CITY OF FAIR OAKS RANCH

CITY COUNCIL REGULAR MEETING

Thursday, October 21, 2021 at 6:30 PM

City Hall Council Chambers, 7286 Dietz Elkhorn, Fair Oaks Ranch

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

CITIZENS and GUEST FORUM

To address the Council, please sign the Attendance Roster located on the table at the entrance of the Council Chambers. 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. Speakers shall limit their comments to five (5) minutes each.

3. Citizens to be heard.

PRESENTATIONS

4. Boerne, Fair Oaks Ranch, Kendall County Transportation Planning Committee Update.

Don Durden, Committee Co-Chair
Bob Manning, Committee Co-Chair

CONSENT AGENDA

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

5. Approval of the October 7, 2021 Regular City Council meeting minutes.

   Christina Picioccio, City Secretary

6. Approval of Council Member Elizondo’s absence from the November 4, 2021 Regular City Council Meeting.

   Christina Picioccio, City Secretary

7. Approval to ratify the Planning and Zoning Commission's rescheduling of the November 11, 2021 regularly scheduled meeting to November 10, 2021.

   Grant Watanabe, P.E., Director of Public Works and Engineering Services

8. Approval of a second reading of an Ordinance amending the Code of Ordinances, Chapter 1, General Provisions, Article 1.05 Records Management.

   Christina Picioccio, City Secretary

9. Approval of an Interlocal Agreement between the Fair Oaks Ranch Municipal Development District and the City of Fair Oaks Ranch and to authorize the City Manager to execute the agreement.

Laura Koerner, MDD President
Tobin E. Maples, AICP, City Manager

CONSIDERATION/DISCUSSION ITEMS

10. Consideration and possible action to approve the City's proposed 5-year Water, Wastewater, and Reuse Capital Improvement Plan.

Grant Watanabe, P.E., Director of Public Works and Engineering Services
Mike Persyne, P.E., K Friese & Associates

11. Consideration and possible action approving a Memorandum of Understanding (MOU) with the Fair Oaks Ranch Homeowners Association (FORHA) for an Annual Peace Tree Lighting and Veterans Day Event and to authorize the City Manager to execute the agreement.

Tobin E. Maples, AICP, City Manager

REPORTS FROM STAFF AND COUNCIL

12. Update from the Branding Committee.

Joanna Merrill, IPMA-SCP, Director of Human Resources and Communications

13. Update on livestreaming of public meetings.

Joanna Merrill, IPMA-SCP, Director of Human Resources & Communications

REQUESTS AND ANNOUNCEMENTS

14. Announcements and reports by Mayor and Council Members.
15. Announcements by the City Manager.
16. Requests by Mayor and Council Members that items be placed on a future City Council agenda.

CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body hereby convenes into closed session:

Sec. 551.071 (Consultation with Attorney) the City Council will meet in private consultation with legal counsel to seek the advice of its attorneys about pending or contemplated litigation, a settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Government Code; to wit:

17. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

18. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

ADJOURNMENT

Signature of Agenda Approval: s/Tobin E. Maples

Tobin E. Maples, City Manager

I, Amanda Valdez, TRMC, Deputy 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.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, October 18, 2021 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 Texas Government 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 OF FAIR OAKS RANCH

CITY COUNCIL REGULAR MEETING

Thursday, October 07, 2021 at 6:30 PM
City Hall Council Chambers, 7286 Dietz Elkhorn, Fair Oaks Ranch

MINUTES

OPEN MEETING

1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton and Council Members: Stroup, Elizondo, Bliss, Koerner, Parker, and Muenchow

With a quorum present, the meeting was called to order at 6:30 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison.

CITIZENS and GUEST FORUM

3. Citizens to be heard.

Sara Kleeman, a local Girl Scout spoke on her troop's "Take Action" project. She identified a problem in her community and came to speak about speeding issues she's witnessed in Fair Oaks Ranch and recommended solutions.

Christine Graham, of Setterfeld Estates, thanks the PD and Mayor for the successful National Night Out event, reminded everyone to vote in November, and spoke about the agenda items for public safety concerns and UTV's and asked for the creation of a committee to create clear and concise rules for both golf carts and UTV's.

Colby Sample, spoke in favor of and urged council to approve the use of UTV's and ROV's on city streets and spoke to their safety.

PRESENTATIONS

6. Recent CIAC Chair, John Merritt, provided to Council a semiannual report of the Capital Improvements Advisory Committee.

4. Chief Tim Moring thanked various members of the Kendall County Citizens Law Enforcement Academy Alumni Association for their donation of funds that allowed five female officers from Fair Oaks Ranch PD to attend the women of law enforcement training in Fort Worth.

5. Joanna Merrill, IPMA-SCP, Director of Human Resources & Communications recognized Employee of the Quarter, William D. Poole, Water/Wastewater Operator II for stepping up to help during a transition period.

CONSENT AGENDA

7. **Approval of the September 16, 2021 Regular City Council meeting minutes.**

8. **Approval of the September 27, 2021 Special City Council meeting minutes.**

9. **Approval of a Resolution appointing the CIAC Chair and Vice Chair and reaffirming the appointment of Council Member Stroup as the Council Liaison.**

10. **Approval of an Interlocal Agreement for Animal Control Services and to authorize the City Manager to execute the agreement.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Muenchow, to approve the Consent Agenda.

VOTE: 7-0; Motion Passed.

CONSIDERATION/DISCUSSION ITEMS

11. **Consideration and possible action regarding the Utility Rate Study, to include financial plan findings, pricing objectives, and rate design considerations.**

Angie Flores and Matt Witten of Raftelis, provided to Council a presentation regarding the Utility Rate Study, to include financial plan findings, pricing objectives, and rate design considerations.

12. **Consideration and possible action approving the second reading of an Ordinance amending the Code of Ordinances, Chapter 1, General Provisions, Article 1.05 Records Management.**

MOTION #1: Made by Council Member Koerner, seconded by Council Member Elizondo, to amend an Ordinance amending the City's Code of Ordinances Chapter 1, General Provisions, Article 1.05 Records Management to reflect the Council's preferred retention periods for Agendas, Minutes (Agenda Packets), and Minutes (Recordings).

VOTE: 7-0; Motion Passed.

MOTION #2: Made by Council Member Muenchow, seconded by Council Member Stroup, to approve the amended Ordinance amending the City's Code of Ordinances Chapter 1, General Provisions, Article 1.05 Records Management.

VOTE: 7-0; Motion Passed.

13. **Consideration and possible action authorizing the City Manager to execute a contract with Audio Visual Aids to purchase equipment for live streaming public meetings.**

MOTION: Made by Council Member Elizondo, seconded by Council Member Stroup, to authorize the city manager to purchase audio and video equipment as discussed, inclusive of the microphones, Crestron, and the supportive equipment necessary, not to exceed the City Managers spending authority of $30,000.

VOTE: 7-0; Motion Passed.

14. **Discussion regarding potential amendments to the City Council Rules of Procedure.**

Council elected to schedule a Special Workshop Meeting to discuss the Rules of Procedure on Monday, 25, 2021 at 6:00 PM.

15. **Discussion and possible action to create a committee to develop a definition and set of performance standards for transparency.**

Motion: Made by Council Member Elizondo, Seconded by Mayor Maxton, to establish a work team to develop a definition and set of performance standards for transparency. The team would consist of one Council Member, to be selected by the Mayor, and one City Staff Member, to be selected by the City Manager. Other resources such as subject matter experts, may be brought in as the needs arise. The specific deliverables and timeline for this project will be developed by the team and communicated to Council after the project is initiated. The team will be disbanded when a draft guideline is accepted by the Council.

After a thorough discussion, Council Member Elizondo withdrew his motion.

16. **Discussion and possible action regarding roadway and public safety concerns.**

Chief Moring provided a presentation regarding frequent speeding complaints and statistics gathered from the PD's radar trailer and displayed maps with GPS locations of where officers are making contact demonstrating where incidents are concentrated.

17. **Consideration and possible action to create a committee to determine if Utility Vehicles (UTV's) should be authorized on certain roadways within the City and to appoint individuals to serve on said committee.**

MOTION: Made by Council Member Parker, seconded by Council Member Muenchow, to create a committee to review the Golf Cart Ordinance and to determine if Utility Vehicles (UTV's) should be authorized on certain roadways within the City.

AMENDED MOTION: Made by Council Member Stroup, seconded by Council Member Koerner, to create a committee to review the Golf Cart Ordinance and to make a recommendation to Council if Off Highway Vehicles should be authorized on certain roadways within the City.

VOTE TO AMEND THE MOTION: 7-0; Motion Passed.

VOTE ON AMENDED MOTION: 7-0; Motion Passed.

A charter will be presented at a future agenda for Council consideration before members are appointed.

REQUESTS AND ANNOUNCEMENTS

18. **Announcements and reports by Mayor and Council Members.** – None.

19. **Announcements by the City Manager.** – City Manager, Tobin E. Maples, thanked Council Member Parker for his help with police department interviews and briefed the Council on open positions.

20. **Requests by Mayor and Council Members that items be placed on a future City Council agenda.** – None.

24. **Consider a Resolution supporting the adoption of the Texas term sheet approving the allocation of any and all opioid settlement funds.**

MOTION: Made by Council Member Muenchow, seconded by Council Member Elizondo, to approve a Resolution supporting the adoption of the Texas term sheet approving the allocation of any and all opioid settlement funds.

VOTE: 7-0; Motion Passed.

CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body hereby convenes into closed session:

City Council did not convene into Executive Session regarding:

Sec. 551.071 (Consultation with Attorney) the City Council will meet in private consultation with legal counsel to seek the advice of its attorneys about pending or contemplated litigation, a settlement offer, and/or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Government Code; to wit:

21. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.

22. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Luitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

23. Consultation with City's attorney regarding pending or contemplated litigation or a settlement offer related to opioid litigation by the State of Texas on behalf of the City of Fair Oaks Ranch and other entities against opioid manufacturer Johnson & Johnson and certain distributors of opioid drugs.

RECONVENE INTO OPEN SESSION

ADJOURNMENT

Mayor Maxton adjourned the meeting at 11:51 PM

ATTEST:

Gregory C. Maxton, Mayor

Christina Picioccio, City Secretary

CITY COUNCIL CONSENT AGENDA ITEM
CITY OF FAIR OAKS RANCH, TEXAS
October 21, 2021

AGENDA TOPIC:	Approval of Council Member Elizondo's absence from the November 4, 2021 Regular City Council Meeting.
DATE:	October 21, 2021
DEPARTMENT:	City Council
PRESENTED BY:	(Consent) Christina Picioccio, City Secretary

INTRODUCTION/BACKGROUND:

Council Member Elizondo's absence from the November 4, 2021, City Council meetings is due to personal reasons.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Complies with Section 3.09 of the Home Rule Charter

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

(Consent Agenda) I move to approve Council Member Elizondo's absence from the November 4, 2021 City Council Meeting.

CITY COUNCIL CONSENT AGENDA ITEM
CITY OF FAIR OAKS RANCH, TEXAS
October 21, 2021

AGENDA TOPIC:	Approval to ratify the Planning & Zoning Committee's action to reschedule their November 11, 2021 regularly scheduled meeting to November 10, 2021
DATE:	October 21, 2021
DEPARTMENT:	Public Works
PRESENTED BY:	(Consent) Grant Watanabe, P.E., Director of Public Works and Engineering Services

INTRODUCTION/BACKGROUND:

Relative to Planning and Zoning Commission regular meeting dates, their Rules of Procedure states:

> Section 10.1: The Commission shall meet *on the second Thursday of each month at 6:30 p.m*. in the Council Chambers of the Fair Oaks Ranch Municipal Complex…..
>
> Section 10.3: Under special circumstances *the Commission may reschedule the second Thursday regular meeting date and/or time subject to ratification by the City Council.*

This year the second Thursday of November is Veterans Day, a city recognized holiday. Accordingly rescheduling this meeting is warranted. As the FY2021-22 Plat Submittal Deadline Schedule was published early 2021 (**Attachment A**), staff recommended to the P&Z moving the November meeting to the 10th as depicted on the schedule. Following the published plat submittal schedule will avoid challenges for submitters and staff. At the October 14th P&Z meeting, the Commission concurred with staff and recommended approval to reschedule their November meeting to November 10th.

Tonight's agenda item is for City Council to ratify the P&Z's recommendation.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

1. Complies with the P&Z's Rules of Procedure.
2. Allows for an effective continuation of a P & Z Commission meeting.
3. Provides compliance with statutory time submittal deadlines.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

None.

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

(Consent Agenda) I move to ratify rescheduling the November Planning and Zoning Commission meeting to November 10, 2021.

Attachment A

CITY OF FAIR OAKS RANCH

2021-2022 PLAT SUBMITTAL DEADLINES

Meeting Month	Submittal Deadline (for Initial Review)	Completeness Check and Review Comments Sent to Applicant[2]	Application Filing Date (Complete Applications Only)	Administrative Review Comments Sent to Applicant	Request for Extension of Time Deadline/Resubmittal[3]	Planning & Zoning (P&Z) Meeting	City Council Meeting
	(Wednesdays at 5:00 pm)	(Fridays by 5:00 pm)	(Wednesday by 10:00 am)	(Wednesdays by 5:00 pm)	(Mondays by 10:00 am)	(2nd Thursdays at 6:30 pm)[1]	(3rd Thursdays at 6:30 pm)
January (2021)	December 9, 2020	December 18, 2020	December 23, 2020	December 30, 2020	January 8, 2021	January 14, 2021	January 21, 2021
February	January 6, 2021	January 15, 2021	January 20, 2021	January 27, 2021	February 5, 2021	February 11, 2021	February 18, 2021
March	February 3, 2021	February 12, 2021	February 17, 2021	February 24, 2021	March 5, 2021	March 11, 2021	March 18, 2021
April	March 3, 2021	March 12, 2021	March 17, 2021	March 24, 2021	April 2, 2021	April 8, 2021	April 15, 2021
May	April 7, 2021	April 16, 2021	April 21, 2021	April 28, 2021	May 7, 2021	May 13, 2021	May 20, 2021
June	May 5, 2021	May 14, 2021	May 19, 2021	May 26, 2021	June 4, 2021	June 10, 2021	June 17, 2021
July	June 2, 2021	June 11, 2021	June 16, 2021	June 23, 2021	July 2, 2021	July 8, 2021	July 15, 2021
August	July 7, 2021	July 16, 2021	July 21, 2021	July 28, 2021	August 2, 2021	August 12, 2021	August 19, 2021
September	August 4, 2021	August 13, 2021	August 18, 2021	August 25, 2021	August 30, 2021	September 9, 2021	September 16, 2021
October	September 8, 2021	September 17, 2021	September 22, 2021	September 29, 2021	October 4, 2021	October 14, 2021	October 21, 2021
November	October 6, 2021	October 15, 2021	October 20, 2021	October 27, 2021	November 1, 2021	November 10, 2021 (Wednesday)	November 18, 2021
December	November 3, 2021	November 12, 2021	November 17, 2021	November 24, 2021	November 29, 2021	December 9, 2021	December 16, 2021
January (2022)	December 8, 2021	December 17, 2021	December 22, 2021	December 29, 2021	January 3, 2022	January 13, 2022	January 20, 2022

Rev. 7/13/21

DATES ARE SUBJECT TO CHANGE AND MAY BE ADJUSTED DUE TO HOLIDAYS AND OTHER EVENTS
APPLICATIONS DEEMED INCOMPLETE WILL BE RETURNED TO THE APPLICANT AND WILL NEED TO BE SUBMITTED AT THE FOLLOWING SUBMITTAL DEADLINE FOR INITIAL REVIEW
EXTENSION OF 30-DAY PERIOD TO ACT
FOR RESIDENTIAL REPLATS, A JOINT PUBLIC HEARING WILL BE SCHEDULED AT THE SAME DATE AND TIME AS THE PLANNING & ZONING COMMISSION

NOTE: PLATS THAT ARE APPROVED ADMINISTRATIVELY WILL FOLLOW THE SAME SCHEDULE FOR SUBMITTAL AND APPLICATION FILING
NOTE: IF A COMPLETE APPLICATION (INCLUDING REVISIONS AND RESUBMITTALS) IS SUBMITTED BEFORE OR AFTER THE DEADLINE, THE APPLICATION WILL FOLLOW THE NEXT SUBMITTAL CYCLE FOR PROCESSING

CITY COUNCIL CONSENT AGENDA ITEM
CITY OF FAIR OAKS RANCH, TEXAS
October 21, 2021

AGENDA TOPIC:	Approval of the second reading of an Ordinance amending the Code of Ordinances, Chapter 1, General Provisions, Article 1.05 Records Management
DATE:	October 21, 2021
DEPARTMENT:	City Secretary
PRESENTED BY:	(Consent Agenda) Christina Picioccio, City Secretary

INTRODUCTION/BACKGROUND:

Pursuant to City Ordinance 28.1 approved in 1990, the City Secretary serves as the Records Management Officer for the City. As such she shall develop and maintain a records management plan designed to reduce the costs and improve the efficiency of recordkeeping to adequately protect the essential records of the city and to properly preserve those records of the City Council that are of historical value.

