



CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL REGULAR MEETING
April 7, 2016; 9:30 a.m.
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

B. Presentation from Tom Armstrong, Republic Services on the recent trash brush/bulk pick up.

C. Presentation on the Blanco River Authority Water Supply Projects by W.E. "Bill" West, Jr., General Manager of the Guadalupe-Blanco River Authority.

IV. DECLARATION OF CONFLICTS OF INTEREST

V. CONSIDERATION/DISCUSSION ITEMS

A. Approval of Tree Preservation Plan for Schott's Country Store located at IH-10 @ Leslie Pfeiffer Road. - Project Engineer P1-P3

B. Approval of Final Plat which Subdivides Schott's Country Store located at IH-10 @ Leslie Pfeiffer Road. - Project Engineer P4-P5

C. Approval of Ordinance amending the Code of Ordinances, Chapter 15; Section 15.01.013(d)(4) entitled "Standard for Variances" - Deputy City Administrator P6-P7

D. Approval of a sign variance submitted by DK Signs for Schott's County Store to be located at IH-10 @ Leslie Pfeiffer Road. - Building Official P10-P15

E. Approval of proposal and scope of work submitted by Gap Strategies to update the City's Land Use Map and Comprehensive Plan including associated planning and development initiatives including implementation of zoning within the City limits, update and amendment of subdivision regulations, review and amendment of utility extension policies, assessment of water and wastewater infrastructure, and resource availability as appropriate for City Council approval and authorizing the Interim City Administrator to negotiate a contract with Gap Strategies for Consideration by City Council. - Interim City Administrator P16-P22

F. Approval of Resolution supporting the 201st Military Intelligence Battalion with a \$500 donation to support the fiscal year 2016 holiday party for active, reserve, and guard assigned personnel in

recognition of their continuing services and sacrifice in support of our nation and our nation's interests.

- Alderwoman Havard P23-P24

- G. Approval of Resolution adopting a Citizen Volunteer Wildlife Education Committee Charter and appointing committee members to the Wildlife Education Committee.

P25- P31

- Alderwoman Havard
- Alderman Manitzas

- H. Approval of Ordinance amending the Fair Oaks Ranch Code of Ordinances, Chapter 2, Sections 2.06.004 entitled "Feeding Deer" and 2.06.005 entitled "Municipal Authorized Management Activities".

- Alderwoman Havard P32-P34
- Alderman Manitzas

- I. Discussion and approval of Resolution authorizing a Home Rule volunteer opportunity announcement, establishing a Home Rule commission volunteer application and setting an application submission deadline.

- Alderwoman Havard P35-P40
- Alderman Hartpence

REPORTS FROM STAFF / COMMITTEES / COUNCIL

- 1) Council – Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

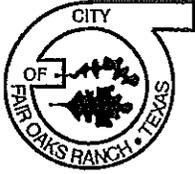
VI. ADJOURNMENT

Signature of Agenda Approval: _____



I, Priscilla Abrego, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times. Said Notice was posted by 5:00 p.m., April 1, 2016, and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch City Hall is wheelchair accessible at the side entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available. The City Council reserves the right to convene into Executive Session at any time regarding an issue on the agenda for which it is legally permissible; pursuant to *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).



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Fair Oaks Country Store – Tree Preservation Plan
START/END DATE: January 2016/ Present
DEPARTMENT: Public Works
PRESENTED BY: Adrian Garcia

INTRODUCTION/BACKGROUND:

In January 2016 a Preliminary Plat, re-platting Pfeiffer Ranch Corners Unit 2, was submitted to the Public Works Department by LJA Engineering, Inc. This re-plat is better known as the Fair Oaks Country Store which subdivides the original 4.105 acres into Lot 2 consisting of 2.10 acres and Lot 3 consisting of 2.005 acres for commercial development. As part of the preliminary plat process, LJA Engineering submitted a Tree Preservation and Protection Plan. This plan calls for the addition of six (6) trees of at least 2.5" caliper to replace the two Heritage Trees that are shown to be removed.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Article III Section 6(A) of the subdivision ordinance states:

"It shall be unlawful for any person to remove, destroy, or cause the removal or destruction of any tree which is nine - inches (9") caliper in size or larger (protected tree) and which is located on an undeveloped tract of land within the city limits or extraterritorial jurisdiction (ETJ) without submitting a Tree Removal and Preservation Plan with the preliminary plat. City Council approval is required prior to removal of any tree which is twenty-four inches (24") caliper in size or larger (heritage tree). The tree caliper is to be measured at 4-1/2 feet above the ground."

Furthermore, item "D" of the same section states the following:

"The Public Works Department shall review and recommend approval of the Plan if:

1. The tree(s) is located within ten feet of the perimeter of, the proposed building footprint, the area over a septic tank, areas necessary for site access, or within areas designated for the construction or installation of public facilities such as streets or utilities or,
2. The application demonstrates that the denial of the request for tree removal will effect a hardship prohibiting the development of the property in otherwise compliance with the regulations of the City of Fair Oaks Ranch; and,
3. The application demonstrates that three (3) trees with a caliper of at least two and one half - inches (2.5") will be planted on the site or at another approved location for each tree removed that has a caliper of twenty-four - inches (24") or larger (heritage tree)."

LONGTERM FINANCIAL & BUDGETARY IMPACT:

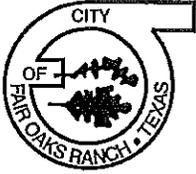
None

LEGAL ANALYSIS:

None

PROPOSED MOTION:

I move to grant approval of the Tree Preservation and Protection Plan for the Fair Oaks Country Store.



CITY COUNCIL CONSIDERATION ITEM CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Fair Oaks Country Store Final Plat
START/END DATE: January 2016/ Present
DEPARTMENT: Public Works
PRESENTED BY: Adrian Garcia

INTRODUCTION/BACKGROUND:

In January 2016 a Preliminary Plat, re-platting Pfeiffer Ranch Corners Unit 2, was submitted to the Public Works Department by LJA Engineering, Inc. This re-plat is better known as the Fair Oaks Country Store which subdivides the original 4.105 acres into Lot 2 consisting of 2.10 acres and Lot 3 consisting of 2.005 acres for commercial development. After review and comments, LJA Engineering updated the Preliminary Plat and submitted a Final Plat on March 9, 2016 for consideration. As of March 23, 2016, LJA Engineering has fulfilled all of the requirements of the Subdivision Ordinance with the exception of the following:

- 1) A letter of approval from SAWS for the adequacy and proper location of utility easements.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Article II Section 5 of the subdivision ordinance states: The Fair Oaks Ranch Public Works Department shall forward its recommendation for approval or disapproval to the City Council for action at its next scheduled meeting. Final plats shall be considered filed with the City Council (The Municipal Approving Authority) on the date that the agenda is posted for the meeting that City Council shall initially consider approval of the final plat.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

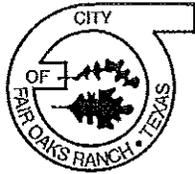
LEGAL ANALYSIS:

None

PROPOSED MOTION:

I move to grant approval of the final plat that establishes the Fair Oaks Country Store, pending the receipt of the following item:

- 1) A letter of approval from SAWS for the adequacy and proper location of utility easements.



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Ordinance amending the Code of Ordinances; Chapter 15; Section 15.01.013 (d)(4) entitled Standard for Variances

START/END DATE: Date of Approval

DEPARTMENT: Administration

PRESENTED BY: Deputy City Administrator

INTRODUCTION/BACKGROUND:

City Code of Ordinances Chapter 15 provides uniform sign standards and regulations in order to ensure public safety, efficient communication and landscape quality and preservation. It also provides rules for construction, placement, installation, etc. of signs in the city limites and ETJ.

Section 15.01.013 provides any person, business, or other organization desiring to construct, place, install, etc. any sign which does not conform to the provisions of Chapter 15 may make application to the City Council for a variance to the provisions of this Chapter. The standards for variances found in subsection (d) state:

The City Council may approve a variance only if it makes affirmative findings, reflected in the minutes of the City Council's proceedings, as to all of the following:

- (1) The variance will not authorize a type of sign which is specifically prohibited by this chapter;
- (2) The variance is not contrary to the goals and objectives outlined by the city;
- (3) The variance is not contrary to the public interest;
- (4) Due to special conditions applying to the land, buildings, topography, vegetation, sign structures, or other unique matters on adjacent lots or within the adjacent right-of-way, a literal enforcement of the chapter would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly-classified properties will not satisfy this requirement. Financial or economic hardship alone will not ordinarily satisfy this requirement;
- (5) The spirit and purpose of the chapter will be observed and substantial justice will be done; and
- (6) The variance has not been considered by the city council within the past twelve (12) months.

At the March 11, 2016 Special City Council meeting, Council discussed and found that "financial or economic hardship alone will not ordinarily satisfy this requirement" as found in item (4) should be removed and, further requested an amending ordinance be presented at a future Council meeting for consideration.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Reviewed as to form by City Attorney

RECOMMENDATION/PROPOSED MOTION:

Approval of an Ordinance amending the Fair Oaks Ranch Code of Ordinances, Chapter 15, by removing from Section 15.01.013 (d)(4) "financial or economic hardship alone will not ordinarily satisfy this requirement" statement.

