

**From the Mayor's Desk**  
**June**  
**2019**

**Second Reading of Unified Development Code (UDC) Approved at May 2nd Regular Council Meeting**

The UDC is a comprehensive document that consolidates all development related regulations, including zoning, subdivision regulations, and standards and procedures. It also includes Master Plans which, with the UDC, give us the base we need to have a rational and organized development process.

At the May 2, 2019 regular council meeting, the council approved the Second Reading of an Ordinance adopting the City's Unified Development Code (UDC). The UDC Ordinance was effective May 14, 2019 after posting two notices in our newspaper of record.

Adoption of the UDC is a major milestone in preparing our city for the future. This second Reading and adoption is the culmination of more than two years of work. I want to again congratulate our staff and our team of consultants led by Jeff Barton from Gap Strategies, Inc. on achieving this significant milestone.

**Planning and Zoning Commission (P&Z)**

At the May 9th regular Planning and Zoning Commission meeting, the Commission took the following actions:

- Conducted a public hearing and recommended approval of the final replat and subdivision plat that establishes HPI Fair Oaks Self Storage.
- Discussed and recommended approval of a final plat that establishes Front Gate Unit 2B.
- Both of these actions were forwarded to City Council with approval recommendations for the May 16<sup>th</sup> regular Council meeting.

**Plat Approvals**

- At the May 16, 2019 regular council meeting, the Council conducted a public hearing regarding approving the final replat and subdivision plat that establishes HPI Fair Oaks Self Storage. No residents signed up to speak at the public hearing and Council voted to approve the final replat and subdivision plat.
- At the same meeting, the Council voted to approve the final plat establishing Front Gate 2B.

**Zoning Board of Adjustment**

Council met in a special executive session on April 22<sup>nd</sup> to interview candidates who submitted applications to serve on the Zoning Board of Adjustment. Five of the seven candidates were available to be interviewed in this session. Council

considered all of the applications to be strong enough to move forward at the special executive session. The five regular and two alternate ZBOA members selected were:

Shane Stolarczyk  
Rich Nichols  
Richard Morris  
John Wall  
Warren Needels  
Craig Matson - Alternate  
Chris Weigand – Alternate

On behalf of the Council, I want to express appreciation to all of these residents for being willing to step forward and offer their service. We will conduct training for them, to be led by our legal counsel, in the near future.

Forming the Zoning Board of Adjustment is another significant milestone in a long path to put in place the tools we needed to manage growth responsibly and maintain our quality of life. To remind everyone, the major steps along the way were:

- Becoming a Home Rule Chartered City
- Bringing our Extra Territorial Jurisdiction (ETJ) into the city through annexation
- Executing Non Annexation Development Agreements with a number of property owners who had the legal right to choose to not be annexed
- Updating our Comprehensive Plan
- Creating comprehensive form based zoning code as part of the UDC work
- Updating our subdivision regulations to support the zoning code
- Creating our first zoning map and updating our Future Land Use Map (FLUM)
- Creating Master Plans for Drainage, Water, Wastewater, MS4 Administration, and Transportation
- Forming and staffing with volunteers a Planning and Zoning Commission
- Forming and staffing with volunteers a Zoning Board of Adjustment

It has been a busy three years. Our Council is very proud of our City Manager and his staff who have done the heavy lifting on the projects. Kudos to the various consulting firms that helped with the projects, too. We are also proud of the citizen volunteers who staffed a Stakeholder group representing the major entities in and around our city to help us update the Comprehensive Plan and Land Use Map. We also want to recognize the more than 1,000 residents who offered up their thoughts in a large number of Town Halls and Design Charrettes which formed the nucleus of this process. This work has truly been a community effort.