The Texas State Library and Archives Commission (TSLAC) has developed their retention schedules to protect the municipal's public records and to contribute to more efficient government operations. The list of state schedules pertinent to a local government is listed below:

- Schedule EL (Records of Elections)
- Schedule GR (Records Common to All Governments)
- Schedule HR (Records of Public Health Agencies)
- Schedule LC (Records of Municipal Courts)
- Schedule PS (Records of Public Safety Agencies)
- Schedule PW (Records of Public Works and Services)
- Schedule TX (Records of Property Taxation)
- Schedule UT (Records of Utility Services)

The City adopted its first records management plan and Ordinance in 1990 and at that time created custom records schedules. New custom schedules were added regularly until 2010 when the Council approved the state schedules. Despite this, the City was still responsible to follow the custom schedules in addition to the state schedules. HB 1962 approved during the 86th Legislative Session in 2019 changed this process. TSLAC is no longer required to monitor and manage each city's records according to their filings, instead the records control schedules and amendments have been officially replaced by the written declaration of compliance – Form SLR 508 (Attached).

The purpose of this agenda item is for the City to declare the State Record Schedules identified above and to memorialize this by submitting a new Form SLR 508 to be on record at TSLAC. It is also the intent to update the Records Management Ordinance. As mentioned previously, our current Ordinance was approved in 1990, when the city was a Type A General Law City with a City Council form of government. As we are now a Home Rule Council-Manager form of government, with defined policy and operational roles and responsibilities, we recommend that city council adopt this new policy proposal that designates staff as the responsible party for day-to-day operations in accordance with Council approved state retentions.

As Records Management Officer I have modernized the Records Management Plan to include management of electronic records, identification and preservation of vital records, and the incorporation a Disaster Prevention and Recovery Plan. Regarding electronic records, staff is currently exploring a software for digital document management inclusive of identifying records that have met their retention schedule.

Developing a Records Management Plan was incorporated into the FY 2019/2020 Strategic Action Plan (02-506-106). The city contracted with Records Consultants Inc. (RCI) to perform an annual audit of its paper records. Some of those records have met their schedule deadlines and are pending disposition. It is the intent of staff to contract with RCI to audit this year's records and provide disposition for all records that have met their scheduled destruction deadlines.

The first reading of this Ordinance was presented and approved by council at the September 2, 2021 council meeting. During the discussion period council directed staff to provide additional language within the Ordinance to formalize retaining certain records under council purview for a longer time period. This language has been added to Section 8 (4) of Exhibit A of the Ordinance for that purpose. Due to the significant changes presented at the October 7, 2021 City Council meeting the decision was to bring the amended ordinance back for a second reading on October 21, 2021.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Benefits of an efficient records management program includes improved productivity, reduced costs, timely response to information requests, records protection, and authority to purge records as authorized by city council and state law.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

$7,850 is budgeted to this endeavor to contract with Records Consultants Inc. (RCI) to perform an audit of its paper records and provide disposition for all records that have met their scheduled destruction deadlines consistent with Strategic Action Plan 02-506-106.

Additionally, funds will be utilized to purchase supplies for records storage and disaster preparation.

LEGAL ANALYSIS:

Approved as to form.

RECOMMENDATION/PROPOSED MOTION:

(Consent Agenda) I move to approve the second reading of an Ordinance amending the City's Code of Ordinances Chapter 1, General Provisions, Article 1.05 Records Management.

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH AMENDING THE CITY'S CODE OF ORDINANCES CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.05 RECORDS MANAGEMENT; PROVIDING FOR SEVERABILITY AND REPEAL CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Title 6, Subtitle C, Local Government Code (Local Government Records Act) provides that a municipality must establish by ordinance an active and continuing records management program to be administered by a Records Management Officer; and

WHEREAS, the City of Fair Oaks Ranch recognizes that review and amendment of current practices is warranted; and

WHEREAS, the City of Fair Oaks Ranch desires to amend its ordinance for that purpose and to prescribe policies consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping.

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

PART 1. Chapter 1 "General Provisions" Article 1.05 "Records Management" is hereby amended as set forth in the attached **Exhibit "A"**.

PART 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 Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

PART 3. 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.

PART 4. That it is officially found, determined and declared that the meeting at which this Ordinance 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 Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

PART 5. This Ordinance shall take effect on September 16, 2021, after its second reading and after passage.

PART 6. 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.

PART 7. The provisions of this Ordinance shall be cumulative of all ordinances not repealed by this Ordinance and ordinances governing or regulating the same subject matter as that covered herein.

PASSED and APPROVED on first reading this the 7th day of October, 2021.

PASSED, APPROVED and ADOPTED on second reading this the 21st day of October, 2021.

____
Gregory C. Maxton, Mayor

ATTEST:

____
Christina Picioccio, City Secretary

APPROVED AS TO FORM:

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

Exhibit A

Chapter 1 “General Provisions” Article 1.05 “Records Management” is hereby amended as follows:

(Deletions shown as strikethrough and additions shown as underscore)

SECTION 1. DEFINITION OF ~~CITY~~ MUNICIPAL RECORDS.

All documents, papers, letters, books, maps, photographs, sound or video recordings, ~~microfilm, magnetic tape~~ electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to ~~it~~ them is open or restricted under the laws of the state, created or received by the City of Fair Oaks Ranch or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the City of Fair Oaks Ranch and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

SECTION 2. ADDITIONAL DEFINITIONS.

(1) “Department Head” means the officer who by ordinance or administrative policy is in charge of an office of the City of Fair Oaks Ranch that creates or receives records.

(2) “Essential Record” means any record of the City of Fair Oaks Ranch necessary to the resumption or continuation of its operations in an emergency or disaster, to the re-creation of the legal and financial status of the City of Fair Oaks Ranch, or to the protection and fulfillment of obligations to the people of the state.

(3) “Permanent Record” means any record of the City of Fair Oaks Ranch for which the retention period on a records control schedule is given as permanent.

(4) “Records Control Schedule” means a document prepared by or under the authority of the Records Management Officer listing the records maintained by the City of Fair Oaks Ranch, their retention periods, and other records disposition information that the records management program may require.

(5) “Records Management” means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other records storage systems.

~~(6) “Records Liaison Officer” means the person designated in Section 10 of this ordinance.~~

~~(7) “Records Management Committee” means the committee established in Section 6 of this ordinance.~~

(6) "Records <u>M</u>anagement <u>O</u>fficer" means the person designated in Section 5 of this Ordinance.

(7) "Records Management Plan" means the plan developed under Section ~~7~~ <u>6</u> of this ordinance.

(8) "Retention <u>P</u>eriod" means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record~~,~~ before it is eligible for destruction.

SECTION 3. ~~CITY RECORDS~~ MUNICIPAL RECORDS DECLARED PUBLIC PROPERTY.

All ~~City of Fair Oaks Ranch~~ <u>municipal</u> records as defined in Section 1 of this ordinance are hereby declared to be the property of the City of Fair Oaks Ranch. No ~~City~~ <u>municipal</u> official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

SECTION 4. POLICY.

It is hereby declared to be the policy of the City of Fair Oaks Ranch to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all ~~City~~ <u>municipal</u> records through a comprehensive system of integrated procedures for the management of records from their creation to ultimate disposition, consistent with the requirements of the Texas Local Government Records Act and accepted records management practice.

SECTION 5. DESIGNATION OF RECORDS MANAGEMENT OFFICER.

The City Secretary, and the successive holders of said office, shall serve as Records Management Officer for the City of Fair Oaks Ranch. As provided by state law, each successive holder of the office shall file his or her name with the director and librarian of the Texas State Library within thirty days of the initial designation or of taking up the office, as applicable.

~~**SECTION 6. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE; DUTIES.**~~

~~A Records Management Committee consisting of the City Council is hereby established. The committee shall;~~

~~(a) assist the Records Management Officer in the development of policies and procedures governing the records management program;~~

~~(b) review the performance of the program on a regular basis and propose changes and improvements if needed;~~

~~(c) review and approve records control schedules submitted by the Records Management Officer.~~

~~(d) give final approval to the destruction of records in accordance with approved records control schedules and~~

~~(e) actively support and promote the records management program of the City of Fair Oaks Ranch~~

SECTION ~~7~~ 6. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; ~~APPROVAL OF PLAN~~; AUTHORITY OF PLAN.

(1) The Records Management Officer shall develop a records management plan for the City of Fair Oaks Ranch ~~for submission to the City Council of Fair Oaks Ranch~~ . The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record keeping, to adequately protect the essential records of the ~~City~~ municipality, and to properly preserve those records of the ~~City Council~~ municipality that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this ordinance effectively.

(2) The records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of the City of Fair Oaks Ranch and records shall be created, maintained, stored, or disposed of in accordance with the plan.

(3) ~~Once approved by the City Council~~ The Records Management Officer shall develop plans that encompass the duties and responsibilities of department heads and delegated employees to work in conjunction with the Records Management Officer in the performance of records control.

(4) State law relating to the duties, other responsibilities, or record keeping requirements of a department head do not exempt the department head or the records in the department head's care from the application of this ordinance and the records management plan adopted under it and may not be used by the department head as a basis for refusal to participate in the records management program of the City of Fair Oaks Ranch.

~~**SECTION 8. DUTIES OF RECORDS MANAGEMENT OFFICER.**~~

~~In addition to other duties assigned in this ordinance, the Records Management Officer shall:~~

~~(1) administer the records management program and provide assistance to departments in its implementation;~~

~~(2) plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;~~

~~(3) in cooperation with department heads identify essential records and establish a disaster plan for each City office and department to ensure maximum availability of the records in order to re-establish operation quickly and with minimum disruption and expense;~~

~~(4) develop procedures to ensure the permanent preservation of the historically valuable records of the City Council.~~

~~(5) establish standards for filing and storage equipment and for record keeping supplies;~~

~~(6) study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for the City Council.~~

~~(7) provide records management advice and assistance to all departments by preparation of a manual or manuals of procedure and policy and by on-site consultation;~~

~~(8) monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and the City Council's records control schedules are in compliance with state regulations;~~

~~(9) disseminate to the City Council and department heads information concerning state laws and administrative rules relating to local government records;~~

~~(10) instruct Records Liaison Officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;~~

~~(11) direct Records Liaison Offices or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this ordinance.~~

~~(12) ensure that the maintenance, preservation, microfilming, destruction or other disposition of the City Council is carried out in accordance with the policies and procedures of the records management program and requirements of state law;~~

~~(13) maintain records on the volume of records destroyed under approved records control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;~~

~~(14) report annually to the City Council on the implementation of the records management plan in each department of the City of Fair Oaks Ranch including summaries of the statistical and fiscal data compiled under Subsection (13); and~~

~~(15) bring to the attention of the City Council noncompliance by department heads or other City Council personnel with the policies and procedures of the records management program or the Local Government Records Act.~~

~~Section 9. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS.~~

~~In addition to other duties assigned in this ordinance, department heads shall:~~

~~(1) cooperate with the Records Management Officer in carrying out the policies and procedures established in the City of Fair Oaks Ranch for the efficient and economical management of records and in carrying out the requirements of this ordinance.~~

~~(2) adequately document the transaction of government business and the services, programs, and duties for which the department head and his or her staff are responsible; and~~

~~(3) maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of the City of Fair Oaks Ranch and the requirements of this ordinance.~~

SECTION 7. ~~RECORDS CONTROL SCHEDULES TO BE DEVELOPED~~; ADOPTION OF STATE RECORDS CONTROL SCHEDULES; APPROVAL; FILING WITH STATE.

~~(1)~~ ~~(a) The Records Management Officer, in cooperation with department heads, shall prepare records control schedules on a department by department basis listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of the City records as the records management plan may require.~~

~~(2)~~ ~~(b) Each records control schedule shall be monitored and amended as needed by the records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state and this it continues to reflect the record keeping procedures and needs of the department and the records management program of the City of Fair Oaks Ranch.~~

~~(3)~~ ~~(c) Before its adoption a records control schedule or amended schedule for a department must be approved by the department head, the City Attorney and the Mayor.~~

~~(4)~~ ~~(d) Before its adoption a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.~~

(1) In lieu of filing records control schedules, the City of Fair Oaks Ranch has adopted record control schedules issued by the Texas State Library and Archives Commission. A declaration of compliance with the records scheduling requirement of the Local Government Records Act shall be filed with the Texas State Library and Archives Commission by the records management officer (Form SLR 508).

SECTION 8. IMPLEMENTATION OF RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE.

(1) A records control schedule for a department that has been approved and adopted under Section 7 shall be implemented by department heads according to the policies and procedures of the records management plan.

(2) A record whose retention period has expired on a records control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the record is pertinent to a pending lawsuit, or the department head requests in writing to the Records Management ~~Committee~~ Officer that the record be retained for an additional period.

(3) ~~(c) Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the City Council~~.

(4) The City Council identifies that the following records be kept beyond the state retention period:

Record Number	Record Title	Record Description	New Retention Period
GR 1000-01a	Agendas	Open Meetings 1. If the minutes describe each matter considered by the governing body and reference to an agenda is not required.	10 Years
GR 1000-03g	Minutes (Agenda Packets)	2. Supporting documentation – One copy of each document of any type submitted to a meeting of a governing body for consideration, approval, or other action; if such action is reflected in the minutes of the meeting.	10 Years
GR 1000-03e	Minutes (Recordings)	Video recordings of open meetings for which written minutes are prepared.	6 Years
GR 1000-03e	Minutes (Recordings	Audiovisual recordings of open meetings for which written minutes are prepared.	90 Days

SECTION 9. DESTRUCTION OF UNSCHEDULED RECORDS.

~~A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.~~

In order to destroy records that do not appear on schedules issued by the Texas State Library and Archives Commission and that have not been added by a filed supplemental records control schedule, a request for authorization to destroy unscheduled records (SLR 501) must be filed with the Texas State Library and Archives Commission.

SECTION ~~13~~ 10. RECORDS CENTER.

A records center, developed pursuant to the plan required by Section 7, shall be under the direct control and supervision of the Records Management Officer. Policies and procedures regulating the operation and use of the records center shall be contained in the records management plan developed under Section ~~7~~ 6.

~~**SECTION 14. MICROGRAPHIC**~~.