ORDINANCE NO. 2016-xx
AMENDING THE FAIR OAKS RANCH CODE OF ORDINANCES, CHAPTER 15 ENTITLED
“SIGNS”; SECTION 15.01.013 (d)(4) ENTITLED “VARIANCES”; PROVIDING FOR SAVINGS
AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council is authorized to regulate signs by virtue of the Texas Constitution, the City of Fair Oaks Ranch’s police power, and Texas Local Government Code Chapter 216; and,

WHEREAS, the City Council finds that properly constructed and maintained signs create a pleasing environment for residents, visitors, shoppers, and the entire community; and

WHEREAS, the City Council finds it to be in the best interest of the public to regulate signs so as to promote roadway and pedestrian safety, encourage effective communication with the public, improve the appearance of the City of Fair Oaks Ranch, uphold the principles of free speech, including commercial speech; and,

WHEREAS, at the March 11, 2016 Special City Council meeting, the City Council determined that “financial or economic hardship alone will not ordinarily satisfy this requirement” should be removed as an affirmative finding to a variance consideration found in Chapter 15; Section 15.01.013 (d)(4) entitled “Variances”.

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

SECTION 1. AMENDMENT

This ordinance amends Section 15.010.013 (d)(4) entitled “Variances” of the City of Fair Oaks Ranch Code of Ordinances for the City of Fair Oaks Ranch by deleting the following from the aforementioned Section:

- (4). Due to special conditions applying to the land, buildings, topography, vegetation, sign structures, or other unique matters on adjacent lots or within the adjacent right-of-way, a literal enforcement of the chapter would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly-classified properties will not satisfy this requirement. ~~Financial or economic hardship alone will not ordinarily satisfy this requirement.~~

SECTION 2. SAVINGS CLAUSE.

The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Fair Oaks Ranch under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

SECTION 3. SEVERABILITY.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect immediately from and after its passage as may be required by governing law.

PASSED AND APPROVED, this, the 7th day of April, 2016.

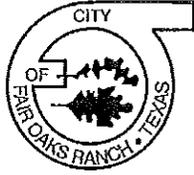
Mayor

ATTEST:

APPROVED AS TO FORM:

City Secretary

City Attorney



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of a sign variance submitted by DK Signs for Schott's County Store to be located at IH-10 @ Leslie Pfeiffer Road.

START/END DATE: April 7, 2016

DEPARTMENT: Building Codes

PRESENTED BY: Jim Earl, Building Codes Official

INTRODUCTION/BACKGROUND:

On February 9, 2016, Darrell Keller (DK Signs) submitted a variance application for Tract 2, lots 2 and 3, located at IH10/Leslie Pfeiffer Road. The sign variance is being requested because this land sits on the access road right off the highway. The exit ramp is being relocated and visibility is needed to direct customers to the property.

Fair Oaks Ranch Code of Ordinances Chapter 15, Sec. 15.01.010 (B) (iii) a. and Sec. 15.01.010 (B) (v) taken together, allow for two pole/pylon signs with a maximum height of 25', maximum anchor tenant square footage of 75 feet, and maximum cumulative individual business sign square footage of 150 feet with no business sign of over 50 square feet.

On February 18, 2016, Darrell Keller (DK Signs) requested to build and install two signs. One sign for 50' tall, with anchor tenant square footage of 77 feet, and two tenant signs of 142 square feet and 144 square feet. The second sign for 33' tall. City Council decided to table the variance request until March 3, 2016, so DK Signs can prepare alternative renderings.

On March 3, 2016, DK Signs presented two new renderings and provided several comparable signs located in the City and of potential nearby competing businesses. Council was pleased with the modified visual renderings of the signs, including a monument base on the taller sign, but not at 33' or 50' tall. Council provided direction to Mr. Schott that one sign needs to be no higher than 25' as authorized by city ordinance and a second sign no higher than 45' could potentially be acceptable.

Today, the variance is for a 45' sign including a monument base reflecting the City's logo. The original 33' sign will be 25' and as such, no variance is required.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Specific variances being sought and, what the standards for granting the variances are:

1. For a sign 45 feet high including a monument base and three tenant signs:
 - a. 20' variance to max height allowed
 - b. 54 sq ft variance to max sq ft allowed for individual tenant sign (Valero)
 - c. 21 sq ft variance to max sq ft allowed for individual tenant sign (Starbucks)
 - d. 25 sq ft variance to max cumulative sq ft for individual tenant sign (Valero & Starbucks)
 - e. 200 sq ft variance for monument base

2. City ordinance states, "the city may approve a variance only if it makes affirmative findings, reflected in the minutes of the city council's proceedings, as to all of the following":

- (1) The variance will not authorize a type of sign which is specifically prohibited by this chapter.
- (2) The variance is not contrary to the goals and objectives outlined by the city.
- (3) The variance is not contrary to the public interest.
- (4) Due to special conditions applying to the land, buildings, topography, vegetation, sign structures, or other unique matters on adjacent lots or within the adjacent right-of-way, a literal enforcement of the chapter would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly classified properties will not satisfy this requirement.
- (5) The spirit and purpose of the chapter will be observed and substantial justice will be done.
- (6) The variance has not been considered by the city council within the past twelve (12) months.

The requester's answers to the above can be found on the variance request form.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

LEGAL ANALYSIS:

None

PROPOSED RECOMMENDATION/MOTION:

Staff recommends approval of the variance to extend the sign height to 45 feet. The 20' height waiver is consistent with other signs in proximity to the Schott property located near Interstate 10 and Fair Oaks Parkway Intersection. The Frost Bank sign is 65 feet in height and the Fair Oaks Village sign is 52 feet. The waiver is further justified because it will allow the developer to comply with the needs of high end vendors consistent with the Fair Oaks Ranch brand resulting in higher retail sales and corresponding municipal sales tax revenue.

I move to approve a pole sign for Schotts Country Store allowing for up to a 20' height variance, up to a 54 sq ft variance for individual tenant sign, up to a 21 sq ft variance for individual tenant sign, up to a 25 sq ft variance for cumulative sq ft for individual tenant signs, and a 200 sq ft variance to install a monument base.



City of Fair Oaks Ranch VARIANCE APPLICATION

Applications must be completed, signed and submitted no later than the 1st Thursday of a month with the applicable Non-Refundable Variance Fee, made payable to the City of Fair Oaks Ranch. Incomplete or unpaid variance applications will not be accepted.

Visit the City's website to review the Code of Ordinances: www.fairoaksranchtx.org

TO BE COMPLETED BY STAFF:

Submittal Date: 3-29-2016 Fee Paid: \$100.- Receipt Number: 00368833

Completeness Reviewed By: P. Wotkeep Date: 3-29-2016

Incomplete Application:
Return Date: _____ Reason: _____

Completed Application to be considered at a City Council Meeting scheduled: _____

| <u>APPLICANT</u> | <u>PROPERTY OWNER</u> |
|--|------------------------------------|
| Name: <u>Darrell Keller - DK Signs LLC</u> | <u>Rolney & Tiffany Schott</u> |
| Address: <u>1835 Century Oak Trail</u> | <u>20145 Bandera Rd</u> |
| City/State/Zip: <u>San Antonio, TX 78232</u> | <u>Helotes, TX 78023</u> |
| Daytime Phone: <u>210-317-9024</u> | <u>210-287-6693</u> |
| Email Address: <u>darrell.keller@gmail.com</u> | <u>Schott.taxidermy@yahoo.com</u> |

PROPERTY DESCRIPTION

Unit/Subdivision: Tract 2 Lot Number(s): 243 2.10 Acres

Street Address: IH 10 @ Leslie Pfeiffer Rd.

Type of Variance: Sign Variance

Additional page per variance type will need to be completed. Please answer the questions as evidence of compliance and purpose for requiring a variance and attach any supporting documents, illustrations, or photographs.

I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

I am the property owner of record, or

I have authorization to represent the owner, organization, or business.

Signature: [Signature] Date: 3/28/16



Article 15 – Signs

Sec. 15.01.013 Variance. Any person, business, or other organization desiring to continue to construct, reconstruct, place, install, relocate, alter, or use any sign which does not conform to the provisions of this article may make application to the city council for a variance only if your signs permit was denied by the building code official.

Answer the following questions as evidence of compliance and purpose for requiring a variance (attach any supporting documents, illustrations, or photographs), and pay the appropriate filing fee established.

