

RESOLUTION 2022-22

A RESOLUTION OF THE CITY OF FAIR OAKS RANCH AMENDING THE RULES OF THE CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT ADVISORY COMMITTEE

WHEREAS, under Ordinance No. 145.0, the Fair Oaks Ranch City Council established the City of Fair Oaks Ranch Impact Fee Advisory Committee; and

WHEREAS, pursuant to Local Government Code §395.058(a), the City Council of the City of Fair Oaks Ranch resolved (Res 82.5) on February 16, 2006 to rename the Impact Fee Advisory Committee to Capital Improvements Advisory Committee; and

WHEREAS, the Committee serves in an advisory capacity and is established to follow the duties and functions set forth in Texas Local Government Code §395.058(c) and City of Fair Oaks Ranch Ordinance No. 145.0; and

WHEREAS, the pursuant to Local Government Code §395.058(e) the governing body of the political subdivision shall adopt procedural rules for the advisory committee to follow in carrying out its duties; and,

WHEREAS, on September 1, 2022 the CIAC voted to recommend approval of the revised document attached as **Exhibit A**; and,

WHEREAS, the City Council deems it is necessary to adopt these Rules of Procedures as necessary.

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

- Section 1. The Fair Oaks Ranch Capital Improvements Advisory Committee Rules of Procedure shall be adopted as set forth in the attached, as **“Exhibit A”**.
- Section 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Resolution for all purposes and are adopted as part of the judgment and findings of the Council.
- Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Resolution be severable, and, if any phrase, clause, sentence, paragraph, or section of this Resolution 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 Resolution and the remainder of this Resolution shall be enforced as written
- Section 4. That it is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 5. This Resolution shall take effect immediately.

PASSED, APPROVED and ADOPTED this 6th day of October, 2022.



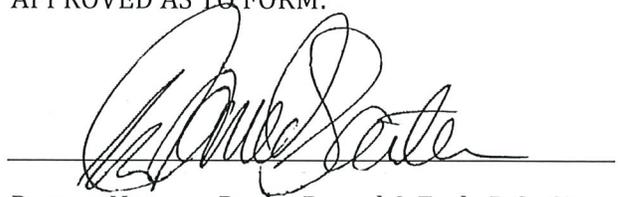
Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:



Christina Picioccio, TRMC, City Secretary



Denton Navarro Rocha Bernal & Zech, P.C., City Attorney



CITY OF FAIR OAKS RANCH

CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

RULES OF PROCEDURE

Adopted March 16, 2006
Revised May 21, 2009
Revised October 15, 2015
Revised October 6, 2022

Table of Contents

Section	Title	Page
	Introduction	1
	Mission	1
I	Members	2
II	Committee Roles	2
III	Meetings	3

CAPITAL IMPROVEMENTS ADVISORY COMMITTEE RULES OF PROCEDURE

INTRODUCTION

The City of Fair Oaks Ranch Capital Improvements Advisory Committee (CIAC) is established to comply with Section 395.058 Texas Local Government Code – Chapter 395 “Financing Capital Improvements Required by New Development in Municipalities, Counties, and Certain Other Local Governments”.

MISSION STATEMENT

The CIAC is responsible for advising and assisting the City in the following:

- a. in development of Land Use Assumptions and regular update;
- b. by reviewing proposed Capital Improvement Plans;
- c. by providing written comments on those plans;
- d. by monitoring and evaluating implementation of approved plans;
- e. by filing semiannual reports regarding plan progress;
- f. by reporting any perceived inequities in plan implementation;
- g. by reporting any inequities in imposing impact fees; and
- h. by reporting the need to update or revise the land use assumptions, capital improvement plans, and impact fees.

SECTION I – MEMBERS

Chapter 395 – Section 395.058 (b) specifies that the CIAC be composed of no fewer than five (5) members, no fewer than 40 percent of the members must be representatives of the real estate, development, or building industries, and the membership must include a representative from the extraterritorial jurisdiction. None shall be an employee or official of a political subdivision or governmental entity.

Committee members shall be appointed by a majority vote of the City Council by Resolution.

The Chairman of the CIAC shall be appointed, by Resolution, by a majority vote of the City Council and shall serve until the appointment is rescinded or member resigns.

The Vice Chairman of the CIAC shall be appointed, by Resolution, by a majority vote of the City Council and shall serve until the appointment is rescinded or member resigns.

By Resolution, an appointed City Council Member and the Public Works Director will attend the meetings and present reports/data on behalf of the City.

SECTION II – COMMITTEE ROLES

Chairman:	Reviews proposed agenda, approves and/or makes recommendations for changes. Chairman will lead meetings and ensure all agenda items have been addressed. Chairman signs approved minutes and semi-annual reports. Provides meeting update to City Council.
Vice-Chairman:	Assumes Chairman’s role when the Chairman is unable to preside over meeting.
Committee Members:	Uphold duties of CIAC in accordance to Mission Statement and in compliance with Section 395.058 Texas Local Government Code.
Council Member:	Reviews proposed agenda, approves and/or makes recommendations for changes. Serves as a liaison between the City and the CIAC.
City Secretary and/or their designee:	Proposes agenda for concurrence by Chairman and City Council Member. Shall provide information and support documentation as it relates to set agenda items.
Public Works Director and/or their designee:	Maintains and updates the following data pertinent to CIAC: land use assumption, building permit issuance, new home valuation, and impact fee payments.
City Secretary and/or their designee:	Posts agenda according to the rules specified by the Texas Open Meeting Act. Takes meeting minutes to be approved by committee and signed by Chairman at next committee meeting. Prepares Semi-Annual report for Chairman’s signature.
Finance Director and/or their designee:	Responsible for reconciling impact fee payments with the general ledger.

SECTION III - MEETINGS

1. **Regular Meetings** – The CIAC shall meet at 9:00 AM the first Thursday in March and September each year or at the call of the Chairman, unless postponed or canceled for valid reason(s).
2. **Special Meetings** – Special meetings may be held on any business day of the week to consider items that require action prior to the next regularly scheduled meeting and may be called upon the request of the committee Chairman.
3. **Work Sessions** – Work sessions will be held as needed and will begin as decided upon by a majority of the committee or unless held as part of a regular or special meeting.
4. **Meeting Rules** – All meetings will be conducted according to Robert’s Rules of Order.
5. **Quorum** – All meetings of the CIAC will require a quorum – defined herein as a majority of committee members.
5. **Meeting Notices** – Committee meeting agendas will be posted according to the rules specified by the Texas Open Meeting Act.
6. **Attendees** – Citizens and visitors are welcome to attend all public meetings of the CIAC.
7. **Meeting minutes** – Committee meeting minutes will be taken according to the rules specified by the Texas Open Meeting Act. Minutes shall be approved and signed at the next Committee meeting and shall be retained permanently according to the City’s records retention schedule.