~~Unless a micrographic program in a department is specifically exempted by order of the City Council, all microfilming of records will be centralized and under the direct supervision of the Records Management Officer. The records management plan will establish policies and procedures for the microfilming of the City's records, including policies to ensure that all the microfilming is done in accordance with standards and procedures for the microfilming of local government records established in rules of the Texas State Library and Archives Commission. The plan will also establish criteria for determining the eligibility of records for microfilming, and the protocols for ensuring that microfilming program that is exempted from the centralized operations is nevertheless, subject to periodic review by the records management officer as to cost-effectiveness, administrative efficiency, and compliance with commission rules.~~

CITY COUNCIL CONSENT AGENDA ITEM
CITY OF FAIR OAKS RANCH, TEXAS
October 21, 2021

AGENDA TOPIC:	Approval of an Interlocal Agreement between the Fair Oaks Ranch Municipal Development District and the City of Fair Oaks Ranch and to authorize the City Manager to execute the agreement
DATE:	October 21, 2021
DEPARTMENT:	Adminstration
PRESENTED BY:	(Consent Agenda) Laura Koerner, MDD President Tobin E. Maples, AICP, City Manager

INTRODUCTION/BACKGROUND:

In 1971, the Texas Legislature passed the Interlocal Cooperation Act [Texas Government Code, Chapter 791] to promote activities among local governments across Texas. Any local government or non-profit providing government services may contract or agree with one or more local governments under the terms of this Act to conduct purchasing and other administrative functions. The following excerpt from the Act states that... "The Interlocal Cooperation Act's purpose is to improve the efficiency and effectiveness of local governments by authorizing the fullest possible range of inter-governmental contracting authority at the local level including contracts between all political subdivisions of the state and agencies of the state."

This interlocal agreement will expand the Fair Oaks Ranch Municipal Development District's opportunities to administer a program for local economic development and collect more favorable bids on development projects.

The MDD Board of Directors approved the Interlocal agreement and authorized the MDD president, Laura Koerner, to execute the agreement at their quarterly meeting held on October 13, 2021.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Streamline administration and procurement process by increasing efficiency when requesting services and/or equipment.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

Costs for City provided services are determined each year during the MDD budget process.

LEGAL ANALYSIS:

Approved as to form.

RECOMMENDATION/PROPOSED MOTION:

(Consent Agenda) I move to approve an Interlocal Agreement between the Fair Oaks Ranch MDD and City of Fair Oaks Ranch and to authorize the City Manager to execute the agreement.

THE STATE OF TEXAS X
X KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF KENDALL X

This Interlocal Agreement ("ILA") Between the **City of Fair Oaks Ranch**, a municipal corporation, situated in Kendall, Bexar and Comal Counties, Texas, acting by and through its City Manager, (hereinafter referred to as "City"), and the **Fair Oaks Ranch Municipal Development District** a political subdivision of the State of Texas (hereinafter referred to as the "MDD" or the "District") acting by and through its President and in accordance with Texas Local Government Code Chapter 377, pursuant to authority granted under the Interlocal Cooperation Act, Chapter 791, Texas Government Code, as the same may be amended from time to time, to be effective as of the date on which the last Party signs this Agreement (the "Effective Date"). The City and the District are collectively referred to herein as the "Parties" and are each a "Party".

WITNESSETH:

WHEREAS, Chapter 791 of the Texas Government Code, as amended, titled Interlocal Cooperation Contracts ("ILA"), authorizes contracts between political subdivisions for the performance of governmental functions and services; and,

WHEREAS, the Parties desire to enter into an ILA to maximize efficiency and minimize costs in the areas of fiscal, personnel, and professional services in the provision of economic development programs that mutually benefit the Parties and serve a public purpose; and,

WHEREAS, the Parties hereby find that it is in the best interest of the Parties for the City to provide fiscal, personnel, and professional services to the District under the terms stated herein.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, the sufficiency of which are acknowledged, and subject to the terms and conditions hereinafter set forth, the Parties agree as follows:

ARTICLE 1. PURPOSE

The purpose of this ILA is to define the fiscal, personnel, and professional services to be provided by the City on behalf of MDD in the provision of economic development programs that mutually benefit the Parties and serve a public purpose. The employees and agents of each party performing under this agreement are representatives of that party and shall not be considered to be employees or agents of the other party, even if compensated for services by the other party for work performed.

ARTICLE 2. TERM

The initial term of this Agreement begins upon approval of the governing bodies of the Parties and execution by their respective designees and shall expire on September 30, 2022. The ILA shall automatically be renewed each year unless terminated as herein provided and each successive one year term shall begin October 1st and run concurrently with the fiscal year so long as the funds required hereunder are appropriated by the governing bodies of the Parties.

ARTICLE 3. SERVICES PROVIDED BY CITY

The City is responsible for providing fiscal and additional staff support services to MDD. Such services are subject to the City and MDD mutually agreeing to a cost for each service.

3.1 Direct Services

The following direct services will be provided by the City to the MDD.

3.1.1 Transaction Processing

The City will provide financial management, accounting and purchasing services to and for MDD. The City will allow the MDD to utilize existing City contracts if determined to be beneficial to the MDD, agreed to by the vendor, and does not interfere with vendor's performance on existing City contracts. The Board assumes responsibility for the legal and proper expenditures of all Development Project Fund monies. All monies are budgeted and expended according to the latest approved budget and in conformance with the adopted Rules of Operation.

3.1.2 Accounting

The City shall maintain one or more separate accounts under the supervision of the Director of Finance for the City. The Director of Finance, in carrying out the requirements of this ILA, is responsible only in the capacity of a trust officer for the funds involved. The Director of Finance shall use generally accepted accounting procedures to satisfy their duties pursuant to this ILA. The City shall pay all invoices on a timely basis. The City shall receive all sales tax disbursements for MDD from the Texas Comptroller of Public Accounts.

3.1.3 Finance

The authorization of disbursements of funds to recipients of funding under contract with MDD will be made by the Board pursuant to the adopted Rules of Operation in the ILA specified by the action of the Board, so long as the MDD Development Project Fund has sufficient funds to accommodate all payment requests.

3.1.4 Financial Reporting

The City will provide an Investment Officer that will ensure compliance with the Public Funds Investment Act and also inform/report quarterly to the Board the status of MDD's investment portfolio and financial results.

3.1.5 Annual Financial Statement Audit

The City will manage the annual financial statement audit and compilation of the annual financial report.

3.1.6 Compliance with the Open Meetings Act

The Secretary of the Board shall record the meeting minutes of the Board and its committees, if required, and the City shall retain the records of the MDD, as well as ensure all notices are posted and served as required by law.

3.1.7 Advisory Services

The City shall provide advisory services to the MDD. City shall not be liable for any advisory services given, and the MDD is under no obligation to accept the advisory services provided by City.

3.1.8 Records Management

The City shall maintain records of MDD activities in accordance with the same state-mandated records retention schedule that is followed by the City.

3.1.9 Grant Application Processing

The City shall work with the MDD on identifying potential grant opportunities that align with the MDD's statutory purpose, policies and goals. If determined to be beneficial, the City may apply for such grants. The MDD will assist the City with obtaining any information necessary for the initial application and will supply any additional information in a timely manner. The City will coordinate with the Grant Requestor and assist in monitoring the application until a decision is made.

3.1.10 Grant Administration

If a grant is approved, the City will be responsible for administering the grant and confirming all grant requirements are met. The City will supply any information to the MDD upon request. The MDD is the final authority for approval of grant disbursements.

3.1.11 Meeting Facilities

The City shall provide meeting facilities for the MDD. In the event that a meeting is conducted outside of City facilities, the MDD will be responsible for the cost of the meeting site.

3.2 Indirect Services

3.2.1 Administrative, Facilities & Supplies Overhead

Administrative Costs for City employees, facilities, and supplies shall be included in the annual budgets as approved by the MDD and City under the terms of the ILA.

ARTICLE 4. BILLING PROCEDURES AND PAYMENT

The City shall submit invoices for the expenses and the cost of indirect services no more often than on a quarterly basis. The MDD shall process the invoices and shall pay the City no later than 30 days after the date the invoice is received. If circumstances warrant that the amount requires adjustment between budget cycles, a budget amendment agreed to by both parties will be executed. The rates for services to be performed each fiscal year shall be attached hereto as Exhibit A.

ARTICLE 5. TERMINATION AND AMENDMENTS

Either party may terminate this ILA in whole or in part hereto whenever such termination is found to be in the best interest of either party. Termination shall be effected by the conveyance of a written notification thereof to the other party at least ninety (90) days in advance of the effective date of the termination.

Either party can request an amendment to this ILA by giving thirty (30) days written notice. The amendment becomes effective only by the approval and signature of both parties.

In the event of termination, all costs incurred through the date of termination will be paid within thirty (30) days of request for reimbursement or payments.

ARTICLE 6. ADMINISTRATION OF AGREEMENT

All notices pursuant to this ILA shall be deemed given when, either delivered in person or deposited in the United States mail, postage prepaid, certified mail, return receipt requested addressed to the appropriate party at the following addresses:

If to the City:	City Manager City of Fair Oaks Ranch 7286 Dietz Elkhorn Fair Oaks Ranch, Texas 78015
If to MDD:	President Fair Oaks Ranch Municipal Development District 7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

ARTICLE 7. DISPUTE RESOLUTION

In the event that a dispute arises regarding the interpretation of the terms, duties, and responsibilities of the Parties under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, contract terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties solely to the extent of the disputed contract provision. Nothing herein shall limit or waive either Parties right to defend itself or seek relief in any manner allowed by law.

ARTICLE 8. GOVERNING LAW AND AUTHORITY

The laws of the State of Texas shall govern this ILA and all obligations hereunder of the parties are performable in Fair Oaks Ranch, Texas. Venue for any legal proceeding is Kendall County, Texas. Any applicable state or federal statute or rule will take precedence over any inconsistency in the Interlocal Agreement or in any statement of work issued under the Interlocal Agreement. The City Manager shall be the signature authority for the City, and the President shall be the signature authority of the MDD. Each party may choose to delegate signature authority by amendment to this agreement and by mutual agreement of both parties.

ARTICLE 9. NON-ASSIGNMENT

This ILA shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives' successors and assigns. Neither the City nor MDD shall assign any duty of this ILA, excepting those already identified herein, without written consent of the other.

ARTICLE 10. SEVERABILITY

Should any provisions of this ILA for any reasons be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

ARTICLE 11. ENTIRETY OF AGREEMENT

This is the entire agreement between the parties and no modification of this ILA shall be of any force or effect, unless it is in writing signed by both parties. No official, employee, agent or representative of the City or MDD has any authority, either express or implied, to amend this ILA, except pursuant to such express authority as may be granted by the governing body of the City of Fair Oaks Ranch or MDD Board of Directors.

ARTICLE 12. OFFICIALS NOT TO BENEFIT

No public official of the governing body of the City or MDD who exercises any functions or responsibilities in the review or the approval of the undertaking or carrying out of any project hereunder, shall participate in any decision relating to the ILA which affects his/her personal interest, nor shall he/she have any personal or pecuniary interest direct or indirect in this ILA or proceeds thereof.

ARTICLE 13. OWNERSHIP OF DOCUMENTS

Copyright in all material created by City and paid for by MDD as part of this Agreement shall be the property of City. Both City and MDD may use these materials, and permit others to use them. This material includes, but is not limited to: books, computer programs, documents, films, pamphlets, reports, sound reproductions, studies, surveys, tapes, and/or training materials. Material which the City provides and uses to perform this Agreement but which is not created for or paid for by the MDD shall be owned by the City or such other party as determined by Copyright Law; however, for any such materials, City hereby grants (or, if necessary and to the extent reasonably possible, shall obtain and grant) a perpetual, unrestricted, royalty free, non-exclusive license to the MDD to use the material for MDD internal purposes.

ARTICLE 14. GOVERNMENTAL FUNCTIONS; LIABILITY; NO WAIVER OF IMMUNITY OR DEFENSES

Notwithstanding any provision to the contrary herein, this Agreement is a contract for and with respect to the performance of governmental functions by governmental entities.

1. The services provided for herein are governmental functions, and the Parties shall

be engaged in the conduct of a governmental function while providing and/or performing any service pursuant to this Agreement.

2. The relationship of the Parties shall, with respect to that part of any service or function undertaken as a result of or pursuant to this Agreement, be that of independent contractors.

3. Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent, partners, joint venturers, or any other similar such relationship between the Parties.

Each Party shall have no liability whatsoever for the actions of, or failure to act by, any employees, agents, representatives, or assigns of the other Party in connection with the Agreement. Each Party covenants and agrees, to the extent permitted by law, that it shall be solely responsible, as between the Parties, for and with respect to any claim or cause of action arising out of or with respect to any act, omission, or failure to act by the participating Party or its respective employees, agents, representatives, or assigns, in connection therewith.

Each Party reserves and does not waive any defense available to it at law or in equity as to any claim or cause of action whatsoever that may arise or result from or in connection with this Agreement. This Agreement shall not be interpreted nor construed to give to any third party the right to any claim or cause of action, and no Party shall be held legally liable for any claim or cause of action arising pursuant to or in connection with this Agreement except as specifically provided herein or by law.

No participant waives or relinquishes any immunity or defense on behalf of itself, its trustees, councilmembers, officers, employees, and agents as a result of the execution of this Agreement and the performance of the covenants and agreements contained herein.

ARTICLE 15. AGREEMENT

This ILA shall constitute the sole agreement between the City and MDD relating to the object of this ILA and correctly sets forth the complete rights, duties, and obligations of each party to the other as of its date. Any prior agreements, promises, negotiations or representations, verbal or otherwise, not expressly set forth in this ILA are of no force and effect.

WITNESS our hands to this AGREEMENT this ______ day of ____________, 2021.

MDD	**CITY**
_____________________________	_____________________________
Laura Koerner President	Tobin E. Maples, AICP City Manager

EXHIBIT "A"

Compensation

Fiscal Year	Rate of Services
2021-2022	$30,150

CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
October 21, 2021

AGENDA TOPIC: Consideration and possible action to approve the City's proposed 5-year Water, Wastewater, and Reuse Capital Improvement Plan

DATE: October 21, 2021

DEPARTMENT: Public Works

PRESENTED BY: Grant Watanabe, P.E., Director of Public Works & Engineering Services
Mike Persyne, P.E., K Friese & Associates

INTRODUCTION/BACKGROUND:

In 2017, the City of Fair Oaks Ranch retained Freese and Nichols, Inc. to prepare a Water, Wastewater, and Reuse Capital Improvements Master Plan. The goals of the Plan were to evaluate the integrity of the existing water, wastewater, and reuse systems and to recommend a phased capital improvement plan (CIP) through buildout of the service areas. The Master Plan was adopted by the City Council in 2019 as an appendix to the Unified Development Code.

On June 9, 2021, city staff and supporting consultants from Legacy Engineering Group and K Friese & Associates conducted a Water, Wastewater, and Reuse CIP workshop with the City Council. Project prioritization criteria and weighting were discussed and revised. Each project identified in the Master Plan was scored and ranked. The results led to the approval of eight (8) projects which were included in the FY2021-22 budget.

The primary objectives of today's presentation are to build upon past efforts to develop and approve a 5-year CIP Plan. The projects proposed in the 5-year plan are a subset of the projects in the Master Plan and represent those that the city "must-do", "should-do", and would be "nice-to-do" in the FY2022-27 timeframe. A review of current Capital Reserve Fund status, and capital revenue projections are also included to support funding discussions.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

A long-term Capital Improvement Plan is essential for the proper planning, budgeting and execution of water, wastewater and reuse system improvement projects. The plan enables the City to forecast and prioritize capital construction and maintenance needs, allows time to effectively plan for large projects, and provides a level of certainty for the future.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

The current Capital Reserve Fund status and revenue projections will be reviewed as part of the presentation. The Council may consider changes or other revenue sources as part of funding discussions.

LEGAL ANALYSIS:

Not applicable at this time.

RECOMMENDATION/PROPOSED MOTION:

I move to approve the proposed FY2022-27 Water, Wastewater and Reuse Capital Improvement Plan.

Or

I move to direct staff to bring the FY2022-27 Water, Wastewater and Reuse Capital Improvement Plan back to Council for further consideration subject to the following:

- Insert directive here
- ” “ “
- Etc.