Variance Fee: \$100.00

(1) Is the type of sign requesting specified prohibited in Article 15? Yes No

a) What type of sign do you wish to erect? (2) Signs
① Free standing Pylon Sign 45' Tall ② DD/Price Sign 25'

(2) Which section of Article 15 cause reason for this variance? Sec 15.01.010

a) Reason for your request: Because one sign is over a height allowed and is larger than code allows

(3) Would failure to grant this variance have an effect on the purpose of your request? Yes No

a) If yes, Explain: _____

(4) Will this variance comply with the spirit, goals and purpose outlined in Article 15? Yes No

(5) Will granting this variance result in conflict of the public's interest? Yes No

(6) Are there special circumstances or conditions affecting the land involved such that the strict enforcement of this article would result in unnecessary hardship, and is not merely financial or economic hardship? Yes No

a) If yes, Explain: Typography of location is severe, so its its very low. Need visibility from FHID. Also all competitors within 1 mile of location have signs that are maximum height & size

(7) Have you requested the same variance within the past twelve (12) months? Yes No

(8) Is this temporary request? Yes No

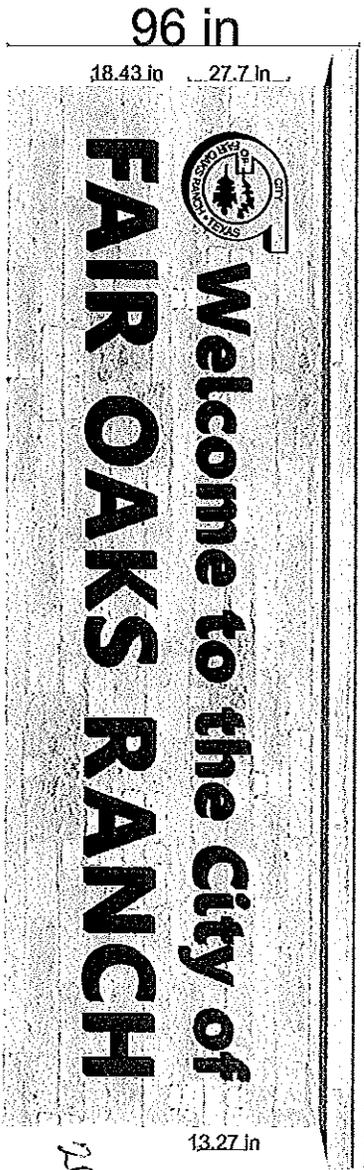
a) If yes, Period Start Date: _____ End Date: _____

City Council Findings: _____

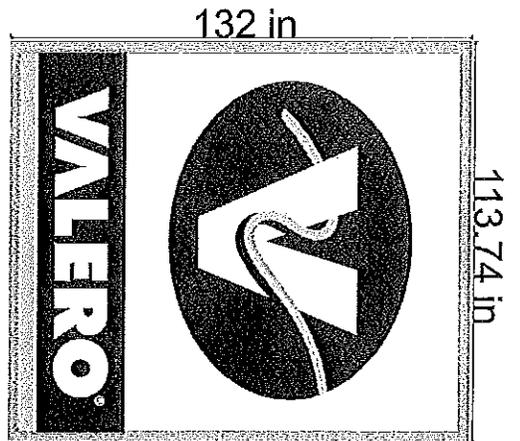
Approved: _____ Denied: _____ Reset: _____



300 in



200 sq ft.



107 sq ft.



71 sq ft.



57 sq ft.

CUSTOMER: VALERO / SCHOTT MEAT MARKET

SALES REP: Darrell

DESIGN # 06

LOCATION: IH-10 AND FAIR OAKS PARKWAY

DATE: 03-09-16

CONTACT: CLIENT APPROVAL:

SCALE:

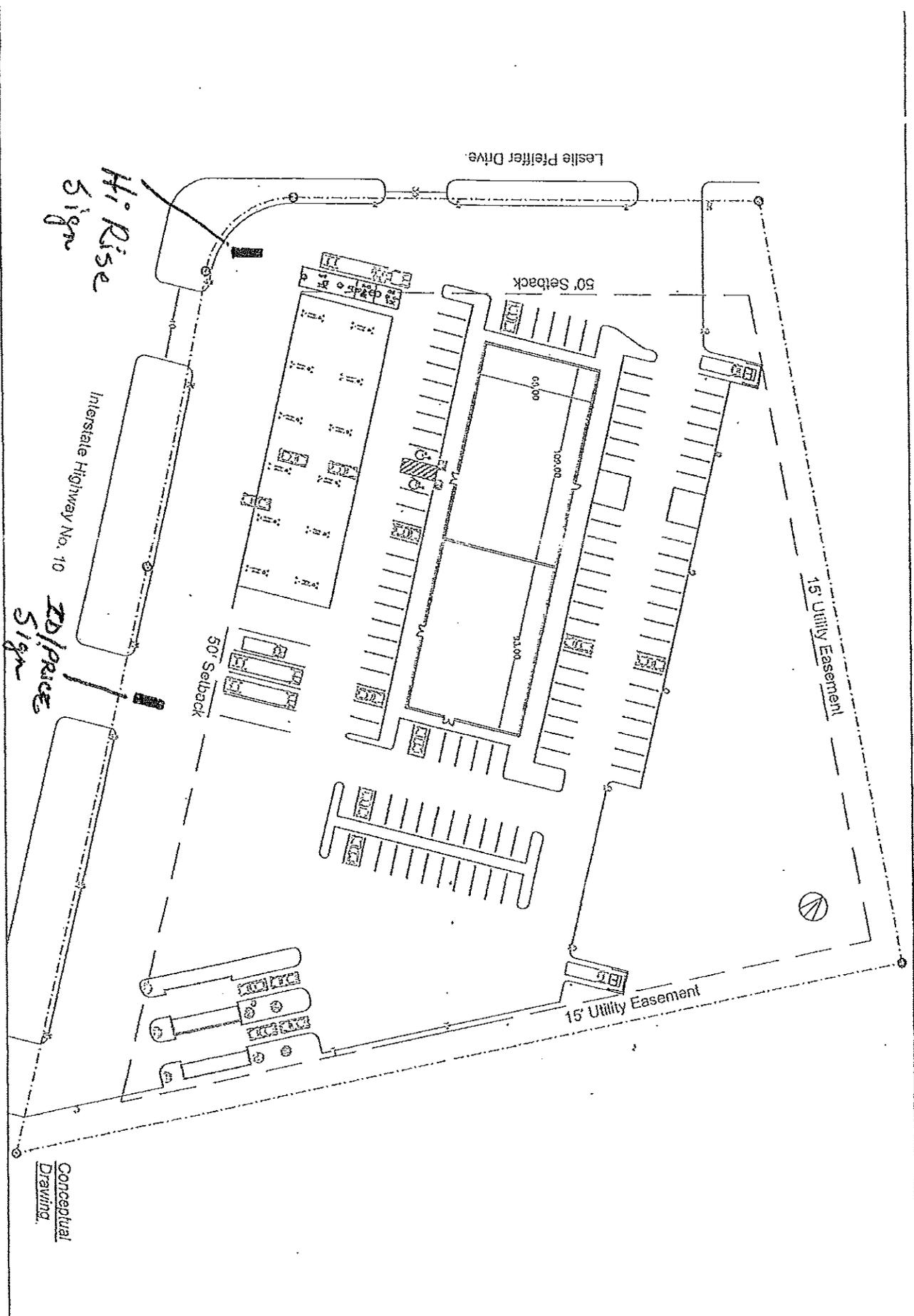
THIS UNPUBLISHED DESIGN IS THE PROPERTY OF DK SIGNS AND IS SUBMITTED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT WE ARE PLANNING FOR YOU. IT IS NOT TO BE MODIFIED, COPIED, REPRODUCED, EXHIBITED, OR SHOWN TO ANYONE OUTSIDE OF YOUR ORGANIZATION WITHOUT WRITTEN PERMISSION OF DK SIGNS. VIOLATION OF THE ABOVE BY EITHER PARTY WILL COLLECT FEES FOR ART AND STAFF TIME FROM THE CUSTOMER.

ALL SIGNS WIRED 120V UNLESS SPECIFIED OTHERWISE...



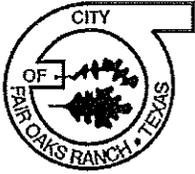
DK SIGNS

210.317.9024 darrell_keller@ymail.com
www.dksignsanddesigns.com



Conceptual Drawing

| | | | | | | | | |
|-------------|-------------|--------------|----|----------|-----------------|------------------|----------------------------|---|
| Drawing No. | Approved By | Revision No. | DD | Drawn By | Scale 1"=50' | Date 6-1-2011 | Project FAIR OAKS SHELL |  |
| | | | | | | | | |



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of proposal and scope of work submitted by Gap Strategies to update the City's Land Use Map and Comprehensive Plan including associated planning and development initiatives to include implementation of zoning within the City limits, update and amendment of subdivision regulations, review and amendment of utility extension policies, assessment of water and wastewater infrastructure and resource availability as appropriate for City Council consideration, discussion, and possible approval and authorizing the Interim City Administrator to negotiate a contract with MBCO Engineering and Gap Strategies for Consideration by City Council.

