUBDIVISION REGULATION WITHIN THE  
EXTRATERRITORIAL JURISDICTION OF THE  
CITY OF FAIR OAKS RANCH IN KENDALL COUNTY**

**THIS INTERLOCAL COOPERATION AGREEMENT** (this "Agreement") is between the City of Fair Oaks Ranch, Texas, a political subdivision of the State of Texas (the "City"), and Kendall County, Texas, a political subdivision of the State of Texas (the "County").

**WHEREAS**, a portion of the City's extraterritorial jurisdiction is within the jurisdiction of the County (the "City's ETJ"); and

**WHEREAS**, the City has adopted and is enforcing subdivision regulations pursuant to Texas Local Government Code Subchapter A of Chapter 212, as amended ("Subchapter A of Chapter 212"), and other statutes applicable to municipalities; and

**WHEREAS**, the County has adopted and is enforcing subdivision regulations pursuant to Texas Local Government Code Chapter 232, Subchapters A and E, as amended, and other statutes applicable to counties; and

**WHEREAS**, the City and the County, pursuant to Texas Local Government Code Section 242.001, as amended, have both enforced their subdivision regulations in the City's ETJ, and, in those situations where the City's regulations conflicted with the County's regulations, the more stringent provisions prevailed; and

**WHEREAS**, the Texas Local Government Code Chapter 242 provides for the limitation of subdivision regulations within the City's ETJ to one entity; and

**WHEREAS**, the City and the County are required to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the City's ETJ; and

**WHEREAS**, to accomplish such purpose, the City and the County desire to enter into this Agreement, pursuant to Texas Governmental Code Chapter 791.011(a), as amended;

**NOW, THEREFORE**, the City and the County mutually agree as follows:

## ARTICLE I

### TERM OF AGREEMENT

1. **Term.** The City and the County agree that the initial term of this Agreement shall be from the date of execution with a termination date of December 31, 2016. Thereafter, the Parties shall renew the Agreement on an annual basis beginning January 1, 2017. The yearly renewal shall be automatic upon the expiration of the preceding one (1) year term unless one of the Parties gives the other Party written notice of its desire not to renew or to modify the Agreement at least ninety (90) days prior to the expiration of the then current term.
2. **Termination.** Notwithstanding the foregoing, this Agreement may be terminated by either party by giving ninety (90) days' written notice of intent to terminate this Agreement to the other party. Any notice of intent to terminate must be delivered by deposit in the United States mail, certified, return receipt requested, to the other party at the address set out herein. Upon termination of this Agreement, neither party shall have any obligations to the other party under this Agreement.

## ARTICLE II

### CITY RESPONSIBILITIES

1. **City Enforcement.** The City agrees that it shall not enforce its subdivision regulations, including the regulation of subdivision plats, within the City's ETJ and that it shall not charge any fees relating to the subdivision regulations described in this Agreement.
2. **Change in City's ETJ.** The City shall notify the County in writing of any expansion or reduction of the City's ETJ.
3. **Adjacent Counties.** In the event a development overlaps the City's ETJ in the County and an adjoining county and, as to such development, there's a conflict in regulations which are the subject of this Agreement, the City shall use its best efforts to cooperate with both counties in reaching a reasonable accommodation.

## ARTICLE III

### COUNTY AGREEMENT

1. **County Enforcement.** The County shall enforce its subdivision regulations within the City's ETJ and is hereby granted exclusive jurisdiction to regulate subdivision plats and approve related permits within the City's ETJ and may regulate subdivisions under Texas Local Government Code Chapter 232 and other statutes applicable to counties. Such regulations shall be administered by the County at its county offices at 201 E. San Antonio

Ave., Boerne, Texas 78006. All fees relative to the regulations described in this Agreement shall be payable to the County.

2. **Continuing Responsibility.** The County shall continue to be responsible for the regulating of floodplain development and on-site sewage facility (OSSF also known as septic systems) within the City's ETJ.
3. **Adjacent ETJs.** In the event a development overlaps the City's ETJ and the extraterritorial jurisdiction of another city and, as to such development, there's a conflict in regulations which are the subject of this Agreement, the County shall use its best efforts to cooperate with such other city in reaching a reasonable accommodation.