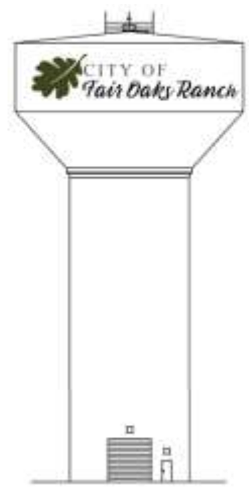
City of Fair Oaks Ranch

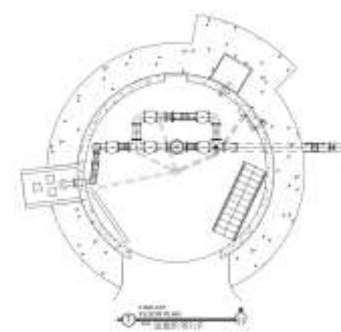
WATER, WASTEWATER, & REUSE 5-YEAR CIP PRESENTATION

October 21, 2021

Agenda

- Recap of recent Council actions
  - Revised Prioritization Criteria
  - Project Scoring/Ranking
  - Approval of FY2021-2022 projects
- Proposed 5-Year CIP (FY2022-2027)
  - Development Approach
  - Growth Rate Analysis
  - Plan Details and Summary
- Capital Reserve fund status
- Discussion Items
- Recommendations





Revised Prioritization Criteria

- Regulatory Driver
- Contractual Agreement
- Health and Safety Impact
- Operating and Maintenance Cost
- Resiliency – Increased to Weight of 2
- Growth and Development
- City Priority
- Master Plan Timing – Removed from Scoring Criteria

Revised Prioritization Scoring

Criteria	Weight	Maximum Score	Weighted Score
Regulatory Driver	3	5	15
Contractual Agreement	2	5	10
Health and Safety Impact	3	5	15
Operating and Maintenance Cost	2	5	10
Resiliency	2	5	10
Growth and Development	1	5	5
City Priority	1	5	5
		Total Score Possible	70

Project Scoring/Ranking

- All 69 projects identified in the Water, Wastewater and Reuse Master Plan considered

Project Type	Cost (2018 $)
Water	$33.844M
– Facilities (6 projects)	
– Pipeline (14 projects)	
Wastewater	$31.511M
– Facilities (2 projects)	
– Pipeline (12 projects)	
Reuse (1 project)	$3.151M
Rehab	$5.927M
– W/WW Facilities/Pipelines (34 projects)	
Total (69 projects)	$74.433M

Recent Action

- Adopted FY2021-2022 budget and projects

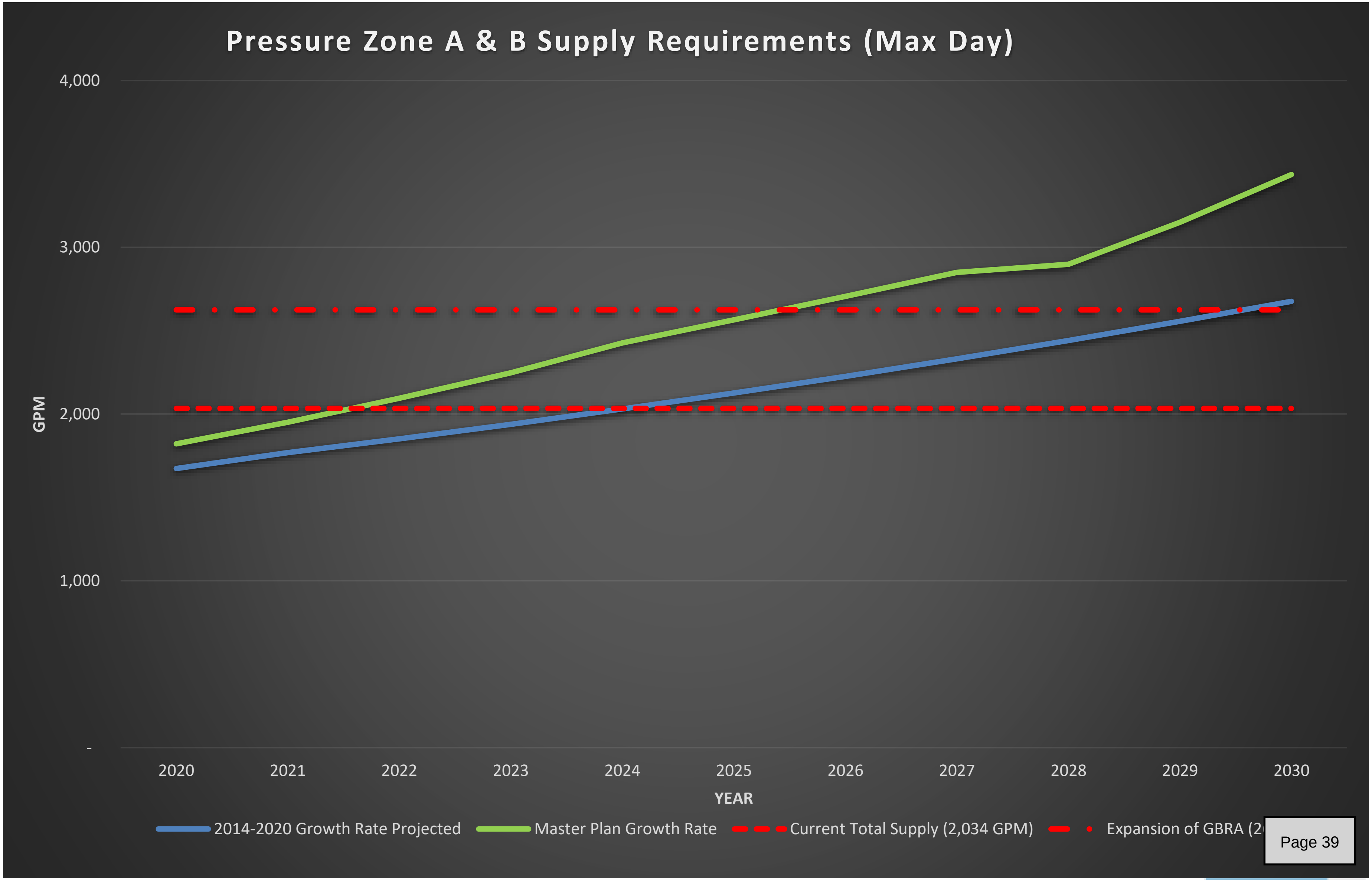
Project Name	Existing / New	Budget Request	Phase
4.1R – Solids Handling Improvements	Existing	$920,210	Design & Construction
2.1S – WWTP Siting Study	Existing	$200,000	Study
1W/33R – Plant #2 Hydro Tank & VFDs	Existing	$946,815	Construction
2W – 0.5 MG Zone A Elevated Tank	Existing	$181,623	Land Acquisition
6R – Creek Crossing Repair West	Existing	$220,433	Design & Construction
28R – Rolling Acres Trail	New	$61,754	Design
29R – Willow Wind / Red Bud Trail	New	$65,370	Design
21W – Old Fredericksburg Road Water Line Relocation	New	$50,000	Design

Plan Development Approach

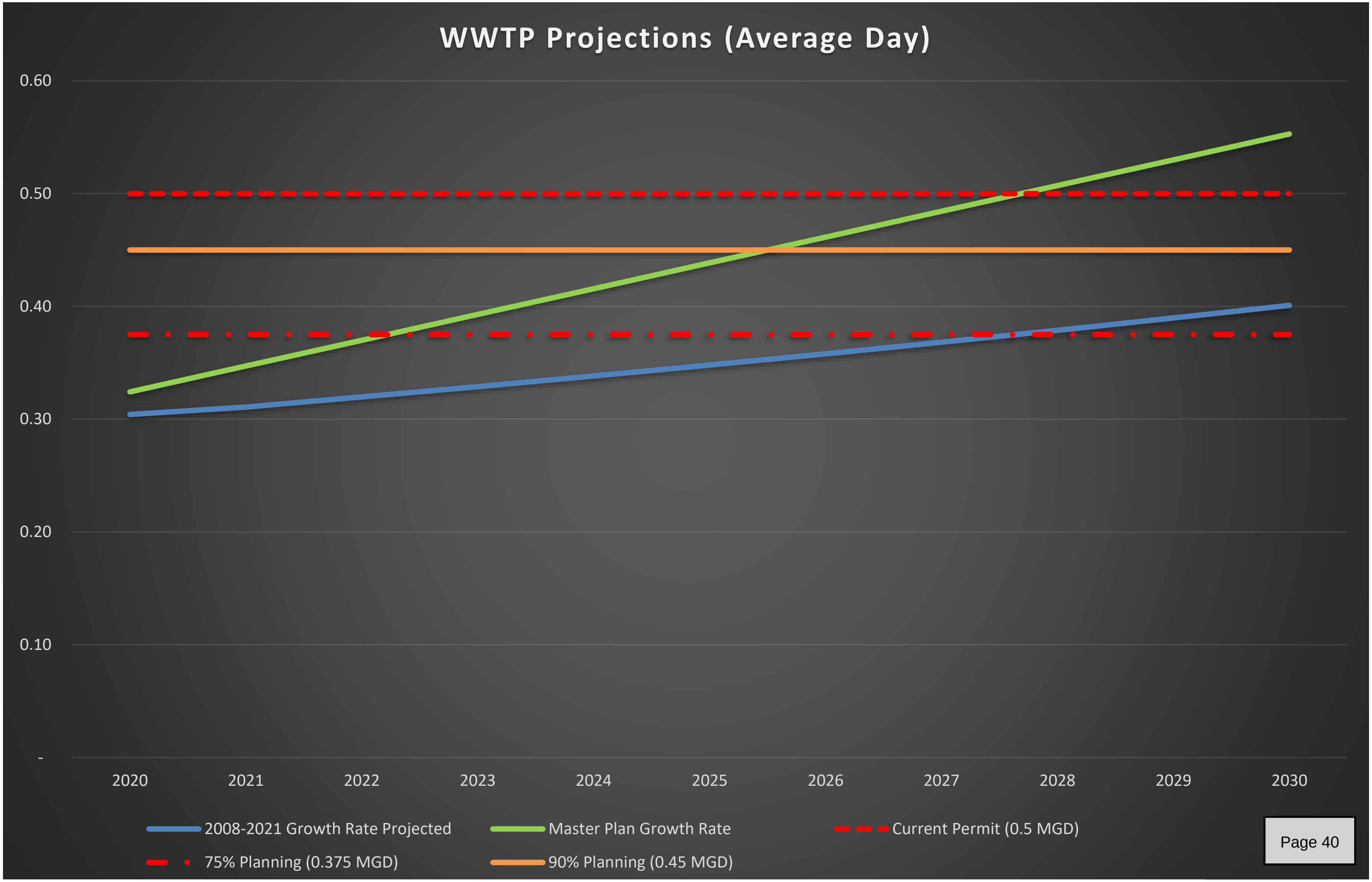
- “Must Do” Projects
  - Regulatory driven
  - System resiliency significantly improved based on current operations
  - Improvements to infrastructure with known high O&M costs
- “Should Do” Projects
  - Added system resiliency
  - Reduction in O&M costs
  - Potential for regulatory deficiencies
- “Nice to Do” Projects
  - Minor O&M corrections
  - Minor system resiliency improvements
  - Growth related projects

Item #10.

Growth Rate Analysis (Water)



Growth Rate Analysis (Sewer)



5-Year CIP "Must Do"

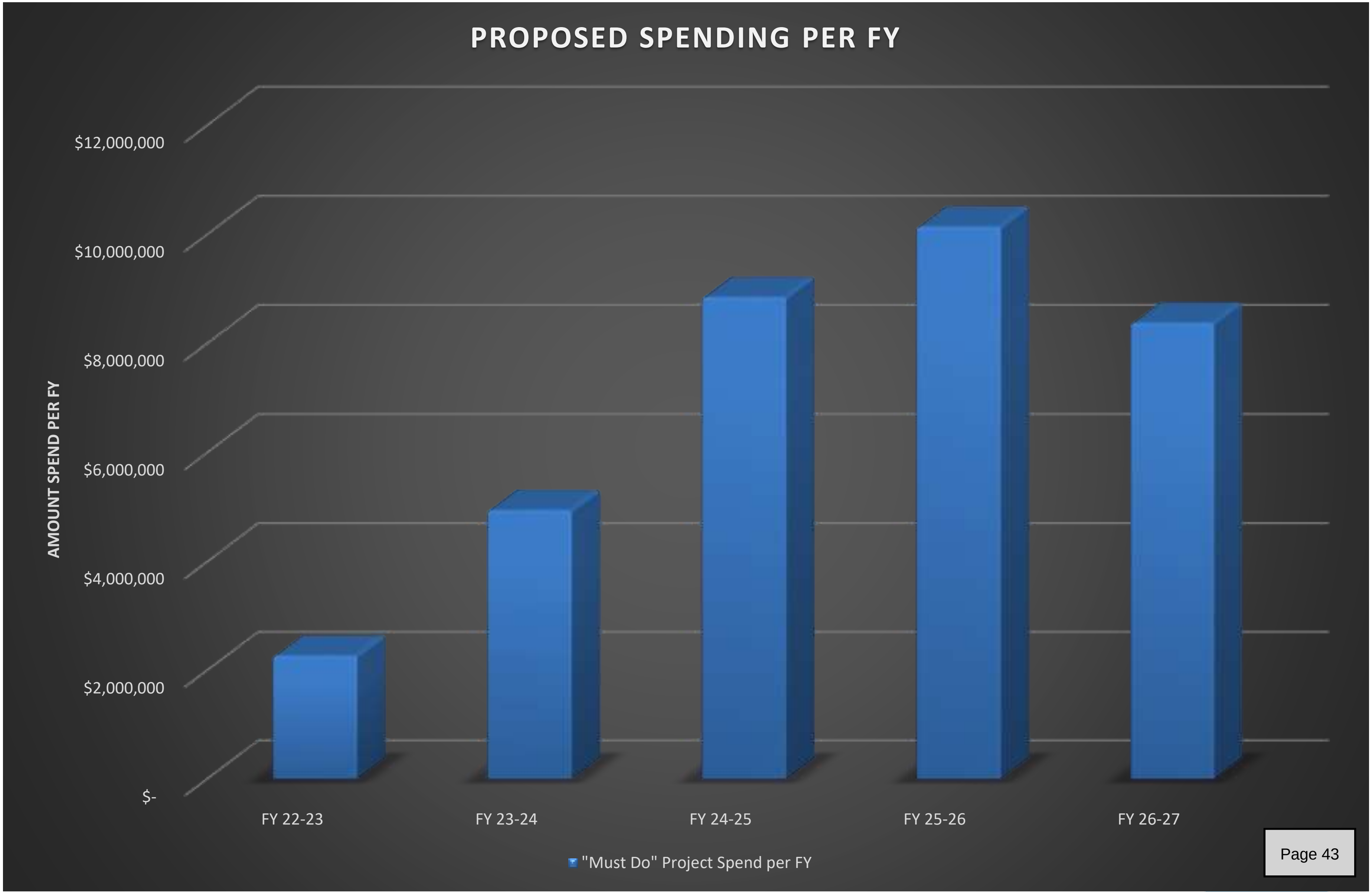
- 10 Projects
  - Variety of Facility and Pipeline type projects
  - Total Cost = $34.6M
    - Project 2W – 0.5 MG Zone A Elevated Storage Tank with Plant 3 Upgrades, System PRVs, and 12-inch Waterline
    - Project 5W – Water Plant #5 Expansion (Zone B)
    - Project 6W – Elmo Davis Pump Station Expansion (Zone C)
    - Project 2S – WWTP Construction
    - Project 3S – New Gravity Line from Old WWTP to New WWTP
    - Project 4S – 1.6 MGD Lift Station and 12" Force Main to New WWTP
    - Project 27R – Effluent Pump Station Expansion
    - Projects 28R and 29R – Rolling Acres Trail/Willow Wind/Red Bud Hill Water Line Replacements
    - Project 1RU – New 2.0 MGD Reuse Pump Station

WWTP Impacts

- New Wastewater Treatment Plant project can steer several sewer related projects' timing and scope.
    - Project 3S – New Gravity Main from Old WWTP to New WWTP
    - Project 4S – New LS and Force Main to New WWTP
  - Effluent and Reuse System Expansions
    - Project 1RU – Reuse Pump Station
    - Project 27R – Effluent Pump Station Expansion
- 4 Projects
  - Project Cost = Approximately $10M

Item #10.