START/END DATE: April 7, 2016

DEPARTMENT: Administration

PRESENTED BY: Interim City Administrator

INTRODUCTION/BACKGROUND:

City Council has stated that a Comprehensive Plan is important to the City. Enclosed you will find a scope of Professional Services for City Planning, Engineering, and Growth Management. Key items were identified by interviews with Alderpersons during one on one meetings. The enclosed Scope of service and timeline represent the professional interpretation and experience of the consultants and is a compilation of the primary concerns identified by the Alderpersons.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Staff seeks Council direction and input in order to negotiate a professional service agreement with MBCO Engineering and Gap Strategies.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

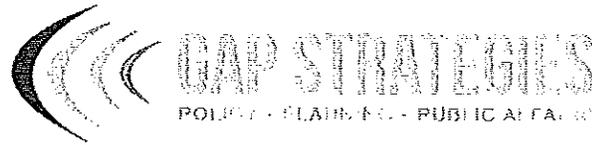
To be submitted at a subsequent meeting.

LEGAL ANALYSIS:

None

RECOMMENDATION/PROPOSED MOTION:

Direction no action required.



**Scope of Professional Services
For
City Planning, Engineering, and Growth Management**

The following are key items that were identified by interviews with Alderpersons during a one on one meeting. This Scope is a compilation of the primary concerns identified by the Alderpersons and our professional interpretation based on experience in preparing this type of document. Our team understands that this kind of meaningful growth planning and strategic management is inherently dynamic, and that from time to time the City may wish to amend, “swap” or add items to the scope. But, as a starting place, our team proposes the following areas of focus as a menu for the City’s consideration. For the fee presented elsewhere in this proposal, our team will:

1. Strategic Visioning and Master Planning

- a. Work with staff and council to adapt the City’s strategic plan, and/or an update of the City leadership’s strategic vision, to on-the-ground growth management and land management issues, including how best to express that vision in the comprehensive plan and future land use map. This assumes the City will provide guidance on its existing (or revised) strategic vision from council, staff, or an outside source, with limited help from our team.
- b. Work with staff/council in developing the overall update for the Comprehensive Plan.
- c. Assist in the development and updating of the existing Land Use & Zoning Map and a Future Land Use Map based on the Comprehensive Plan.
- d. Assess the overall development potential in the ETJ. Identifying areas conducive to development and identifying areas that are not conducive to development for various reasons such as, environmental, flood plain, etc.
- e. Prepare up to three scenarios for likely build-out/development models in Fair Oaks Ranch, focusing on how the City might grow under different potential land use plans. Incorporate local desires for quality of life and maintaining a sense of rural character in Fair Oaks Ranch, while allowing for improved commercial property tax base and

- a variety of housing choices in areas where something beyond large-lot single family homes might be appropriate.
- f. Work with City Council, staff, and the community to adopt a “most likely” or a “preferred” development scenario (two similar but distinct concepts), and to develop future population estimates and service demand projections based on the chosen development assumptions, including consideration of the City’s changing demographics, and the likely affects of current growth trends in Bexar and surrounding counties, and in the school district.
 - g. Present the final Comprehensive Plan and land use maps to Council for adoption and implementation, including an editable digital copy of all work product, and two 36x48 (or similar sized) copies of 1) the Land Use and Zoning Map, and 2) the Future Land Use Map.

2. Land Use Management

- a. Revise existing subdivision regulations to update them to current best management practices in planning, ensure compliance with state law, and to match the regulations to the City’s vision and comprehensive plan. Rather than “reinvent the wheel,” our team will re-use sections of the current code that appear to be in good shape – for instance, many of the road specifications. We will also work with the City Engineer, who has begun identifying areas that need updating; and we will work closely with staff and council to make the rules an effective tool to implement City goals and vision.
- b. Develop a recommended process for the City to implement and administer the subdivision regulations.
- c. Develop limited, interim zoning regulations to implement the Comprehensive Plan and Future Land Use Map. The goal will be to design regulations with enough detail and “meat” to protect property values and implement the City’s vision, but lean enough to be readily understandable by local citizenry and manageable for the slim City staff that will be charged with administering the rules. More detail can come later, perhaps with Home Rule.
- d. Lay out a general plan and set of policy guidelines for future land annexations, in coordination with the growth and population projections developed in the strategic planning phase (above), and the utility management realities and guidelines developed in the Water / Wastewater policy and forecasting phase (below). Incorporate consideration of projected cost of services for different land uses (commercial, residential, etc.) based on benchmark research such as the Texas Farmlands Trust study and the Yale University cost of services meta-study.
- e. Consult with City and relevant county officials about options for ETJ management now and in the future (particularly if the City moves toward Home Rule); and review HB 1445 Interlocal Agreements with Bexar, Comal and Kendall Counties, ensuring that HB 1445 issues are

incorporated into the new development regulations, per The Interlocal Cooperation Act, Texas Government Code, Chapter 791.011.

- f. Assist staff with the legal publication requirements for adoption, and present the subdivision and zoning plans to Council for adoption at a public Council meeting. Our team will also provide an editable digital copy of all work product, and two 36x48 (or similar sized) copies of a map representing public landmarks, physical constraints, known sensitive environmental features, and future areas targeted for annexation.

3. Water / Wastewater Service: Policy Plan and Forecasting

- a. Identify and adopt a "Reasonable Growth" model that is manageable and implementable, based on the Comprehensive Plan, the annexation plan, and the project population and demographic models. Develop this model and deliver in final documents.
- b. Identify water availability and allocated LUE's in the City and the ETJ. This work can take advantage of work initiated by staff and/or work included in previous engineering studies, but which needs to be updated and synthesized into future planning.
- c. Identify overall condition of existing wastewater treatment plant and future use of existing facilities versus TCEQ requirements. Review & recommend regional wastewater treatment options and site location.
- d. Review existing engineering reports to determine functionality of existing treatment processes and impact fees. Develop drawings showing existing treatment unit processes and expected life, compliance with TCEQ current hydraulic and organic loadings as applicable.
- e. Recommend a reasonable impact fee, process and implementation based on projected capital improvement needs and timelines. Prepare a model Impact Fee with implementation procedures and process for staff to follow.
- f. Review "Reserve" water allocations from Canyon Lakes and how to better utilize the "pay or take" contract.
- g. Identify funding options for major water/wastewater infrastructure improvements, including state loans and grants.
- h. Develop an application-and-approval timeline, and/or revenue stream timelines and guidelines, for the design initiation and the final construction funding of future improvements.
- i. Prepare final policy guidelines and/or reports for adoption by staff and Council. Our team will also provide an editable digital copy of all work product, and two 36x48 (or similar sized) copies of 1) water and wastewater service areas, including neighboring CCNs.

4. Misc. Growth Management and Long Range Planning

- a. Prepare an Asset Management Plan identifying all current City assets with a value.

- b. Prepare a "Reserve Management Plan" for replacement costs of major assets within the City.
- c. Review a parkland dedication and public lands policy for future annexations.
- d. Present reports described in this document to the City Administrator, and attend one Council meeting to help present and explain the work, including an editable digital copy of all work product, and two 36x48 (or similar sized) copies of 1) City lands and buildings identified in the study, and 2) existing emergency service boundaries.

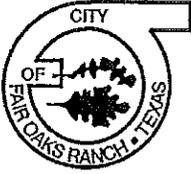
5. Community Involvement and Engagement

- a. Create meaningful avenues for public outreach and public input throughout the work described above.
- b. Create, populate, and provide regular updates to a project website that will provide ongoing information (and opportunities for public comment) on the work, especially the comprehensive plan and land planning. Our team will create the site and manage it directly, and will be linked from the City's site; we will also reach out to other entities and stakeholders, including the FOR property owners associations, to suggest links on their pages.
- c. Develop and implement a social media campaign designed to reach – and engage – FOR citizens and stakeholders. At a minimum, this will include creation of a project Facebook page or pages, a Twitter presence for major events and milestones, and targeted social media advertising.
- d. Create – in concert with the City – a list of interested stakeholders to be consulted on select issues, and to be kept informed throughout the process. For example, stakeholders might include neighborhood and property owner association; local and regional water and emergency management groups; engineers, realtors, large landowners and developers active in Fair Oaks Ranch and its ETJ; county and school officials; citizens who attend public meetings and express an interest in staying informed; and, people who sign up through the website or social media. This scope item also includes regular outreach to stakeholders and at least one day of meetings with representatives of regional and/or neighboring governments to illuminate subjects such as annexation plans in other cities, school growth projections, and HB 1445 issues (extra-territorial jurisdictional regulation) with the counties touched by Fair Oaks Ranch.
- e. Conduct two town hall meetings. These public meetings would include presentations on the work being proposed, why it's important, and summarizing relevant, available data; and at least one of these meetings would include an interactive component, encouraging citizens and other stakeholders to voice their opinions using maps to be marked up, "instant" computer surveys, group exercises, or some combination of similar tools. The first town hall would be to introduce

the overall project, especially the comprehensive plan and land planning aspects that will shape the future physical dimensions and the overall strategy of the City. The second will be to report on progress and to encourage citizens to comment on draft plans and maps, which will be on display. This second meeting might be more of a come-and-go meeting, with citizens able to move through different stations where our team and City staff (and/or Council) could show different aspects of the draft plans and hear feedback. We will also have formal avenues for written comment at both meetings.