### **Council Approves Budget Amendments**

At the May 2, 2019 regular meeting, the City Council deliberated and approved a recommendation from staff to make Amendments to the 2018-19 Budget. We are at

about the half way point in our budget year and the Finance Director met with the professional staff who are the budget owners to see whether adjustments were needed in their budgets. Adjustments that involve moving allocated budget between funds require Council approval. The following three adjustments were approved by Council:

- We transferred about \$449,000 remaining in the bond fund used to pay for street renovations to be used for the annual chip seal work on the streets.
- We transferred \$120,000 for the storm water utility study from a Professional Services account to the Capital Improvement Fund. This project will span multiple years and this will improve visibility to manage the project across multiple budget years.
- We transferred \$11,500 from a Restricted Fund for Court Technology to a Computer Hardware/Software account to fund technology upgrades for internal controls and process improvements in Municipal Court.

### **Staff Begins Work on Annual Budget**

Since the last time I wrote to you, our professional staff has begun putting together the budget proposal for the 2019-20 fiscal year. You probably recall that the budget is driven by our Strategic Planning process. As a reminder I am repeating below the five pillars of the strategic plan that we are addressing.

- Financial Integrity
- Responsible Growth Management
- Reliable and Sustainable Infrastructure
- Public Health, Safety, and Welfare
- Operational Excellence

The next action item will be a May 29<sup>th</sup> workshop with City Council. I will report back to you with more information after we complete that workshop.

### **Forming an Audit Committee**

The City Council, working in conjunction with our Finance Director, decided to create a formal Audit Committee of the Council. The purpose of the Audit Committee is to act on behalf of the Council to provide oversight of the City's internal control which is an important management tool. The Council appointed the mayor, Councilman Elizondo, and Councilman Maxton as the first three members of the Audit Committee.

### **Council Approves Second Reading of Backflow Prevention Ordinance**

City Council approved a second reading of a backflow prevention ordinance at the May 16<sup>th</sup> regular council meeting. We have a substantial amount of information available about backflow prevention on our city website, so I will not go into the technical details here.

Because this is something new, I am repeating here the major things you will want to know about the Ordinance:

- The Ordinance goes into effect on October 1, 2019.
- The Ordinance applies only to customers of the City of Fair Oaks Ranch utilities system.
- All systems requiring backflow prevention devices (that's mostly irrigation systems for our residents) will be required to be inspected initially in the 12 months following the Ordinance going into effect.
- Systems that are categorized by the Texas Commission on Environmental Quality (TCEQ) as non-health hazard (again, primarily irrigation systems) will require inspection once every three years following the initial inspection.
- If you have installed irrigation that was permitted and tested in the past two fiscal years (10-1-17 – 9-30-19), you already have a tested backflow prevention device in place. You will skip the initial testing cycle and go into the three year cycle. No point in testing a system that has recently been installed and tested.
- Systems that are categorized as "health hazard" (primarily commercial establishments or residential with on-site separate septic systems) will require annual inspection. This inspection interval is mandated by TCEQ.
- The administration of the program will be done by a third party (Vepo, LLC) which will notify property owners of the need for inspection, provide a list of licensed and authorized inspection service providers from which residents can select an inspector, and provide reporting to the city of the satisfaction of the inspection requirements.
- Any system requiring backflow prevention which does not have backflow prevention in place will have to be updated to provide this protection. We do not anticipate this will affect many residents, but there may be older properties or systems installed by non-licensed irrigators where this condition will exist.
- *All decisions about service providers for testing or for doing repair/replacement work will be made by the individual residents. The city will play no role in selecting service providers or problem resolution. This is basically like picking someone to work on your air conditioning or finding a plumber you like. You will have to pick a tester from an approved list, but the list will be large so you will have lots of choices. If you have a favorite licensed tester who is not on the approved list, there will be procedures for adding that service provider to the list.*

### **Elevated Storage Tank**

At the April 18<sup>th</sup> regular council meeting, the Council approved a Professional Service Agreement with Kimley-Horn and Associates, Inc. for engineering design services for an elevated storage tank and authorized the City Manager to sign the agreement. The City Manager has signed this agreement and the engineering work has commenced. There are both regulatory and practical drivers for doing storage tanks. When you reach a certain number of connections on a water system, TCEQ

requires that you provide elevated water storage. This facility is also important for maintaining proper pressure for firefighting.