#### ARTICLE IV

##### GENERAL PROVISIONS

1. **Alteration, Amendment, or Modification.** This Agreement may not be altered, amended, or modified except in writing signed by authorized representatives of the City and the County. No official, agent, employee, or representative of either the City or the County has the authority to alter, amend, or modify the terms of this Agreement, except in accordance with express authority as may be respectively granted by either the Fair Oaks Ranch City Council or the Kendall County Commissioners Court, as applicable.
2. **Notices.** All notices sent pursuant to this Agreement shall be in writing and must be hand delivered or sent by registered or certified mail, postage prepaid, return receipt requested.

- a) Notices to the City sent pursuant to this Agreement shall be sent to the following address:

City of Fair Oaks Ranch  
Attention: City Administrator  
7286 Dietz Elkhorn  
Fair Oaks Ranch, TX 78015

- b) Notices to the County sent pursuant to this Agreement shall be sent to the following address:

Kendall County Judge's Office  
Attention: County Judge  
201 E. San Antonio Ave., Suite 122  
Boerne, TX 78006

- c) When notices sent pursuant to this Agreement are mailed by registered or certified mail, notice shall be deemed effective three (3) days after deposit in a U.S. mail box or at a U.S. post office.
  - d) Either party may change its notice address by written notice to the other party as provided herein.
3. **Severability.** If any provision of this Agreement is found to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability shall not affect the remaining provisions of this Agreement.
  4. **Entire Agreement.** This Agreement constitutes the entire agreement between the City and the County as to the subject matter hereof. No other agreement, statement, or promise relating to the subject matter of this Agreement and which is not contained in this Agreement or incorporated by reference in this Agreement shall be valid or binding.
  5. **Effective Date.** This Agreement shall be effective on the last date it has been signed by the representatives of both the City and the county.

Date of Execution:

\_\_\_\_\_

CITY OF FAIR OAKS RANCH

By: \_\_\_\_\_  
 Marcus Jahns, Interim City Administrator

Attest: \_\_\_\_\_  
 Priscilla Abrego, City Secretary

Date of Execution:

\_\_\_\_\_

*Pending  
 Dec 14  
 Kendall  
 County  
 Commissioners  
 Court  
 Meeting  
 CV*

KENDALL COUNTY

By: \_\_\_\_\_  
 Darrel L. Lux, County Judge

Attest: \_\_\_\_\_  
 Darlene Herrin, County Clerk

# Holiday Schedule

## Holiday Party



CLOSED



December 18, 2015 3pm—5pm

## Christmas Eve & Christmas Day

CLOSED

December 24 & December 25, 2015

Merry  
Christmas!

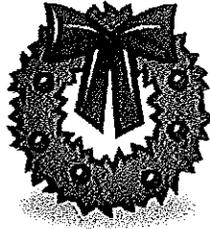


## New Year's Day

CLOSED

January 1, 2016





## CITY OF FAIR OAKS RESIDENTS HOLIDAY SCHEDULE

Just a friendly reminder that our office will be closed Thanksgiving  
Christmas & New Year's Day. **IF** your regular service day is on  
**Thursday/Friday** then see below for your make up service day.  
Also, Christmas Trees are scheduled to be picked up the week of  
January 11, 2016.

AREA	REGULAR PICK UP DATE	HOLIDAY PICK UP DATE
<b><u>TRASH SERVICE</u></b>		
	Thursday, November 26 <sup>th</sup> Thanksgiving Day	Saturday, November 28 <sup>th</sup>
	Friday, December 25 <sup>th</sup> Christmas Day	Saturday, December 26 <sup>th</sup>
	Friday, January 1 <sup>st</sup> New Year's Day	Saturday, January 2 <sup>nd</sup>
<b><u>RECYCLE SERVICE</u></b>		
	Thursday, November 26 <sup>th</sup> Thanksgiving Day	Saturday, November 28 <sup>th</sup>
	Friday, December 25 <sup>th</sup> Christmas Day	Saturday, December 26 <sup>th</sup>
	Friday, January 1 <sup>st</sup> New Year's Day	Saturday, January 2 <sup>nd</sup>

Your regular Thursday service pick up will resume on January 8<sup>th</sup>.  
If you have any questions or concerns please contact our Customer  
Service Department at 210-304-2700.

Thank you  
Republic Services