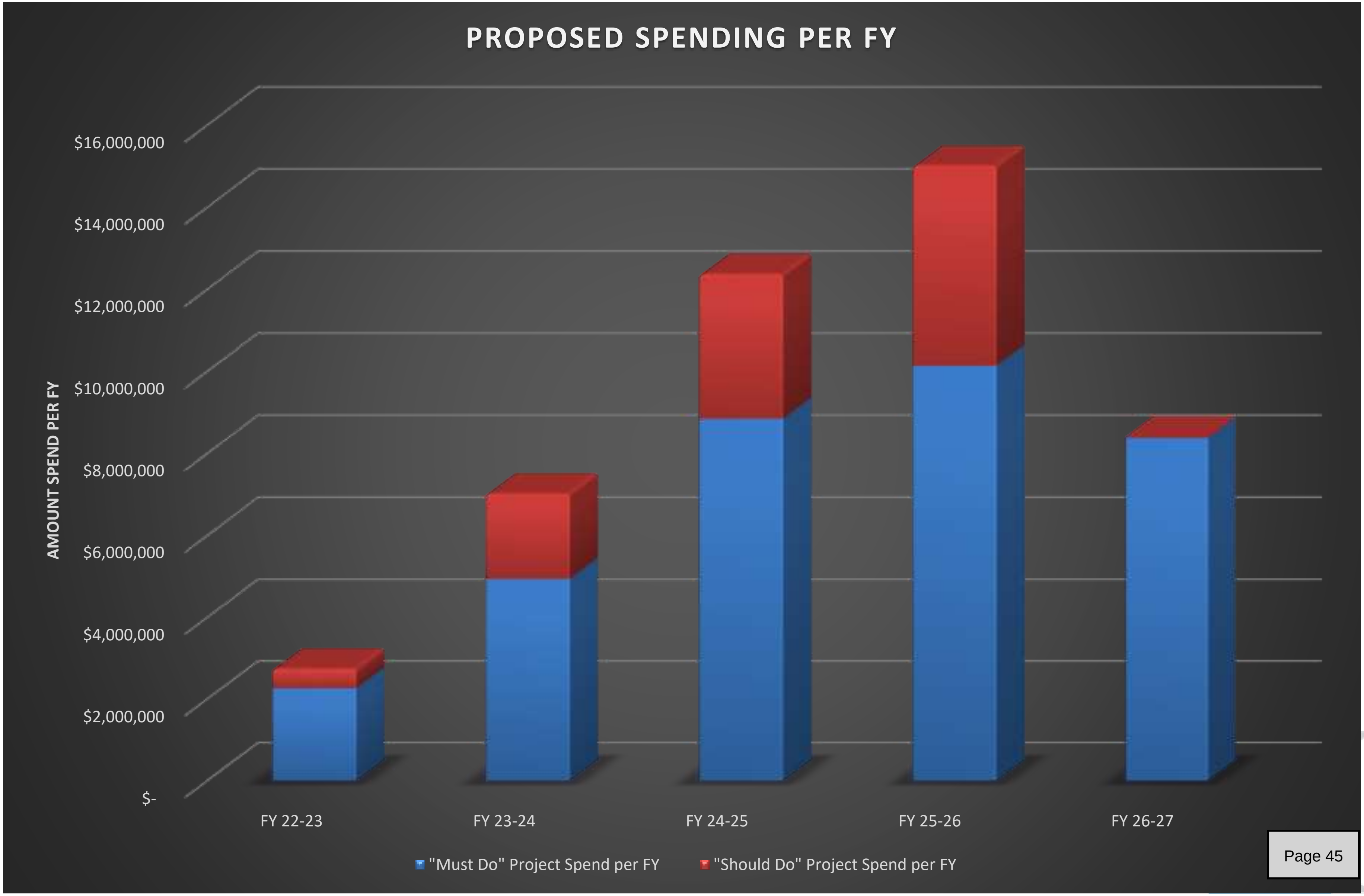
5-Year CIP "Must Do"



5-Year CIP "Should Do"

- 8 Projects
  - Mixture of Facility and Pipeline and Rehabilitation Projects
  - Total Cost = $10.9M
- Major drivers for "Should Do" Projects
  - Improved Operations & Maintenance
  - Improved system resiliency
    - Project 11W – Plant #6 and New GBRA Delivery Point (Zone A/B)
    - Project 21W – Old Fredericksburg Rd Waterline Relocation
    - Project 1S – 8-inch Gravity Main and Falls Lift Station Decommissioning
    - Project 1R/2R – Elmo Davis GST #1 & #2 Rehabilitation
    - Project 3R – Elmo Davis Pump Station Electrical Rehabilitation
    - Projects 8R/9R/10R – School / Deer Meadows #1 & #2 Lift Station Rehabilitation

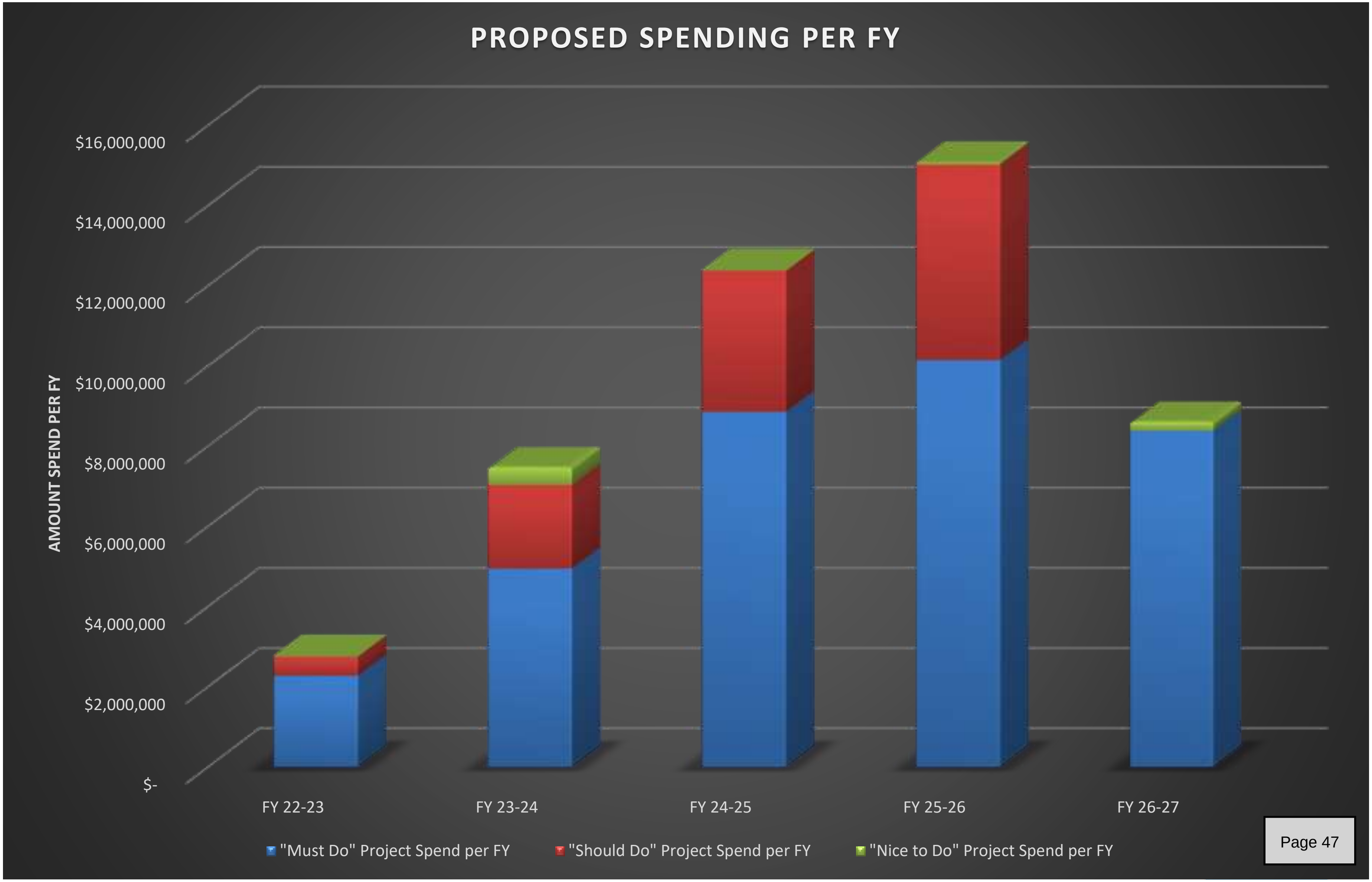
5-Year CIP "Should Do"



5-Year CIP "Nice to Do"

- 6 Projects
  - Majority of Projects are Rehabilitation Projects
  - Total Cost = $740k
- These projects would yield a more resilient system that would reduce O&M costs but not required.
  - City's effort to standardize well sites/lift stations
  - Water line projects that increase fire flow once "Must Do/Should Do" projects are in place
  - Timing of these projects are fluid
    - Things break that could require immediate fixes

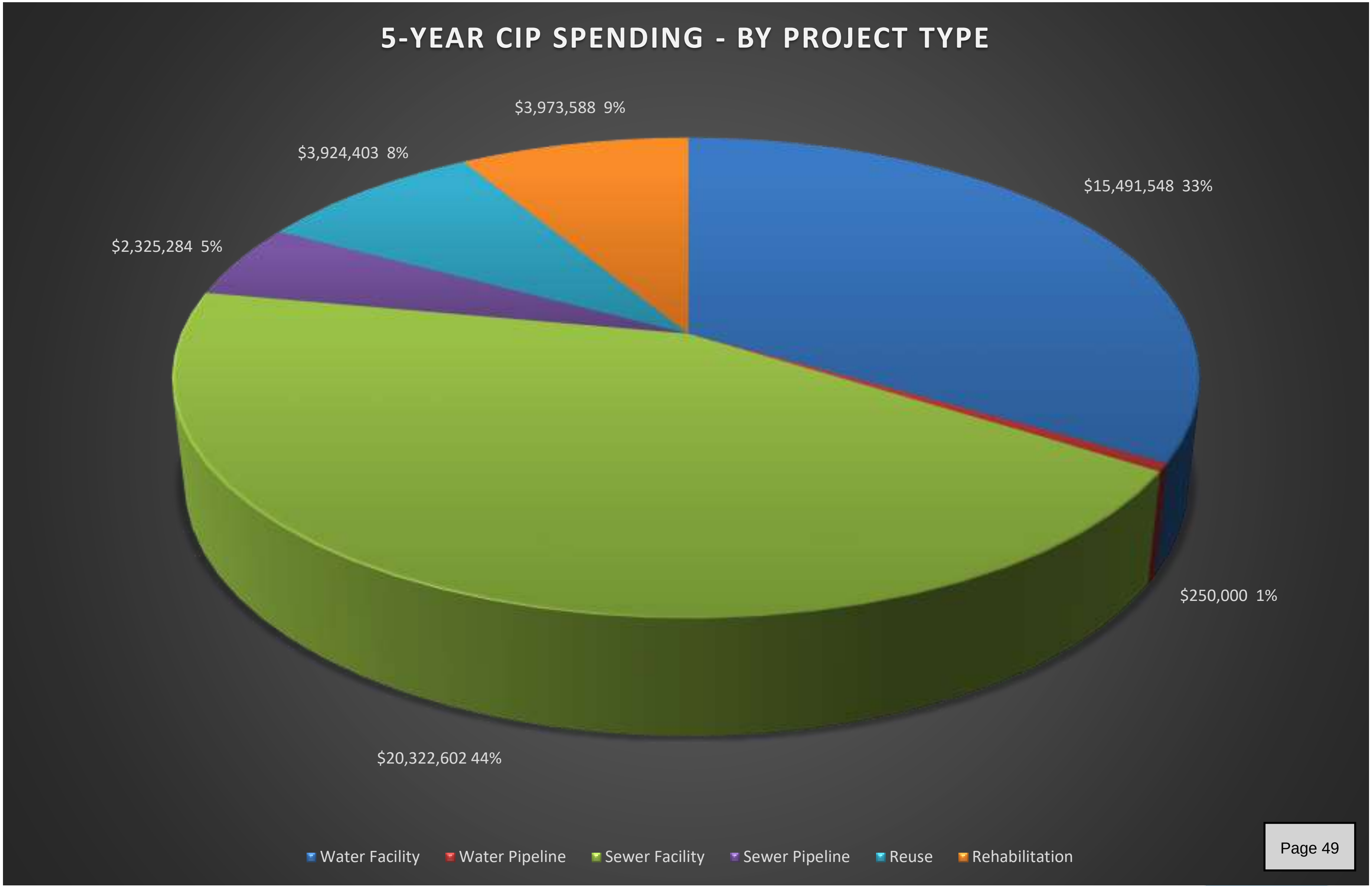
5-Year CIP "Nice to Do"



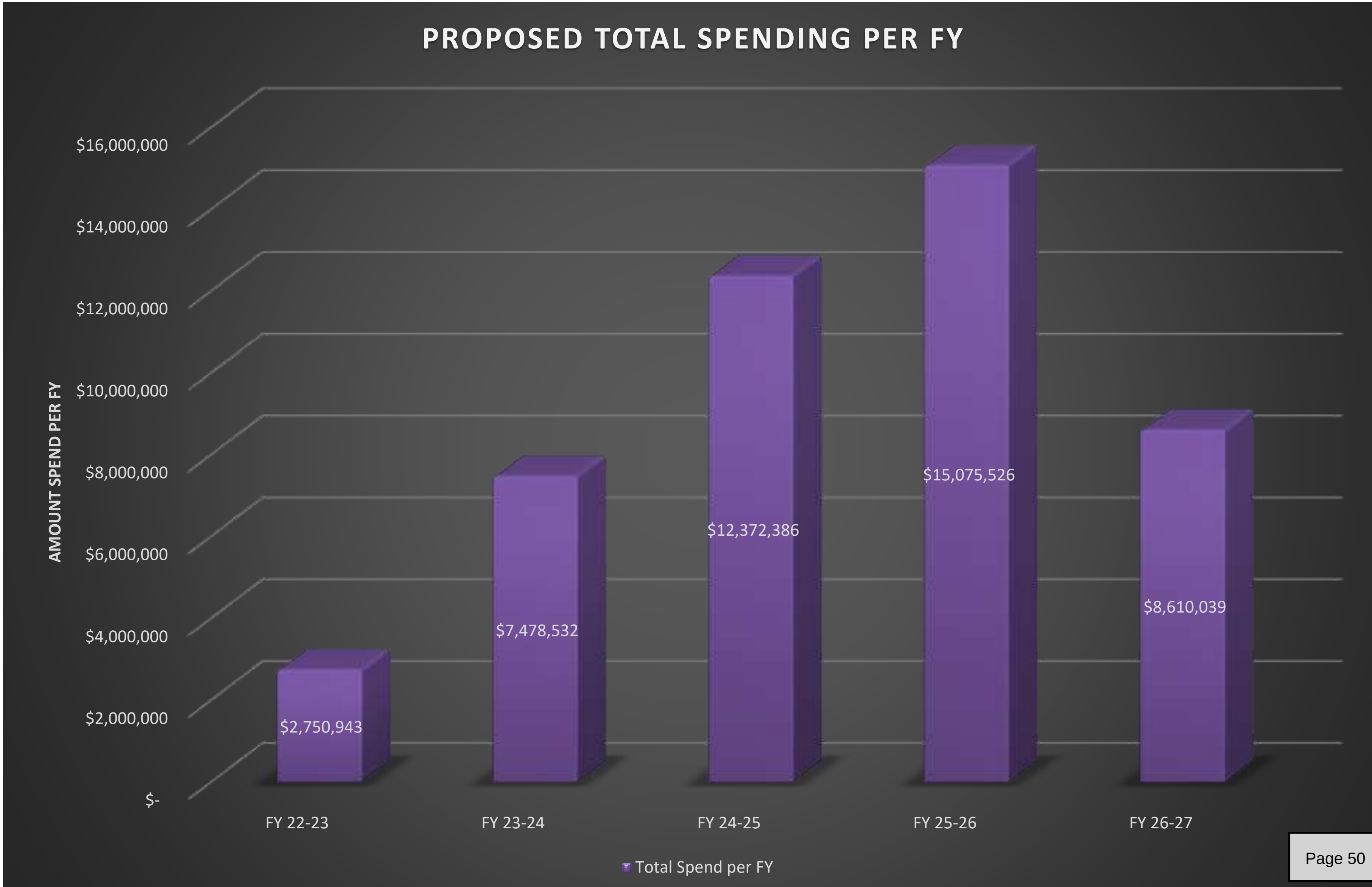
Proposed 5-Year CIP Summary

Project Type	Cost
Water	$15.7M
– Facilities (4 projects)	
– Pipeline (1 project)	
Wastewater	$22.6M
– Facilities (3 projects)	
– Pipeline (1 project)	
Reuse (1 project)	$3.9M
Rehab	$4.0M
– W/WW Facilities/Pipelines (14 projects)	
Total (24 projects)	$46.2M