- f. Post a "virtual open house" on the website after each town hall meeting, including copies of any maps, presentations, or surveys that were presented at the meetings, and accepting citizen comments as if they had been present.
- g. Write and distribute professional quality press releases for local and regional media, and for posting on the project website. Our team will also be available at all hours to assist the staff and Council with press questions and deadlines.
- h. Prepare draft maps, board exhibits, PowerPoint presentations, and other materials for use at public meetings and display at City Hall.
- i. Prepare and present work progress summations, and workshops for the City Council. Included in this scope are :
 - i. A kick-off workshop meeting with Council, taking Council input on stakeholders, outreach, and ensuring that our team understands the Council's strategic vision.
 - ii. Two updates at Council meetings during the course of the work.
 - iii. One longer meeting or workshop with Council after significant work has been prepared (perhaps right before or right after the second town hall meeting), to offer in-depth review of work and to hear Council comment and suggestions on work product so far.
 - iv. The presentations of final deliverables at Council. Scope descriptions for these are also mentioned in individual scope paragraphs (above), but includes: presentation of the comprehensive plan, the subdivision ordinance, the zoning plan (the subdivision and zoning meetings may be combined), the water and wastewater plan, and possibly a council presentation for miscellaneous Long Range Planning Issues.

| Fair Oaks Ranch Proposed Time Line 2016 | April | May | June | July | August | September | October |
|---|-------|-----|------|------|--------|-----------|---------|
| 1. Strategic Visioning and Master Planning | | | | | | | |
| A. Work with staff/council to adapt strategic vision (dependent on strategic plan by staff/council) | | ■ | | | | | |
| B. Work with staff/council in developing comprehensive plan update | | | ■ | ■ | | | |
| C. Assist in the development and updating of the existing Land Use & Zoning Map and future Land Use map | | | | | ■ | | |
| D. Assess overall development potential in the ETJ | | | | ■ | | | |
| E. Prepare up to 3 scenarios for likely build-out/development models | | | | ■ | | | |
| F. Work with City Council, staff, and the community to adopt a "most likely" or a "preferred" development scenario | | | | ■ | | | |
| H. Present the final Comprehensive Plan and land use maps to Council for adoption and implementation - prep and presentation and travel | | | | | | ■ | |
| 2. Land Use Management | | | | | | | |
| A. Revise existing subdivision regulations to update them to current best management practices | | ■ | ■ | ■ | ■ | | |
| B. Develop process for subdivision reg implementation and admin | | | | | ■ | | |
| C. Develop zoning regulations to implement the Comprehensive Plan and Future Land Use Map. | | | | ■ | ■ | ■ | |
| D. Ggeneral plan and policy guidelines for future land annexations | | | ■ | ■ | | | |
| E. Addressing HB 1445 ETJ agreements, clarifying whether county or city will manage development in the ETJ. | | | | | ■ | | |
| F. Assist staff with the legal publication requirements for adoption and present plans at Council meeting, incl prep of PPT. | | | | | | ■ | |
| 3. Water / Wastewater Service: Policy, Plan, Forecasting | | | | | | | |
| A. Identify and adopt a "Reasonable Growth" model that is manageable and implementable | | ■ | ■ | ■ | | | |
| B. Identify water availability and allocated LUE's in the City and the ETJ | | | ■ | ■ | | | |
| C. Identify overall condition of existing wastewater treatment plant and future use of existing facilities versus TCEQ requirements. | | ■ | ■ | ■ | | | |
| D. Review existing reports to determine functionality of existing treatment processes and impact fees | | ■ | ■ | ■ | | | |
| E. Develop a reasonable impact fee, process and implementation | | | | ■ | ■ | | |
| F. Review "Reserve" water allocations from Canyon Lakes | | | | | ■ | | |
| G. Identify funding options for major water/wastewater infrastructure improvements | | ■ | ■ | ■ | | | |
| H. Develop an application-and-approval timeline | | | | | ■ | ■ | |
| I. Prepare final policy guidelines for adoption by staff and Council | | | | | | | ■ |
| 4. Misc. Growth Management and Long Range Planning | | | | | | | |
| A. Prepare Asset Management Plan identifying all current assets | | ■ | | | | | |
| B. Prepare Reserve Management Plan for replacement costs of assets | | | ■ | ■ | | | |
| C. Propose a parkland dedication and public lands policy | | | | ■ | ■ | | |
| D. Present reports described to Council | | | | | | | ■ |
| 5. Community Involvement and Engagement | | | | | | | |
| A. Create meaningful avenues for public involvement | | ■ | ■ | ■ | ■ | ■ | ■ |
| B. Create and provide regular updates to project website | | ■ | ■ | ■ | ■ | ■ | ■ |
| C. Develop and implement a social media campaign | | ■ | ■ | ■ | ■ | ■ | ■ |
| D. Create a list of stakeholders to be consulted on select issues | | ■ | ■ | ■ | ■ | ■ | ■ |
| E. Design, distribute, collect and analyze a community survey | | ■ | ■ | ■ | ■ | ■ | ■ |
| F. Conduct two town hall meetings. | | ■ | ■ | ■ | ■ | ■ | ■ |
| G. Post "virtual open house" on the website after public meetings | | ■ | ■ | ■ | ■ | ■ | ■ |
| H. Write and distribute professional quality press releases | | ■ | ■ | ■ | ■ | ■ | ■ |
| I. Prepare draft maps, exhibits, presentations for use at public mtgs | | ■ | ■ | ■ | ■ | ■ | ■ |
| J. Present work progress summations, and workshops for Council | | ■ | ■ | ■ | ■ | ■ | ■ |
| Final Adoption | | | | | | | ■ |



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Resolution supporting the City's Associated Military Unit, the 201st Military Intelligence Battalions with \$500.00 to support fiscal year 2016 Holiday Party for Active, Reserve, and Guard Personnel in recognition of their continuing support of our Nation and our Nation's Interests.

START/END DATE: April 7, 2016

DEPARTMENT: Council

PRESENTED BY: Alderwoman Havard

INTRODUCTION/BACKGROUND:

Fair Oaks Ranch is home to numerous active, reserve, guard and retired military personnel. All citizens of Fair Oaks Ranch benefit daily from the service to our country provided by our military personnel. A tangible expression of the gratitude and appreciation for the service of military members by the City of Fair Oaks Ranch increases community pride and spirit and strengthens the community's bond with its military-affiliated residents and citizens. A Proclamation was declared on August 24, 2007, providing ongoing respect and support, in a time of war and in a time of peace. The City Council of the City of Fair Oaks Ranch has determined a voluntary contribution of \$500.00 represents a tangible expression of the City's appreciation to offer to the 201st Military Intelligence Battalion for their contributions to our way of life. The City Council of the City of Fair Oaks Ranch has determined a voluntary contribution of \$500.00 represents a tangible expression of the City's appreciation to offer to the 201st Military Intelligence Battalion for their contributions to our way of life.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

That all citizens of Fair Oaks Ranch benefit daily from the service to our country provided by our military personnel and appreciate their sacrifice and service to the community. That the voluntary sponsorship contribution of \$500.00 toward the annual holiday party for the 201st Military Intelligence Battalion, for active, reserve and guard assigned personnel serves a public purpose because it increases community pride and spirit and strengthens the community's bond with its military-affiliated residents, and citizens in general.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

These funds are currently unbudgeted and any necessary budget adjustments are hereby authorized during the current Fiscal Year.

LEGAL ANALYSIS:

Approved to Form

RECOMMENDATION/PROPOSED MOTION:

I move to approve the Resolution supporting the City's Associated Military Unit, the 201st Military Intelligence Battalions with \$500.00 to support fiscal year 2016 Holiday Party for Active, Reserve, and Guard Personnel in recognition of their continuing support of our Nation and our Nation's Interests.

RESOLUTION 2016-xx

A RESOLUTION TO VOLUNTARILY SUPPORT THE CITY'S ASSOCIATED MILITARY UNIT, THE 201ST MILITARY INTELLIGENCE BATTALION WITH \$500.00 TO SUPPORT AN ANNUAL HOLIDAY PARTY FOR ACTIVE, RESERVE AND GUARD ASSIGNED PERSONNEL IN RECOGNITION OF THEIR CONTINUING SERVICE AND SACRIFICE IN SUPPORT OF OUR NATION AND OUR NATION'S INTERESTS.

WHEREAS, Fair Oaks Ranch is home to numerous active, reserve, guard and retired military personnel; and,

WHEREAS, all citizens of Fair Oaks Ranch benefit daily from the service to our country provided by our military personnel; and,

WHEREAS, a tangible expression of the gratitude and appreciation for the service of military members by the City of Fair Oaks Ranch increases community pride and spirit and strengthens the community's bond with its military affiliated residents and citizens in general; and,

WHEREAS, a Proclamation was declared on August 24, 2007 providing ongoing respect and support, in time of war and in time of peace; and,

WHEREAS, the City Council of the City of Fair Oaks Ranch has determined a voluntary contribution of \$500.00 represents a tangible expression of the City's appreciation to offer to the 201st Military Intelligence Battalion for their contributions to our way of life.