These types of facilities always generate discussion in communities because of their visibility. The City will be hosting a public workshop to introduce this elevated water storage tank project and provide information on the preliminary site locations, design criteria, and the site selection process. The event is tentatively planned for Tuesday, June 18, 2019 from 6:30 PM to 8:30 PM. Watch for a City newsflash and social media post when we have final details on timing and location. Interested individuals and organizations are invited to participate and provide their feedback as part of the site assessment process.

### **Resident Volunteers/City Staffers at Work**

- Our city Facebook page is continuing to attract readers. We currently have 1,620 people following our page. We have had 1,439 likes and reached 4,315 members during the past month. For those of you who are Facebook fans you can find us at City of Fair Oaks Ranch, TX. Our page is used for sharing information about the city, but it is not a public forum. The page is monitored and objectionable or off topic material will be removed.
- At the regular council meeting on May 2, 2019, City Council approved a citizen advisory committee to work on developing an ordinance adopting a criminal penalty for Home Rule Charter violations. The advisory committee will work with our City Attorney to develop the ordinance and will advance recommendations to City Council for action. The five citizens who will be serving on the committee are Jane Burton, Ellen Damstra, John Collins, Rich Nichols, and Art Waterman. We appreciate these residents willing to serve on this project.
- At the regular May 16<sup>th</sup> Council meeting I had the pleasure of administering Oaths of Office to Council Members Steve Hartpence, Laura Koerner, and Snehal Patel. I am delighted that all three chose to offer their service for another term of office. The swearing in was special because they brought their family and friends to share in this event. I especially enjoyed having Councilwoman Patel's three sons lead us in the Pledge of Allegiance. Sundhil (12), Rohin (9), and Rithik (6) did a great job! I will not be a bit surprised if one or more of these handsome lads ends up being an elected official someday.
- Last but not least, WE HAD AN INVASION OF THE CHICKENS AT THE MAY 2<sup>ND</sup> COUNCIL MEETING! Actually, this was the Chicken Club Project being run by the 4<sup>th</sup> grade students at Van Raub Elementary School. Jamie Robinson, Principal, along with Donna Oates, fourth grade team leader and two of her students, G. Pelletier and L. Lever, gave us an update on how they used the grant we funded to the school last year as part of the Wildlife Education Committee work. The students and the chickens both did great in the presentation. Lauren Walch, Principal of Fair Oaks Ranch Elementary School, along with teachers Mark Garcia, Patty Ashley, and Rolanda Shrader

and a number of students updated the council on how they used their grant on the Life Skills Garden Project and showed winning photos from the school's recent wildlife photography contest. We are delighted to be collaborating with our local elementary schools!

### **New In the City**

One of the most enjoyable things about being the mayor is getting to participate in the beginnings of new businesses. Recently, I got to do a ribbon cutting ceremony at the commercial area at the corner of Fair Oaks Parkway and Dietz-Elkhorn. We celebrated the opening of Spotted Deer Coffee Company, Fair Oaks Salon, Blume-Haus Florists, and Parker's Ice Cream. These are small, locally owned businesses. Spotted Deer is run by a family, which reminds me of my own family where my dad and grandfather owned a restaurant together.

I have made a couple of trips to Spotted Deer and a couple to Parker's and I will vouch for the quality of both. If you are looking for an ice cream recommendation, I think Moose Tracks is hard to beat! My friend, Jim Havard, has used Blume-Haus Florists and their product was gorgeous.

A few weeks ago, I got to participate in a ribbon cutting at Coco Bistro on Dietz-Elkhorn Road. This is on the part of Dietz-Elkhorn that curves off from the main road. I have made a couple of visits there too and will vouch for the high quality of the meals. This is another small, family owned business that is a nice addition to our community. All of the food is great but the Soup and Sammie for lunch is way high on my list!

We are working our way into vacation season as the kids get ready for the school session to end. I will remind everyone that you can get our police department to pay special attention to your home while you are on vacation. All it takes is a quick trip to the police building to fill out a request.

Wishing you the best for the summer,

Garry Manitzas  
Mayor – Fair Oaks Ranch