Summary by Project Type



Summary by Fiscal Year



Capital Reserve Fund Status

WATER FUND 22	Contribution in Aid	2014 Impact Fees	2020 Impact Fees	Capital Revenue	From Operations	TOTAL Cash Balance
Elevated Storage Tank	408,019	-	11,408			419,428
Creek Crossing West Waterline				270,433		270,433
Plant 2 Hydrotank & Variable Drives			294,633	39,884		334,517
Water Rate Study					37,056	37,056
SCADA System Upgrades						-
Water System EPA Risk Assessment					9,455	9,455
GIS Compatible Work Order System					6,250	6,250
Unallocated Fund Balance						-
Unallocated - Capital				293,552		293,552
Unallocated - Impact Fees-2014						-
Unallocated - Impact Fees-2020			62,228	-		62,228
Unallocated - CIA	-					-
Unallocated - from Operations				-	24,922	24,922
	408,019	-	368,269	603,869	77,683	1,457,840

Revenue Sources

- Capital Reserve Fee ($240k/yr)
- Impact Fees ($350k/yr)
- Contribution in Aid for EST

WASTEWATER FUND 25	Contribution in Aid	2014 Impact Fees	2020 Impact Fees	Capital Revenue	From Operations	TOTAL Cash Balance
	-					
Solids Handling	-	-			59,481	59,481
Wastewater Rate Study	-				37,056	37,056
Wastewater System EPA Risk Assessment	-				38,802	38,802
Future WWTP	-				200,000	200,000
GIS Compatible Work Order System	-				6,250	6,250
Unallocated - Capital	-			69,794		69,794
Unallocated - Impact Fees-2014	-	110,406				110,406
Unallocated - Impact Fees-2020	-		432,304			432,304
Unallocated - CIA	-					-
Unallocated - from Operations	-			-	165,943	165,943
	-	110,406	432,304	69,794	507,532	1,120,036

Revenue Sources

- Capital Reserve Fee ($95k/yr)
- Impact Fees ($225k/yr)

- Data in tables as of FY2021-2022 start
- Revenue “from Operations” sometimes transferred to cover cost of capital projects

Discussion Items

- Capital Requirement > Capital Revenue in each FY
- Capital Reserve Fees inadequate
- Impact Fees only covers 50% of eligible impact fee costs
- Ongoing Utility Rate Study needs approved CIP to incorporate into rate design efforts
- WWTP Study to be completed by end of FY

Recommendations

Current Action

- Approve 5-year W/WW & Reuse CIP Plan

Future Action

- Revisit 5-year CIP Plan after WWTP Study completed
- Approve Drainage CIP
- Approve Streets CIP
- Establish Bond Advisory Committee

City of Fair Oaks Ranch
Water, Wastewater and Reuse
5-year CIP

Project #	Type	Description	Score	Revised Score	Phase	Total Project Cost	Prior Years	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	Criticality	Notes
		TOTALS					$ 798,733	$ 2,646,205	$ 2,750,943	$ 7,478,532	$ 12,372,386	$ 15,075,526	$ 8,610,039		
CURRENT PROJECTS															
28R	Water Rehab	Rolling Acres Trail Water Line	43.0	48.0	Design & Construction	$ 337,597		$ 61,754	$ 275,843					Must / Resiliency and O&M	
29R	Water Rehab	Willow Wind Drive/Red Bud Hill Water Line	43.0	48.0	Design & Construction	$ 357,433		$ 65,370	$ 292,063					Must / Resiliency and O&M	
4.1R	Sewer CIP	Wastewater Treatment Plant Solids Handling Improvements	36.0	36.0	Design & Construction	$ 1,066,966	$ 146,756	$ 920,210						Must / O&M	Project in design in FY 21.
2.1S	Sewer CIP	Wastewater Treatment Plant Study - Expansion/Improvement of Existiing vs New WWTP	33.0	38.0	Study	$ 214,624	$ 14,624	$ 200,000						Must / Regulatory and Growth	New Project for engineering consultant to perform study evaluating cost/benefits of a new WWTP versus upgrades to the existing WWTP.
1W	Water CIP	9,000-Gallon Plant #2 Hydropneumatic Tank (Zone C) & VFDs	30.0	33.0	Design & Construction	$ 1,049,390	$ 102,575	$ 946,815						Must / Regulatory	
2W	Water CIP	0.5-MG Zone A Elevated Storage Tank with Plant 3 Upgrades, System PRVs, and 12-inch waterline	30.0	33.0	Design & Construction	$ 5,083,528	$ 446,905	$ 181,623		$ 2,227,500	$ 2,227,500			Must / Regulatory and Contractual Agreements	Project in design in FY 21.
6R	Water Rehab	Creek Crossing Repair West	29.0	34.0	Design & Construction	$ 308,306	$ 87,873	$ 220,433						Must / Resiliency and O&M	Project in design FY 21. Project was started due to water main being exposed with a potential for imminent failure.
21W	Water CIP	Old Fredericksburg Rd Water Line Relocation	23.0	26.0	Design & Construction	$ 300,000		$ 50,000	$ 250,000					Should / O&M and City Priority	New Project not included in master plan. Bexar County developed roadway project after Master Plan effort. Project intended to replace water main with frequent main breaks and to take advantage of construction cost efficiencies by joint bidding with roadway project.
FUTURE PROJECTS															
5W	Water CIP	400-gpm Plant #5 Zone B Pump Station Expansion and 0.5-MG GST (Zone B)	29.0	34.0	Design & Construction	$ 2,530,999			$ 223,499	$ 1,804,353	$ 503,147			Must / Regulatory and Resiliency	Provides additional pumping capacity in Zone B to improve firm pumping capacity and serve growth. Estimated to hit 75% of available pumping capacity in approximately 2025. Storage needed due to high demand - tank turns over numerous times per day due to irrigation demand.
6W[A]	Water CIP	650-gpm Elmo Davis Pump Station Expansion (Zone C)	29.0	34.0	Design & Construction	$ 1,245,304						$ 125,438	$ 770,126	Must / Regulatory and Resiliency	System connections currently exceed 75% capacity for HSP. Increase firm capacity to 1450 GPM in Zone C to maintain adequate pressure during peak demand events.
1R 2R	Water Rehab	Elmo Davis GST #1 & GST #2 – Mechanical/Structural	28.0	33.0	Design & Construction	$ 1,677,084			$ 167,313	$ 524,584	$ 985,187			Should / O&M and Regulatory	Budget includes coatings and cathodic protection system.
1S	Sewer CIP	8-inch Gravity Line and Decommission Falls Lift Station	28.0	33.0	Design & Construction	$ 628,061				$ 507,944	$ 120,116			Should / O&M and Resiliency	Ops experiencing issues with pump sealing and flooding of panel and crews called out frequently. Move forward in CIP per 6/11/20 discussion with City
2S	Sewer CIP	New Wastewater Treatment Plant and Decommission Old WWTP	28.0	33.0	Design & Construction	$ 15,898,083			$ 1,480,583	$ 915,711	$ 5,348,755	$ 6,648,625	$ 1,504,408	Must / Regulatory and Growth	Budget based on Impact Fee update March 2020. Existing WWTP limiting processes are sludge drying beds (rated at 0.1 MGD) and oxidation ditch (rated at 0.34 MGD). 0.35 MGD ADF triggers TCEQ 75% rule for starting new design. 2018 ADF approximately 0.24 MGD. 0.1 MGD difference allows approximately 700 new connections (at 160 gpd/connection) before triggering 75% rule (and exceeding oxidation ditch capacity). May need to consider oxidation ditch improvements to increase treatment capacity if new WWTP delayed.
30R	Water Rehab	Fair Oaks Parkway Water Line Reroute	22.0	27.0	Design & Construction	$ 284,335						$ 56,331	$ 228,004	Nice / O&M and Resiliency	Operational issue for access when main breaks. Move to ROW to provide easier and cleaner access when main break occurs. Possible system looping opportunity as well.
15R	Water Rehab	Well 27 – Electrical	20.0	23.0	Design & Construction	$ 48,650				$ 48,650				Nice / O&M and Resiliency	
5R	Water Rehab	Plant #3 Pump Station – Electrical/Instrumentation	19.0	24.0	Design & Construction	$ 290,445				$ 290,445				Nice / O&M and Resiliency	
4S	Sewer CIP	1.6 MGD Lift Station and 12" Force Main to New WWTP	19.0	24.0	Design & Construction	$ 3,796,459					$ 404,203	$ 1,670,404	$ 1,721,852	Must / Driven by WWTP Efforts	Construction timeline is adjustable - needs to be built in time for new WWTP to come online, but exact timing has some flexibility prior to new WWTP completion. Timing tied with new gravity main for construction of force main at same time as gravity main.
8R	Sewer Rehab	School Lift Station – Mechanical	16.0	19.0	Design & Construction	$ 223,707				$ 223,707				Should / O&M and Resiliency	
9R	Sewer Rehab	Deer Meadows Lift Station #2 – Instrumentation	16.0	19.0	Design & Construction	$ 126,649				$ 126,649				Should / O&M and Resiliency	
10R	Sewer Rehab	Deer Meadows Lift Station #1 – Instrumentation	16.0	19.0	Design & Construction	$ 126,649				$ 126,649				Should / O&M and Resiliency	
27R	Reuse CIP	Effluent Pump Station Expansion	16.0	19.0	Design & Construction	$ 205,818						$ 42,701	$ 163,117	Must / Driven by WWTP Efforts	This project is dependent on the timing of the WWTP. If the WWTP project is delayed, this project will become a higher priority and improvements at the existing WWTP will be needed.
3R	Water Rehab	Elmo Davis Pump Station – Electrical	15.0	20.0	Design & Construction	$ 311,049			$ 61,642	$ 122,812	$ 126,595			Should / O&M and Resiliency	Consider combining with project 6W. Not combined with Project 1R/2R since different subcontractors required.
11R	Water Rehab	Well K6 – Electrical	15.0	20.0	Design & Construction	$ 45,656				$ 45,656				Nice / O&M and Resiliency	
11W	Water CIP	Plant #6 and New GBRA Delivery Point (Zone A/B)	14.0	19.0	Design & Construction	$ 7,609,986				$ 448,231	$ 2,287,044	$ 4,874,711		Should / Resiliency & Growth	Provides additional production and distribution capacity Zones A & B and addresses low pressure and low fire flow plus water for new development. Water supply deficit anticipated 2026 per Master Plan, but depends on growth rates. Assume land donated by developer. Programmed to be completed by 2027
1RU	Reuse CIP	Pump Station - New 2.0 MGD	13.0	16.0	Design & Construction	$ 3,924,403					$ 369,839	$ 1,406,316	$ 2,148,248	Must / Driven by WWTP Efforts	Coordinate force main design with gravity pipeline project 3S. Time completion with new WWTP construction completion or decommissioning of existing WWTP
16R	Water Rehab	Well CR1 – Electrical	13.0	16.0	Design & Construction	$ 44,190				$ 44,190				Nice / O&M and Resiliency	
19R	Water Rehab	Well 31 – Mechanical/Structural	13.0	16.0	Design & Construction	$ 21,450				$ 21,450				Nice / O&M and Resiliency	

City of Fair Oaks Ranch
Water, Wastewater and Reuse
5-year CIP

Project #	Type	Description	Score	Revised Score	Phase	Total Project Cost	Prior Years	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27	Criticality	Notes
TOTALS							**$ 798,733**	**$ 2,646,205**	**$ 2,750,943**	**$ 7,478,532**	**$ 12,372,386**	**$ 15,075,526**	**$ 8,610,039**		
13R	Water Rehab	Well 9 – Electrical	12.0	15.0	Design & Construction	Project Completed									Completed by CFOR staff July 2020.
3S	Sewer CIP	New Gravity Line from Old WWTP to New WWTP	11.0	14.0	Design & Construction	$ 2,325,284						$ 251,000	$ 2,074,283	Must / Driven by WWTP Efforts	Needed if city constructs new WWTP and abandons existing WWTP
7R	Sewer Rehab	Creek Crossing Repair Central	9.0	12.0	Design & Construction	Project Completed									Completed by CFOR staff
20R	Water Rehab	Well 32 – Electrical/Mechanical/Structural	5.0	5.0	Design & Construction	Project Completed									Completed by CFOR staff.
23R	Water Rehab	Well K7 – Mechanical/Structural	5.0	5.0	Design & Construction	Project Completed									Completed by CFOR staff.
24R	Water Rehab	Well 14 – Electrical/Mechanical/Structural	5.0	5.0	Design & Construction	Project Completed									Completed by CFOR staff.
26R	Water Rehab	Well 19 – Electrical	5.0	5.0	Design & Construction	Project Completed									Completed by CFOR staff.
TOTALS	WATER CIP						$ 549,480	$ 1,178,438	$ 473,499	$ 4,480,084	$ 5,017,691	$ 5,000,149	$ 770,126		
	WATER REHAB						$ 87,873	$ 347,557	$ 796,861	$ 1,097,787	$ 1,111,782	$ 56,331	$ 228,004		
	SEWER CIP						$ 161,380	$ 1,120,210	$ 1,480,583	$ 1,423,656	$ 5,873,074	$ 8,570,029	$ 5,300,543		
	SEWER REHAB						$ -	$ -	$ -	$ 477,005	$ -	$ -	$ -		
	REUSE CIP						$ -	$ -	$ -	$ -	$ 369,839	$ 1,449,016	$ 2,311,366		
	REUSE REHAB						$ -	$ -	$ -	$ -	$ -	$ -	$ -		
	TOTAL					$ 50,082,103	$ 798,733	$ 2,646,205	$ 2,750,943	$ 7,478,532	$ 12,372,386	$ 15,075,526	$ 8,610,039		

Notes:
1. Timing of projects in FY23 to FY27 to be evaluated each year and is subject to change based on prioritization criteria, updates in growth rates, system condition, etc.
2. Budgets shown for projects in FY23 to FY27 are estimates and subject to change. Actual anticipated spend to be updated based on project schedules.
3. Budgets based on 2018 dollars with 3% inflation rate assumed.
[A] Total Project Cost shown includes additional dollars beyond 5-year planning cycle.

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	28R
PROJECT TITLE	Rolling Acres Trail Water Line
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of replacing approximately 2,300 LF of existing water main(s) along Rolling Acres Trail.

Location	Rolling Acres Trail
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
48.0	1	No

PROJECT NEED/BENEFITS

This project will address aging water mains that are known to be in poor condition. This water main has a history of main breaks (~4 main breaks since 2016). Replacing these mains will reduce operation and maintenance costs to the City for repairs, avoid disruptions to residents, and reduce total water loss. This project could be considered in conjunction with Project 29R. If this project is not completed, the water main could continue to fail which costs the city money for repairs, water loss, and results in service disruptions to residents in the area.