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

Part 1. That all citizens of Fair Oaks Ranch benefit daily from the service to our country provided by our military personnel and appreciate their sacrifice and service to the community.

Part 2. That the voluntary sponsorship contribution of \$500.00 toward the annual holiday party for the 201st Military Intelligence Battalion, for active, reserve and guard assigned personnel serves a public purpose because it increases community pride and spirit and strengthens the community's bond with its military affiliated residents, and citizens in general.

Part 3. That any necessary budget adjustments are hereby authorized.

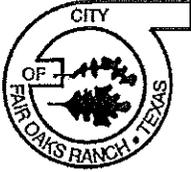
Part 4. That this Resolution shall be effective upon its approval.

PASSED AND APPROVED this 7th day of April, 2016.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Citizen Volunteer Wildlife Education Committee Charter and Appointment of Committee Members

START/END DATE: April 7, 2016

DEPARTMENT: Administration

PRESENTED BY: Alderwoman Havard and Alderman Manitzas

INTRODUCTION/BACKGROUND:

This item is presented for Council approval as the latest in a series of actions related to Wildlife management. Council previously approved moving forward to develop a feeding ordinance and to establish a wildlife education committee. This specific item for consideration and approval is to obtain approval for a wildlife education committee charter and appointment of wildlife education committee members. Attached to this consideration memo is the proposed charter as well as brief bios of proposed members to be appointed to the committee.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Education directly supports citizen understanding of the impact of their actions and behaviors on wildlife and indirectly supports adherence to the proposed feeding ordinance.
2. Enables citizen participation in the process – an education program developed by the citizens for the citizens.
3. Demonstrates continuance of a timely and methodical process moving forward with implementing Council approved actions

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Ongoing funding as Council determines in Annual Budget. The current budget has approximately \$40,000 available funds.

LEGAL ANALYSIS:

None

RECOMMENDATION/PROPOSED MOTION:

I move to approve the wildlife education committee charter and to appoint Ed Schrader, John Hall, Jan Boeckel, and Dr. Bruce Nicholson to serve as citizen volunteers on the wildlife education committee.

RESOLUTION 2016-xx

DEFINING A WILDLIFE EDUCATION COMMITTEE CHARTER FOR THE PURPOSE OF DEVELOPING EDUCATIONAL MATERIALS , RECOMMEND TARGET POPULATIONS, FREQUENCY OF EDUCATION, TYPES OF MATERIALS, METHODS TO BE USED AND PERFORMACE METRICS; AND APPOINTMENT OF COMMITTEE MEMBERS TO THE CITY OF FAIR OAKS RANCH WILDLIFE EDUCATION COMMITTEE.

WHEREAS, the City Council of Fair Oaks Ranch deems it appropriate to adopt a Wildlife Education Committee Charter which establishes the purpose of the committee; and

WHEREAS, the City Council of Fair Oaks Ranch has determined that the Committee will be composed of no more than seven members with one alternate who are qualified by education and training related to development of educational programs and are not employees of the jurisdiction; and

WHEREAS, the Committee will serve as an advisory committee with no rulemaking power or quasi-judicial power; and,

WHEREAS, members have been asked to join the Committee to serve at the pleasure of the City Council to assist in their function in performing duties of the wildlife education committee.

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

- (1) Attached hereto is Exhibit A - City of Fair Oaks Ranch Wildlife Education Committee Charter.
- (2) The City Council hereby appoints the following interested individuals to serve on the Wildlife Education Committee:

Ed Schraeder, Committee Chairperson
John Hall, Committee Member
Jan Boeckel, Committee Member
Dr. Bruce Nicholson, Committee Member

PASSED AND APPROVED THIS THE 7TH DAY OF APRIL, 2016.

Cheryl Landman, Mayor

ATTEST:

P. Abrego, City Secretary

CITY OF FAIR OAKS RANCH WILDLIFE EDUCATION COMMITTEE CHARTER

Background: In March of 2016 the City Council approved a resolution to enact a wildlife education program, and to establish a citizen committee for the purpose of reviewing available educational materials, developing unique materials for use, and recommending target populations, frequency of education, types of materials, methods to be used and performance metrics. Council also determined the citizen committee would consist of not more than seven (7) members who are qualified by education and training related to educational programs and are not employees of the jurisdiction with one alternate member who shall be called by the Committee Chairperson, for the purposes stated above. Lastly, committee member appointment shall be at City Council desires.

Desired End State: The City of Fair Oaks Ranch will routinely utilize a wildlife education program that is regularly reviewed and updated to meet wildlife education requirements as determined by the committee and approved by Council.

Council Goals for the Committee:

1. Objectives shall be developed with performance metrics to meet the purposes outlined above and the desired end state. These objectives shall be briefed to, and approved by Council prior to implementation of any actions.
2. Committee members will ensure citizen feedback is included in performance metrics.
3. Requirements for funding to develop educational materials, bring in speakers, or to fund expenses related to the conduct of training shall be brought to Council no later than June of each calendar year to facilitate incorporation into the budget. Committee members shall also ensure once funded, education program requirements do not exceed the allocated budget.
4. Reports will be provided to Council on a quarterly basis and will include information related to specific goal accomplishment and associated performance metrics as well as adherence to timeline and budget.

Appointment and term of committee member service: Members shall be approved by Council and serve as Council desires. All committee members will provide a short resume of qualifications which will be reviewed and made part of the official record prior to appointment. Members shall remain on the committee unless asked to leave by a majority vote of the Council or upon a member's request for voluntary retirement.

Jan Boeckel

Jan Boeckel has been a resident of Fair Oaks Ranch, this time for two and a half years. She and husband, John lived in Fair Oaks Ranch several years ago and moved away due to employment. They returned as soon as possible to this wonderful place. After attending Southwestern University for three years, Jan was awarded a bachelor's degree in education from Texas Woman's University and a master's degree in counseling from The University of Texas of the Permian Basin. She is a certified teacher, certified school counselor and Licensed Professional Counselor. Jan has retired from education after serving many years as not only a school counselor but also as Guidance Director for several districts and Counseling Specialist for Region 13 in Austin. Over the years, Jan has also served as a member of Assistance League of Austin and Dallas, Junior Woman's Club of Midland, Heart Association Board member of Midland, Art Guild in Austin and Midland, Symphony League in Midland, Midland Community Theater Guild and as an officer in several PTA organizations. She has trained in Leadership Midland and Leadership Irving and has been a member of Rotary Club of Irving. She is currently a member of Hill Country Newcomers Club, Fair Oaks Woman's Club, and Impact San Antonio. Jan is also the current Vice President of the Deer Meadows Estates Homeowners Association. Jan and husband John have two children and five grandchildren.

John Hall
8880 Rolling Acres Trail
Fair Oaks Ranch TX 78015

B.S. Western Kentucky University 1981
M.H.A. Western Kentucky University 1983

35 years in the Medical field as a CEO of Hospitals, Surgery Centers in Houston, San Antonio, and Beaumont.

17 years in the deer breeding and raising of White Tail and Mule Deer in Texas.

Owns 8000 acre Ranch in Pumpville Texas. Host to Wounded Warrior Hunts sponsored by the George Bush Foundation out of Dallas Texas.

Family:

Son Matthew Hall
Lawyer in Auburn Ala
4 Grand kids

Son Kyle Hall
Lawyer in Houston Texas
Wife expecting their first in July

Daughter Summer 13
Lives in Sugar Land Texas

Fair Oaks Ranch-- A great place to live in South Texas.

Bruce J. Nicholson, Ph.D.

Professor and Chair of Biochemistry

University of Texas Health Science Center at San Antonio

E-mail: nicholsonb@uthscsa.edu

Education

| | | | |
|------|-----------|---------------------------|---|
| 1975 | BS | Biochemistry | University of Queensland, Australia |
| 1976 | BS Honors | Enzymology | University of Queensland, Australia |
| 1983 | PhD | Cell Biology/Neurobiology | California Institute of Technology (Caltech). |

Positions and Employment

| | |
|----------------|--|
| 1983 - 86 | Postdoctoral Research Fellow, Dept. of Chemistry, Caltech |
| 1986 - 93 | Assistant Professor, Department of Biological Sciences, SUNY at Buffalo |
| 1993 - 97 | Associate Professor, Department of Biological Sciences, SUNY at Buffalo |
| 1992 - 94 | Director, Graduate Program in Molecular Cell Biology at SUNY, Buffalo |
| 1994-97; 99-04 | Co-Director, Ctr. for Advanced Mol. Biol. and Immunology, SUNY Buffalo |
| 1997 - 04 | Professor, Department of Biological Sciences, SUNY at Buffalo |
| 2004 - | Chairman and Professor, Biochemistry, U. Texas Health Sci. Ctr. San Antonio |
| 2011 - | Founder/Co-Director - Center for Innovative Drug Discovery, UTHSCSA-UTSA |
| 2015 - 2016 | President – Association of Medical and Graduate Departments of Biochemistry |

Honors/Memberships

| | |
|-------------|---|
| 1988 - 92 | PEW Scholar |
| 1992 - 97 | American Heart Association Established Investigator |
| 1993 - 96 | Max Planck Prize |
| 1996 | Organizer Keystone Conference on Intercellular Junctions |
| 2001 - 05 | Editor-in Chief: <i>Cell Communication and Adhesion</i> |
| 2003 - 05 | Member, Faculty of 1000 |
| 2003 - | Member, Council for Canadian Chairs |
| 2008 - 2012 | Exec. Committee–Cancer Therapeutics and Research Center (CTRC), UTHSCSA |
| 2011 - | Member of Faculty Council – UTHSCSA School of Medicine |
| 2012 - | Internal Advisory Board – CTRC, UTHSCSA |
| 2013 - | Member, Exec. Com. on Graduate Studies – Integrated Biomedical Sciences Program |
| 2014 - | Recruitment Committee for Integrated Biomedical Sciences Program |
| 2012 - 2018 | Board Member - Association of Medical and Graduate Departments of Biochemistry |

Publications 91 publications, including 9 Book Chapters and 11 Reviews;
average - 58 citations per article; H-index: 43. For a full list see:

<http://www.ncbi.nlm.nih.gov/sites/myncbi/bruce.nicholson.1/bibliography/48635002/public/?sort=date&direction=ascending>

Roles in Education

I have always been heavily involved in education, serving for many years as the director of the first Biology course for majors at the University at Buffalo and directing an introductory graduate course in Advanced Cell Biology. I also founded the first and only Interdisciplinary Biology Graduate Program at the University at Buffalo. I not only have received federal, state and private funding for my own research, but also NIH funding for two Undergraduate Summer Training Programs. I currently serve on the Executive Governing Board and Recruiting Committee for the Integrated Biomedical Graduate Program at UTHSCSA.

I have personally graduated 18 PhD students and 11 MS students, and mentored 17 postdoctoral fellows and 36 undergraduate students in my lab. My graduate students and postdocs now include: professors at U. Indiana (Endowed Chair), Case Western U., UC Davis, U. Illinois - Champaign Urbana, Rowan U., D'Youville College and Buffalo State College (Dept. Chair); a senior scientist at Stanford; a patent lawyer; scientific writer; high school science teachers, and; several biotech executive/scientists.

I have also organized and run international conferences, most recently the annual meeting of all North American Biochemistry Department Chairs in Costa Rica, and have also been involved throughout my career in public outreach, from grade school students to potential donors to the University.

**Industries**

Global Medical Industry &
National Healthcare Provider Services

Senior & Executive Appointments

BOARD MEMBER & CO CHAIR

*Health Industry executives and Sector
professional's network*

THE EXECUTIVE HEALTHCARE NETWORK
(EHN) – DFW CHAPTER

FOUNDER AND MANAGING PRINCIPLE

*Medical Industry and Healthcare Consulting
Practice*

HEALTHCOMPASS LLC

CORPORATE OFFICER & SENIOR VICE

PRESIDENT SALES & MARKETING

Peripheral Vascular Technologies

INTRATHERAPEUTICS, INC. (ITI)

*(Currently acquired and integrated into
Covidien ev3)*

CORPORATE OFFICER & VICE PRESIDENT

HEALTHCARE STRATEGY

Cardiovascular Technologies

ARTERIAL VASCULAR ENGINEERING (AVE)

*(Currently acquired and integrated into
Medtronic AVE)*

SENIOR DIRECTOR CARDIOLOGY,

ORTHOPEDICS & IMAGING BUSINESS UNITS

Healthcare Provider Services

NOVATION LLC

DIRECTOR, CARDIOLOGY BUSINESS UNIT

Healthcare Provider Services

VHA, INC.

EducationMilitary

United States Naval Air School, Lake Hurst,
New Jersey

Government Certified Meteorologist

Undergraduate

The University of Houston - *Business*

Sam Houston State College -

Human sciences

Executive

The John E. Anderson Graduate School of
Management at UCLA -

Medical Marketing

The Wharton School of the University of
Pennsylvania - *Business Management*

A Founder and Managing Principle of HealthCompass, Mr. Schrader is an accomplished leader in Global Healthcare Industry and Healthcare provider services who applies knowledge, vision, decision-making and problem-solving to effectively build, support or manage profitable enterprises and high performance teams.

Mr. Schrader has a deep understanding and working knowledge of complex highly preferred healthcare markets and strategy. His accountabilities through team leadership include considerable experience, skills and accomplishments at defining and promoting innovative solutions for Healthcare provider services, and Medical Industry implantable device and diagnostic imaging technologies.

Specific Areas of Expertise and AccomplishmentsIntegrated Growth and Management Services

SALES (accountable management for over 60 employees, 5 direct reports)

Organizational resource planning and oversight management of direct, distributed, and strategic/corporate teams; resource/customer alignment; incentive compensation plan design and communications; development and analysis of pricing strategies; design and execution of marketing programs; competitive intelligence; market and field resource performance; strategic sales & marketing plans; contracting strategy development and management.

Successfully directed the development and management of US direct sales teams, national accounts programs, international distributor sales networks, marketing and customer service departments from the ground up.

MARKETING (launched 7, internally developed and acquired products)

He effectively directed both national and international creation and integration of pricing and promotion strategies for product launches and portfolio development that achieved significant and consistent positive P&L performance.

Corporate Strategic and Business Development Services

RELATIONSHIPS DEVELOPMENT AND MANAGEMENT

Mr. Schrader continues to develop and manage global relationships with key physicians, healthcare organizations and university technology transfer operations, in addition to other industry senior management and banking houses to support the strategic needs of client corporations.

BUSINESS DEVELOPMENT

(career experience encompassing management of over 50 projects)

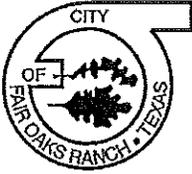
Have and continue to successfully direct project identification, assessment, negotiation and management of business development opportunities worldwide that deliver timely development agreements and company acquisitions.

Career Performance and Recognition

Mr. Schrader's career performance has consistently been top level recognized by increasing role accountability and assignments.

Recognized for his experience, performance and personal healthcare network by members of one of DFW's premier healthcare networks, the Executive HealthCare Network (EHN) – DFW Chapter, Ed was invited and joined EHN in 2011.

In 2012 he accepted a board position as EHN's Co Chair. He served in this role through 2013 As a Board member and the Co-Chair, providing strategic support and oversight to this DFW based organization of health industry sector professionals and executives.



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Approval of Amending the City's Code of Ordinance Chapter 2, Section 2.06.004 entitled "Feeding Deer" and deleting Section 2.06.005 entitled "Municipal Authorized Management Activities".

START/END DATE: April 7, 2016

DEPARTMENT: Council

PRESENTED BY: Alderwoman Havard and Alderman Manitzas

INTRODUCTION/BACKGROUND:

Discussion of amending the City's Code of Ordinance Chapter 2, Section 2.06.004 Feeding Deer and deleting Section 2.06.005 Municipal Authorized Management Activities occurred on March 3, 2016, with determined recommendations made to be reflected in a future draft ordinance which is up for approval at today's meeting.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. As previously stated when this item was brought up for discussion, this simple process allows for an easy change to wording in an already existing ordinance.
2. Discussion of the topic on March 3, 2016, and now approval allowed maximum time for citizen exposure and opportunity to review and comment.
3. Demonstrates continuance of a timely and methodical process moving forward with implementing Council approved actions.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

LEGAL ANALYSIS:

Approved to Form by City Attorney.

RECOMMENDATION/PROPOSED MOTION:

Move to approve amending the City's Code of Ordinance Chapter 2, Section 2.06.004 Feeding Deer and deleting Section 2.06.005 Municipal Authorized Management Activities.

ORDINANCE 2016-xx
AMENDING THE FAIR OAKS RANCH CODE OF ORDINANCES, CHAPTER 2 "ANIMAL CONTROL"
SECTIONS 2.06.004 ENTITLED "FEEDING DEER" AND SECTION 2.06.005 ENTITLED "MUNICIPAL
AUTHORIZED MANAGEMENT ACTIVITIES"

WHEREAS, General Law Type A municipalities' have the authority to regulate and define nuisances within the City's municipal limits; and

WHEREAS, City Council hereby finds and determines that the over-proliferation of certain types of wildlife, including deer, in an urban environment is a nuisance; and

WHEREAS, City Council has previously adopted regulations related to the feeding of deer within the City's municipal limits; and

WHEREAS, City Council has previously adopted regulations related to the feeding of deer within the City's municipal limits; and

WHEREAS, City Council has held multiple public meetings on the issue of the feeding of deer within the City's municipal limits; and

WHEREAS, Section 2.06.004 entitled "Feeding Deer" and Section 2.06.005 entitled "Municipal Authorized Management Activities" were presented, on March 3, 2016 at a city council meeting for review and discussion; and

WHEREAS on March 3, 2016 City Council approved amending Chapter 2, Sections 2.06.004 and 2.06.005, of the Code of Ordinances regarding deer feeding.