PROJECT COSTS	Prior	FY20	FY21	FY22	FY23	FY24	Future	Total
Design Phase	$ -	$ -	$ -	$ 61,754	$ -	$ -	$ -	$ 61,754
Construction (including 30% contingency)	$ -	$ -	$ -	$ -	$ 275,843	$ -	$ -	$ 275,843
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 61,754*	*$ 275,843*	*$ -*	*$ -*	*$ 337,597*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY20	FY21	FY22	FY23	FY24	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	29R
PROJECT TITLE	Willow Wind Drive / Red Bud Hill Water Lines
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of replacing approximately 3,300 LF of existing water main(s) along Willow Wind Drive and along Red Bud Hill.

Location	Willow Wind Drive / Red Bud Hill
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
48.0	1	No

PROJECT NEED/BENEFITS

This project will address aging water mains that are known to be in poor condition. This water main has a history of main breaks (~8-12 main breaks between both mains since 2016). Replacing these mains will reduce operation and maintenance costs to the City for repairs, avoid disruptions to residents, and reduce total water loss. This project could be considered in conjunction with Project 28R. If this project is not completed, the water main could continue to fail which costs the city money for repairs, water loss, and results in service disruptions to residents in the area.

PROJECT COSTS	**Prior**	**FY20**	**FY21**	**FY22**	**FY23**	**FY24**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 65,370	$ -	$ -	$ -	$ 65,370
Construction (including 30% contingency)	$ -	$ -	$ -	$ -	$ 292,063	$ -	$ -	$ 292,063
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 65,370*	*$ 292,063*	*$ -*	*$ -*	*$ 357,433*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

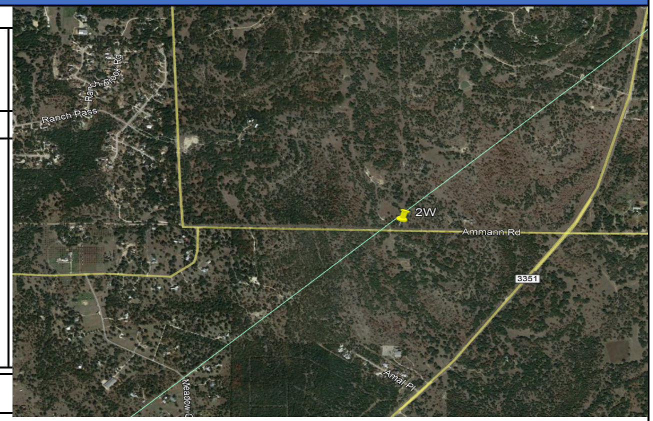
PROJECT BUDGET		**Prior**	**FY20**	**FY21**	**FY22**	**FY23**	**FY24**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	2W
PROJECT TITLE	0.5-MG Zone A Elevated Storage Tank with Plant 3 Upgrades, System PRVs, and 12-inch waterline
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of a new 0.5 MG elevated storage tank at the intersection of West Ammann Road and the Comal County Line. This project also includes the installation of a 12-inch water main (Project 3W) and pressure reducing valves (Project 7W).



Location	Intersection of W Ammann Road and the Comal County Line
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
33.0	1	Yes	74%

*Based on Water & Wastewater Impact Fee Report (FNI 2020)

PROJECT NEED/BENEFITS

The project will provide elevated storage in Zone A, increasing storage capacity and provide the city operational flexbility and emergency storage (domestic and fire flow). The water main will serve the new elevated storage tank, and the pressure reducing valves will provide the city the ability to provide adequate fire flow demand in Zone A while providing support fire flow capacity to Zone B. The 4,000 linear feet of 12-inch waterline along W Ammann Road in conjunction with the elevated storage tank will improve fire flow and meet peak flow requirements within the area. The PRVs being installed in conjunction with the elevated tank and waterline will provide an increase operational efficiency in Zone B. If this project is not constructed, the strain on Water Plant #5 will continue and Project 5W will become more critical. Based on recent information, Water Plant #5 has struggled to keep up with demands at times and the storage tanks are being emptied frequently. If the PRVs are not installed, the city would not have the ability to interconnect Zones A and B. This would exacerbate the need for improvements at facilities for both pressure zones and limit the operational flexibility to address system outages.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ 446,905	$ 181,623		$ -	$ -	$ -	$ -	$ 628,528
Construction (includes 30% contingency)	$ -	$ -	$ -	$ 2,227,500	$ 2,227,500		$ -	$ 4,455,000
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ 446,905*	*$ 181,623*	*$ -*	*$ 2,227,500*	*$ 2,227,500*	*$ -*	*$ -*	*$ 5,083,528*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

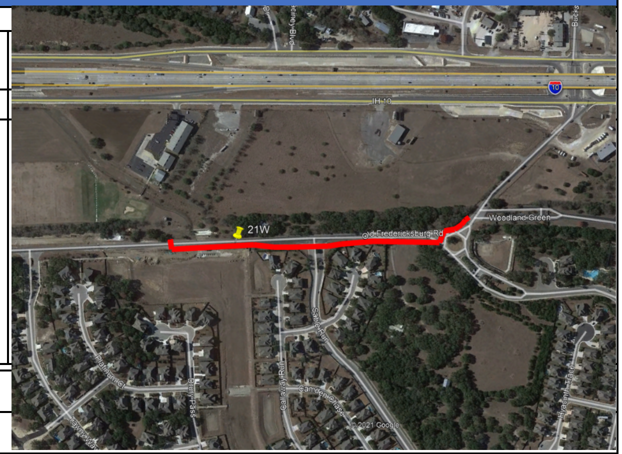
PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	21W
PROJECT TITLE	Old Fredericksburg Rd Water Line Relocation
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of a 6-inch water line along Old Fredericksburg Rd from the existing Water Plant #4 to the intersection of Old Fredericksburg Rd and Woodland Green. This project was developed after the Master Plan was developed.



Location	Along Old Fredericksburg Rd
Limits From/To:	From Water Plant #4 to Woodland Green

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
26.0	1	N/A	N/A
*Project not included in Impact Fee Study			

PROJECT NEED/BENEFITS

This project will replace an existing water main with a main break history along Old Fredericksburg Rd. This project design and construction will coincide with the Bexar County roadway project to gain efficiencies during design and construction and limit the impact to local residents to one time. If this project is not completed concurrently with the Bexar County roadway project, the City will lose on the efficiencies gained by designing and constructing this project concurrently. In the event of future main breaks or future relocation of the waterline, the city would be responsible for roadway restoration which would drive the cost of the project up. The city would also be impacting local residents again which could cause some public relation issues.

PROJECT COSTS	Prior	FY20	FY21	FY22	FY23	FY24	Future	Total
Design Phase	$ -	$ -	$ -	$ 50,000	$ -	$ -	$ -	$ 50,000
Construction (includes 30% contingency)	$ -	$ -	$ -	$ -	$ 250,000	$ -	$ -	$ 250,000
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 50,000*	*$ 250,000*	*$ -*	*$ -*	*$ 300,000*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY20	FY21	FY22	FY23	FY24	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	5W
PROJECT TITLE	400-gpm Water Plant #5 Zone B Pump Station Expansion and 0.5-MG GST (Zone B)
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of a 400 gpm expansion at the Water Plant #5 Zone B Pump Station. This project will increase the firm capacity of the pump station from 800 gpm to 1,200 gpm. This project also includes a new 0.50-MG ground storage tank.

Location	Water Plant #5 Zone B
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
34.0	1	Yes	8%

*Based on Water & Wastewater Impact Fee Report (FNI 2020)

PROJECT NEED/BENEFITS

The project will provide additional water distribution, pumping, and storage capacity to serve Zone B, improving operational redundancy and positively impacting Water Plant #1/Elmo Davis because Plant #5 feeds into Plant#1/Elmo Davis. Plant #5 has struggled to keep up with water and irrigation demands in the service area. As a result, the existing storage tank is constantly being emptied. If the water supply is lost due to a main break or other circumstances, the City would be limited to the existing tank's capacity which does not maintain an acceptable reserve and would likely cause service disruptions. If this project is not completed, Water Plant #5 will continue to struggle keeping up with system demands which leads to additional strain on pumps, higher electrical costs and would ultimately result in outages when the facility begins to fail.

PROJECT COSTS	Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Design Phase	$ -	$ -	$ 223,499	$ 49,368	$ -	$ -	$ -	$ 272,867
Construction (includes 30% contingency)	$ -	$ -	$ -	$ 1,754,985	$ 503,147	$ -	$ -	$ 2,258,132
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ 223,499*	*$ 1,804,353*	*$ 503,147*	*$ -*	*$ -*	*$ 2,530,999*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	6W
PROJECT TITLE	650-gpm Elmo Davis Pump Station Expansion, Electrical Upgrades
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of a 650 gpm expansion at the Elmo Davis Pump Station, which will increase the firm capacity of the pump station from 800 gpm to 1,450 gpm. This project may be considered in conjunction with Project 3R.

Location	Zone C Pump Station (Near Elmo Davis Plant)
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
34.0	1	Yes	19%
*Based on Water & Wastewater Impact Fee Report (FNI 2020)			

PROJECT NEED/BENEFITS

This facility is at approximately 75% of the minimum high service pump capacity requirements per TCEQ regulations based on the current number of connections. This project will provide additional distribution pumping capacity to serve Zone C to maintain compliance with TCEQ requirements. The City has struggled to keep up with water and irrigation demands in the service area. If peak demands continue to rise, the City will have trouble keeping up with demand due to the limited existing pump capacity and lower system pressures will likely result. Project 3R may also be considered in conjunction with Project 6W, which will address operational and maintenance issues with the electrical and SCADA systems and ground storage tanks. Refer to Project 3R for additional information on the operations and maintenance improvements. If this project is not completed and the number of connections continues to rise, the pumping capacity in Zone C would become deficient and could result in violations being issued.

PROJECT COSTS	Prior	FY23	FY24	FY25	FY26	FY27	Future	Total
Design Phase	$ -	$ -	$ -	$ -	$ 125,438	$ 16,163	$ -	$ 141,601
Construction (includes 30% contingency)	$ -	$ -	$ -	$ -	$ -	$ 753,963	$ 349,740	$ 1,103,703
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ -*	*$ 125,438*	*$ 770,126*	*$ 349,740*	*$ 1,245,304*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY23	FY24	FY25	FY26	FY27	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	1R / 2R
PROJECT TITLE	Elmo Davis GST # 1 & GST # 2 - Mechanical and Structural Improvements
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: These projects consist of rehabilitation of two 500,000 gallon ground storage tanks at the Elmo Davis Plant. This project also includes the recoating of the existing tanks and installation of a cathodic protection system.

Location	Elmo Davis Pump Station
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Elmo Davis Pump Station	5.46 (Moderate Risk)
Elmo Davis GST # 1	7.60 (High Risk)
Elmo Davis GST # 2	7.40 (High Risk)

**From Table 10-11 in Master Plan

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
33.0	1	No

PROJECT NEED/BENEFITS

This pump station has been identified as a critical pump station due to the amount of connections it serves. The pump station received the worst score amongst all pump stations and the GSTs received the 1st and 2nd worst scores amongst all storage components within the system. This project will address deficiencies noted in the master plan, such as insulating the pump station building to improve heating and cooling efficiency which also protects the pumps and piping from extreme weather conditions. This project will also address some TCEQ issues as mentioned in the most recent inspection. During the evaluation to prepare the Master Plan, the tanks were not considered for recoating and adding cathodic protection, however, the current coating system is near the end of its life. The Master Plan budgeted cost was based on 2018 dollars and the recoating of the storage tanks and providing a cathodic protection system to extend the life of the tank coatings has been added. This additional coating and cathodic protection cost is estimated at $1/gallon.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ 167,313	$ 21,558	$ -	$ -	$ -	$ 188,871
Construction (including 30% contingency)	$ -	$ -	$ -	$ 503,026	$ 985,187	$ -	$ -	$ 1,488,213
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ 167,313*	*$ 524,584*	*$ 985,187*	*$ -*	*$ -*	*$ 1,677,084*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

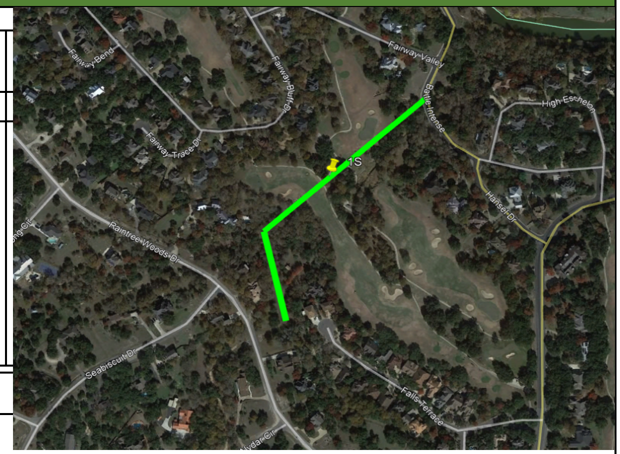
PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	1S
PROJECT TITLE	8-inch Gravity Line and Decommission Falls Lift Station
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: Decommission the Falls Lift Station and extend an 8-inch gravity line to existing 10-inch line along Battle Intense.



Location	55 Falls Terrace (Falls Lift Station)
Limits From/To:	From Falls Lift Station to Battle Intense

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
33.0	1	Yes	4%
*Based on Water & Wastewater Impact Fee Report (FNI 2020)			

PROJECT NEED/BENEFITS

This project removes the Falls Lift Station from service due to recent increases in operation and maintenance costs. Currently, the City is being called out to this lift station frequently for a variety of issues. Staff mentioned that they have had issues with the lift station pumps sealing, possibly due to failing grout on the floor. Crews have added washers and spacers to the bolts to allow the pump to sit as it should and seal, but this is a temporary fix. This lift station also has issues with the water level rising up to a point where it can enter the electrical panel causing problems. This project will extend a new 8" wastewater main approximately 1,730 linear feet to the existing 10-inch wastewater main along Battle Intense as part of the decommisioning of the lift station.

PROJECT COSTS	Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Design Phase	$ -	$ -	$ -	$ 75,308	$ 8,625	$ -	$ -	$ 83,933
Construction (includes 30% contingency)	$ -	$ -	$ -	$ 432,637	$ 111,491	$ -	$ -	$ 544,128
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 507,945*	*$ 120,116*	*$ -*	*$ -*	*$ 628,061*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

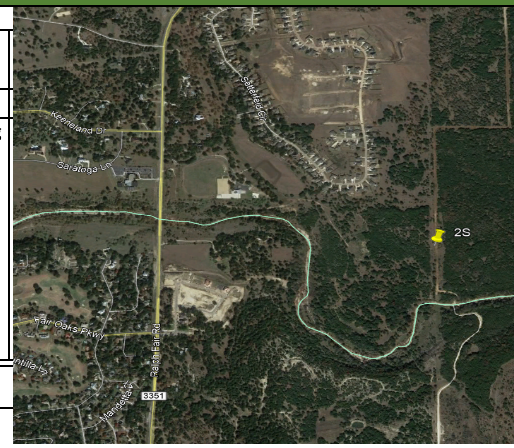
PROJECT BUDGET		Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	2S
PROJECT TITLE	New Wastewater Treatment Plant and Decommission Old WWTP.
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: New 0.60 mgd Waste Water Treatment Plant and decommissioning of the old WWTP. This project was modified from the 2018 Water/Wastewater Master Plan as part of the 2020 Impact Fee Update.



Location	To be determined by siting study
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
Property Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
33.0	1	Yes	52%

*Based on Water & Wastewater Impact Fee Report (FNI 2020)

PROJECT NEED/BENEFITS

This project will address the future capacity deficiency and will address operational limitations of the existing WWTP. This project will provide the City a new WWTP to grow into and serve the ultimate population of the community.