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

SECTION 1: AMENDMENTS

1. The Code of Ordinances, Chapter 2 Section 2.06.004 entitled "Feeding Deer" is amended as follows:
 - (a) ~~Subject to the limitation in section 2.06.005 of this article, no~~ **No** person shall purposely feed or provide food as described in subsection (c) of this section through a ground-feeding station or salt lick, or by any other means, to deer in the city on any public or private land.
2. The Code of Ordinances, Chapter 2 Section 2.06.005 entitled "Municipal Authorized Management Activities" is hereby deleted.

~~The specific activity limitations of this article shall be in effect only when municipal authorized deer management activity is being conducted.~~

SECTION 2: SEVERABILITY

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgement or decree of any court of competent Jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 3: SAVINGS CLAUSE

The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Fair Oaks Ranch under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

SECTION 5: EFFECTIVE DATE

This Ordinance shall be effective upon its passage, approval, and publication as required by law.

PASSED AND APPROVED this the 7th day of April, 2016

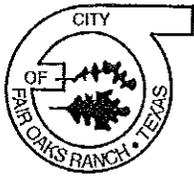
Cheryl Landman, Mayor

ATTEST:

APPROVED AS TO FORM:

P. Abrego, City Secretary

Charles Zech, City Attorney



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Discussion and approval of Resolution authorizing a home rule volunteer opportunity announcement, establishing a home rule commission volunteer application, and setting an application submission deadline.

START/END DATE: April 7th, 2016

DEPARTMENT: Administration

PRESENTED BY: Alderman Havard and Alderman Hartpence

INTRODUCTION/BACKGROUND: Council has determined to move forward with creating a Home Rule Commission for the purpose of drafting a home rule charter. A draft information paper/announcement was previously discussed by Council. Council determined Aldermen Hartpence and Havard would work on a draft application to enable selection and appointment of commission members. A revised draft announcement and newly drafted commission application form are to be considered in today's discussion for approval with a desired submission deadline of _____, 2016. Once approved the announcement and application form will be mailed out to all homes requesting volunteer participants. A separate closed session of the Council will be scheduled to select commission members from the pool of applicants. Selected commission members will be appointed and the commission enacted at a future date to be determined.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Step by step process allows maximum citizen visibility and understanding of process.
2. FOR residents will determine the form of government best suited to our local needs.
3. Home Rule cities have options to manage growth that are currently unavailable to us.
4. Demonstrates continuance of a timely and methodical process moving forward with implementing Council approved actions

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Associated costs for city attorney time during charter development.

LEGAL ANALYSIS:

RECOMMENDATION/PROPOSED MOTION:

Move to approve a Resolution authorizing the use of home rule volunteer opportunity announcement, establishing a commission volunteer application, and setting a submission deadline of _____, 2016.

Resolution 2016 – XX

A RESOLUTION AUTHORIZING THE CITY TO ANNOUNCE A CITIZEN VOLUNTEER OPPORTUNITY TO SERVE ON THE CITY'S HOME RULE COMMISSION AND TO UTILIZE A VOLUNTEER APPLICATION FORM WITH A DEADLINE OF _____, 2016 FOR THE PURPOSE OF ATTRACTING AND SELECTION OF COMMISSION MEMBERS.

WHEREAS, the Council of Fair Oaks Ranch has determined to enact a Home Rule Commission to develop a home rule charter and upon completion bring it forward for a vote of citizens at a future date; and

WHEREAS, the Council has determined the Commission will consist of resident volunteers who are not Council and will be advised by the City Attorney; and

WHEREAS, the Council has authorized the City to announce a citizen volunteer opportunity and to utilize a seven-question volunteer application form for the purpose of attracting and selection of commission members by Council.

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

An announcement of the volunteer opportunity to serve on the City's Home Rule Commission and a volunteer application form shall be mailed to each residence in the City with a submission deadline of _____, 2016.

PASSED AND APPROVED this 7th day April, 2016.

Cheryl Landman, Mayor

ATTEST:

APPROVED AS TO FORM:

P. Abrego, City Secretary

Charles Zech, City Attorney

ANNOUNCEMENT:
YOUR CHANCE TO VOLUNTEER FOR OUR HOME RULE CHARTER
COMMISSION

April 2016 (OR SPECIFIC DATE THIS WILL BE POSTED)

Background

Your City Council recently passed a resolution expressing a desire to transition Fair Oaks Ranch from a General Law city to a Home Rule city. Almost every Texas City of our size or larger has already made this change. As of 2010, only 19 of the 309 Texas cities of more than 5,000 population had not adopted a home rule charter. Before we can become a Home Rule city, a citizens' committee must write the city charter and it must be approved by a majority vote in a city-wide election. We are seeking volunteers for membership on this Committee which will be formally known as the Fair Oaks Ranch Charter Commission.

History of Home Rule Charters in Texas

Prior to amending the Texas Constitution in 1912 to allow Home Rule Charters, every city charter had to be approved by a bill in the Texas Legislature. Because Texas was growing rapidly, the legislature found itself spending more and more time on these charters and the Texas Constitution was amended to allow any city with more than 5,000 residents to vote to adopt a home-rule charter. You can read a brief summary of the history here: <https://tshaonline.org/handbook/online/articles/mvhek>

Differences between General Law and Home Rule Cities

It takes a lot of work to make the transition to Home Rule and a lot of work to keep the home rule charter up to date after it is passed. No city would undertake this amount of work unless there were significant reasons for doing so.

- As a General Law city, we can only take actions that are specifically permitted by Texas statutes. Home Rule cities can take any actions that are not specifically prohibited by state and federal law or that are unconstitutional. This difference can provide flexibility in developing local solutions to our local problems.
- As a General Law Type A city, our form of government with an elected Mayor and five elected aldermen is dictated by the Texas Local Government Code. Home Rule cities are free to adopt their own form of municipal government (Mayor-Council, Council-Manager, and so on); choose the Council form and size, fix the terms of office for Council members at two, three, or four years, specify the balance of power among the Mayor, City Council and City Administrator/Manager and can decide whether the Mayor is directly elected, selected from among Council members or chosen by some other method. Certain powers can also be vested in boards or commissions established by the Charter.
- As a General Law city, our residents have no power over the actions of the Mayor and Council other than the ability to vote them out of office once every two years. The citizens in a Home Rule city have three potent powers: initiative, referendum and recall.
 - **Initiative:** An Initiative Petition requires the City Council to consider a specific ordinance or resolution usually because they have refused to do so. The Council must either vote to accept the petition or call an election for a citizen vote on the issue. The Council does not have the option to reject the petition.
 - **Referendum:** A Referendum Petition works exactly the same way as an initiative but in reverse. It is used to repeal ordinances or resolutions the Council has passed against the will of the citizens. Again, the Council must either vote to repeal or call an election to decide the issue. The Council cannot reject the petition.

- **Recall:** A Recall Petition is a process by which citizens can remove the Mayor and/or Council members at any time. The targeted official(s) may resign or stand for a recall election.
- General Law cities are limited in their ability to control growth as a result of the limited ability to annex property in our Extraterritorial Jurisdiction (our ETJ is the unincorporated land within five miles of our city limits that is not within the city limits or ETJ of another city). Currently the city may not annex ETJ land unless the landowner requests it. Here is a map showing our ETJ in pink: <http://www.fairoaksranchtx.org/DocumentCenter/View/46>. Home Rule cities, if their charter does not restrict the authority to annex, have broader authority to annex property. The authority to annex property provides cities greater flexibility in controlling growth by bringing contiguous ETJ property into the city limits and using zoning regulations, subdivision regulations and Land Use Maps to regulate density. You can view the Land Use Map here: <http://www.fairoaksranchtx.org/DocumentCenter/Home/View/37>

What would a Fair Oaks Ranch Home Rule Charter look like?

The Charter is essentially a municipal constitution written by a citizen's group (you, if you volunteer) and adopted or rejected in a city-wide election. The Charter defines the powers, duties and responsibility of local government based on your own preferences and desires. It defines our form of local government and establishes organizational requirements and constraints. You will determine the necessary controls over our city government including form of government, referendums, initiatives and recall.

Your duties should you be selected as a Charter Commission member

Make no mistake; this will be a lot of work. The Commission will be made up of resident volunteers who are not Council members and will be advised by Charlie Zech, our city attorney. There will be early meetings where Charlie educates you on Home Rule possibilities and many subsequent meetings where you discuss and debate what our city government should be. There will be a lot of writing, editing and rewriting. You will test your ideas with your neighbors. You will report periodically to the Council and conduct Town Hall meetings with residents to see if you are on the right track. The process will probably take a year or more so you are signing up for a heavy time commitment over an extended period of time. Please don't volunteer if you have reservations about your commitment of time and effort.

How to Volunteer

If we haven't scared you off by now, the process to apply is simple. Just fill out the attached two page application form and briefly answer the seven questions. The Council will review the applications and appoint somewhere between 9 and 15 members to the Charter Commission in ___ of 2016. We want to thank you again for considering this important citizen volunteer opportunity to help shape the future of Fair Oaks Ranch for many years to come.