PROJECT COSTS	Prior	FY23	FY24	FY25	FY26	FY27	Future	Total
Design Phase	$ -	$ 1,480,583	$ 915,711	$ 314,639	$ -	$ -	$ -	$ 2,710,933
Construction (includes 30% contingency)	$ -	$ -	$ -	$ 5,034,117	$ 6,648,625	$ 1,504,408	$ -	$ 13,187,150
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other (Land Acquisition)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ 1,480,583*	*$ 915,711*	*$ 5,348,756*	*$ 6,648,625*	*$ 1,504,408*	*$ -*	*$ 15,898,083*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY23	FY24	FY25	FY26	FY27	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	30R
PROJECT TITLE	Fair Oaks Parkway Water Line Reroute
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of re-routing an existing water main within the right-of way to improve operational access and maintainability for this water line.

Location	Fair Oaks Parkway
Limits From/To:	From approximately mid-way between Raintree Woods Drive and Falls Terrace and Hansel Drive.

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
27.0	1	No

PROJECT NEED/BENEFITS

This project will relocate approximately 1,000 linear feet of an existing water main that is currently within private property and poses difficulties when maintenance and/or repairs are needed. This water main will be relocated within the right-of-way providing the City easier access to the main for repairs. This project will also benefit the adjacent golf course and nearby residents as there would be less disturbance to the area when work is being performed.

PROJECT COSTS	**Prior**	**FY23**	**FY24**	**FY25**	**FY26**	**FY27**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ -	$ 56,331	$ 10,247	$ -	$ 66,578
Construction (including 30% contingency)	$ -	$ -	$ -	$ -	$ -	$ 217,757	$ -	$ 217,757
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ -*	*$ 56,331*	*$ 228,004*	*$ -*	*$ 284,335*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY23**	**FY24**	**FY25**	**FY26**	**FY27**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	15R
PROJECT TITLE	Well 27 - Electrical
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of replacing the electrical service head, panels, conductors and associated electrical components.

Location	Well 27 Site
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Well 27	5.55 (Moderate Risk)
**From Table 10-11 in Master Plan	

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
23.0	1	No

PROJECT NEED/BENEFITS

As the city has experienced wih other production wells, Well 27 shows significant signs of corrosion and heat deterioration on the electrical panels. These panels are 20+ years old and given their exposure put the city at risk for losing Well 27 if the electrical gear fails. This project will also provide a new electrical connection to the well head since the existing flexible conduit has deteriorated to the point of exposing the power cables which is a safety concern. Well 27 is rated to produce approximately 80 gpm for the city and based on the master plan, Well 27 ranked 14th worst out of all the wells within the system based on condition and criticality.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 10,579	$ -	$ -	$ -	$ 10,579
Construction (including 30% contingency)	$ -	$ -	$ -	$ 38,071	$ -	$ -	$ -	$ 38,071
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 48,650*	*$ -*	*$ -*	*$ -*	*$ 48,650*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	5R
PROJECT TITLE	Water Plant # 3 Pump Station - Electrical and Instrumentation Improvements
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of electrical and instrumentation improvements to properly operate the new pumps to be installed at Water Plant # 3.

Location	Water Plant # 3
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Water Plant # 3 Pump Station	3.31 (Low Risk)
Water Plant # 3 GST # 1	2.75 (Low Risk)
Water Plant # 3 GST # 2	2.55 (Low Risk)

**From Table 10-11 in Master Plan

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
24.0	1	No

PROJECT NEED/BENEFITS

This project will address known pump issues at Water Plant # 3. Currently, this facility uses cellular for SCADA and serves as a repeater for well sites. The electrical equipment at the facility has been identified as the original equipment and it is beyond its expected service life. The facility has recently upgraded the incoming electrical service equipment and ATS, so bringing the rest of the electrical equipment up to new standards will improve the maintence of the facility for years to come.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 74,276	$ -	$ -	$ -	$ 74,276
Construction (including 30% contingency)	$ -	$ -	$ -	$ 216,169	$ -	$ -	$ -	$ 216,169
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 290,445*	*$ -*	*$ -*	*$ -*	*$ 290,445*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	4S
PROJECT TITLE	1.6 MGD Lift Station and 12" Force Main to New WWTP
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: New lift station to convey flows from new gravity pipeline 3S to the new WWTP (Project 2S). This project was modified from the 2018 Water/Wastewater Master Plan as part of the 2020 Impact Fee Update.

Location	To be determined by siting study for WWTP
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	Priority Rank	Impact Fee Eligible*	Impact Fee Funding Eligibility*
24.0	1	Yes	52%
*Based on Water & Wastewater Impact Fee Report (FNI 2020)			

PROJECT NEED/BENEFITS

This project will convey flows from the new gravity pipeline Project 3S to the new WWTP (Project 2S).

PROJECT COSTS	Prior	FY23	FY24	FY25	FY26	FY27	Future	Total
Design Phase	$ -	$ -	$ -	$ 404,203	$ 36,763	$ 37,896	$ -	$ 478,862
Construction (includes 30% contingency)	$ -	$ -	$ -	$ -	$ 1,633,641	$ 1,683,956	$ -	$ 3,317,597
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 404,203*	*$ 1,670,404*	*$ 1,721,852*	*$ -*	*$ 3,796,459*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY23	FY24	FY25	FY26	FY27	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	8R
PROJECT TITLE	School Lift Station - Mechanical Improvements
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of modifications to the wet well and incorporating the lift station into the current SCADA system.

Location	School Lift Station
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
School Lift Station	4.90 (Moderate Risk)
**From Table 10-19 in Master Plan	

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
19.0	2	No

PROJECT NEED/BENEFITS

The City has developed a plan to standardize all of the lift stations in an effort to gain some efficiencies in the operation and maintenance of the system. In order to do this, the School Lift Station will need to be incorporated into the SCADA system to allow staff to control the lift station remotely and recieve notifications on alarms, etc. The School Lift Station ranked 3rd overall in criticality rankings, and 3rd overall in condition ratings. To mitigate potential risks to the City, staff would also like to create a new emergency access port into the wet well. This access port would afford the city the ability to install a temporary emergency pump in the event a pump goes down. The current configuration requires the City to open the access hatch to install an emergency pump creating odor and safety issues with an exposed wet well. This project would replicate what was done to the Bottom of the Hill Lift Station the City upgraded in 2018.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 57,209	$ -	$ -	$ -	$ 57,209
Construction (including 30% contingency)	$ -	$ -	$ -	$ 166,498	$ -	$ -	$ -	$ 166,498
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 223,707*	*$ -*	*$ -*	*$ -*	*$ 223,707*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	9R	
PROJECT TITLE	Deer Meadows Lift Station # 2 - Instrumentation	
DEPARTMENT(S)	Engineering	

PROJECT DESCRIPTION: This project consists of modifications to the wet well and incorporating the lift station into the current SCADA system.

Location	Deer Meadows Lift Station # 2
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Deer Meadows Lift Station # 2	4.25 (Moderate Risk)
**From Table 10-19 in Master Plan	

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
19.0	2	No

PROJECT NEED/BENEFITS

The City has developed a plan to standardize all of the lift stations in an effort to gain some efficiencies in the operation and maintenance of the system. In order to do this, the Deer Meadows # 2 Lift Station will need to be incorporated into the SCADA system to allow staff to control the lift station remotely and recieve notifications on alarms, etc. The Deer Meadows # 2 Lift Station ranked 4th overall in criticality rankings and 5th overall in condition ratings. To mitigate potential risks to the City, staff would also like to create a new emergency access port into the wet well. This access port would afford the city the ability to install a temporary emergency pump in the event a pump goes down. The current configuration requires the City to open the access hatch to install an emergency pump creating odor and safety issues with an exposed wet well. This project would replicate what was done to the Bottom of the Hill Lift Station the City upgraded in 2018.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 32,388	$ -	$ -	$ -	$ 32,388
Construction (including 30% contingency)	$ -	$ -	$ -	$ 94,261	$ -	$ -	$ -	$ 94,261
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 126,649*	*$ -*	*$ -*	*$ -*	*$ 126,649*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	10R
PROJECT TITLE	Deer Meadows Lift Station # 1 - Instrumentation
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of modifications to the wet well and incorporating the lift station into the current SCADA system.

Location	Deer Meadows Lift Station # 1
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Deer Meadows Lift Station # 1	4.35 (Moderate Risk)
**From Table 10-19 in Master Plan	

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
19.0	2	No

PROJECT NEED/BENEFITS

The City has developed a plan to standardize all of the lift stations in an effort to gain some efficiencies in the operation and maintenance of the system. In order to do this, the Deer Meadows # 1 Lift Station will need to be incorporated into the SCADA system to allow staff to control the lift station remotely and recieve notifications on alarms, etc. The Deer Meadows # 2 Lift Station ranked 4th overall in criticality rankings and 4th overall in condition ratings. To mitigate potential risks to the City, staff would also like to create a new emergency access port into the wet well. This access port would afford the city the ability to install a temporary emergency pump in the event a pump goes down. The current configuration requires the City to open the access hatch to install an emergency pump creating odor and safety issues with an exposed wet well. This project would replicate what was done to the Bottom of the Hill Lift Station the City upgraded in 2018.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 32,388	$ -	$ -	$ -	$ 32,388
Construction (including 30% contingency)	$ -	$ -	$ -	$ 94,261	$ -	$ -	$ -	$ 94,261
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 126,649*	*$ -*	*$ -*	*$ -*	*$ 126,649*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	27R
PROJECT TITLE	Effluent Pump Station Expansion
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project is subject to additional review and/or modification pendiing a decisions on the timeline of the WWTP.

Location	WWTP Site
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
19.0	2	No

PROJECT NEED/BENEFITS

The current effluent pump station does not have the capacity to pump all the way from the WWTP to the dischare point at the golf course ponds. The City must utilize a secondary pumping station on the WWTP which has limited storage capacity, challenging the City's ability to move treated effluent out of the plant. In addition, the secondary pump station is in the floodplain of Cibolo Creek and subject to flooding. This project would improve the pumping capacity to allow effluent to be sent all the way to the golf course ponds. This timing of this project is subject to review and modification pending a decision on the timeline for the WWTP (Project 2S).

PROJECT COSTS	**Prior**	**FY23**	**FY24**	**FY25**	**FY26**	**FY27**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ -	$ 42,701	$ 7,767	$ -	$ 50,468
Construction (including 30% contingency)	$ -	$ -	$ -	$ -	$ -	$ 155,350	$ -	$ 155,350
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ -*	*$ 42,701*	*$ 163,117*	*$ -*	*$ 205,818*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY23**	**FY24**	**FY25**	**FY26**	**FY27**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	3R
PROJECT TITLE	Elmo Davis Pump Station - Electrical Improvements
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of the rehabilitation of various electrical components at the Elmo Davis pump station. This project is being considered in conjunction with Project 6W.

Location	Elmo Davis Pump Station
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Elmo Davis Pump Station	5.46 (Moderate Risk)
Elmo Davis GST # 1	7.60 (High Risk)
Elmo Davis GST # 2	7.40 (High Risk)

**From Table 10-11 in Master Plan

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
20.0	2	No

PROJECT NEED/BENEFITS

This project will address the electrical issues noted in the master plan to include, replacing a tap box with a distribution panelboard which will provide isolation when working on any starters. This project will also update some of the aging electrical components such as the pump 3 starter, which has been noted to be the original starter. The panelboards, transformer and other components have also been identified as potential risks to operation and maintenance to this pump station which serves approximately 1060 connections. This project may be considered to be combined with Project 6W.

PROJECT COSTS	Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Design Phase	$ -	$ -	$ 61,642	$ -	$ -	$ -	$ -	$ 61,642
Construction (including 30% contingency)	$ -	$ -	$ -	$ 122,812	$ 126,595	$ -	$ -	$ 249,407
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ 61,642*	*$ 122,812*	*$ 126,595*	*$ -*	*$ -*	*$ 311,049*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	11R
PROJECT TITLE	Well K6 - Electrical
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of replacing the electrical service head, panels, conductors and associated electrical components.

Location	Well K6 Site
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Well K6	7.50 (High Risk)
**From Table 10-11 in Master Plan	

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
20.0	2	No

PROJECT NEED/BENEFITS

Well K6 is deemd a highly crtitical well for the City with a capacity of approximately 110 GPM. Well K6 ranked worst of all of the wells within the system based on condition and criticality assessed in the master plan. The existing electrical eqiupment is past its expected service life and is recommend for replacement. As with other wells, the city will look to improve the insulation system to prevent the accelerated corrosion under insulation.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 11,414	$ -	$ -	$ -	$ 11,414
Construction (including 30% contingency)	$ -	$ -	$ -	$ 34,242	$ -	$ -	$ -	$ 34,242
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 45,656*	*$ -*	*$ -*	*$ -*	*$ 45,656*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

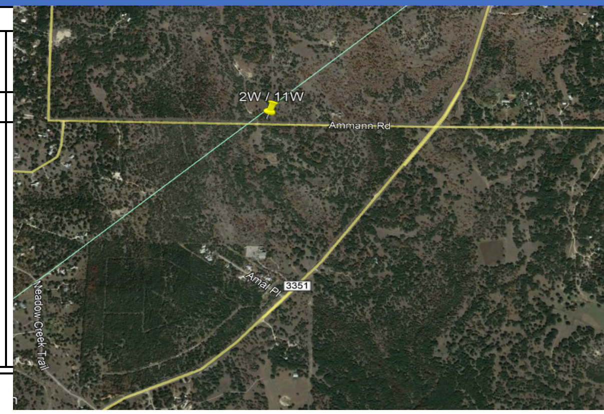
PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	11W
PROJECT TITLE	Water Plant #6 and New GBRA Delivery Point (Zone A/B)
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of a new Water Plant #6 at the intersection of West Ammann Road and the Comal County Line. It will include a 600 gpm Zone A Pump Station, a 1,600 gpm Zone B Pump Station, and a 1.75 MG Ground Storage Tank. This project will create a new delivery point from GBRA.



Location	Water Plant # 6
Limits From/To:	Along W Ammann Road between Ralph Fair Road and Rolling Acres Trail

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
19.0	2	Yes	100%
*Based on Water & Wastewater Impact Fee Report (FNI 2020)			

PROJECT NEED/BENEFITS

This project will allow for additional production and distribution capacity for Zones A and B . This project also provides the City's system with proper resources in Zone B for operational improvement. This facility is anticipated to be needed between 2023 and 2026 to distribute additional supply into the system based on the projections in the Master Plan - timing shall be revisited yearly based on updated growth projections and the project timing shifted accordingly.

PROJECT COSTS	Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Design Phase	$ -	$ -	$ -	$ 448,231	$ 323,426	$ 151,817	$ -	$ 923,474
Construction (includes 30% contingency)	$ -	$ -	$ -	$ -	$ 1,963,618	$ 4,722,894	$ -	$ 6,686,512
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 448,231*	*$ 2,287,044*	*$ 4,874,711*	*$ -*	*$ 7,609,986*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		Prior	FY22	FY23	FY24	FY25	FY26	Future	Total
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	16R
PROJECT TITLE	Well CR1 - Electrical
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of the replacement of the pump starter motor and upsizing the pump electrical cables at wellsite CR1.

Location	Well CR1 Site
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Well CR1	5.40 (Moderate Risk)
**From Table 10-11 in Master Plan	

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
16.0	2	No

PROJECT NEED/BENEFITS

This project will address the electrical safety concerns and deteriorating components at this well site. The pump starter motor appears to be the original starter and is beyond it's expected service life. There is also concern about the conductor that was pulled to the motor being oversized which could cause the pump to run above its rated capacity and eventually fail. During the site observation, the master plan noted that only some cable strands were trimmed and only a portion of the cable is connected which is a safety hazard. This well site produces approximately 70 gpm to the city's distribution system. and based on the criticality and condition of the well at the time of inspection, Well CR1 ranked 15th worst out of all wells within the system.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 11,048	$ -	$ -	$ -	$ 11,048
Construction (including 30% contingency)	$ -	$ -	$ -	$ 33,142	$ -	$ -	$ -	$ 33,142
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 44,190*	*$ -*	*$ -*	*$ -*	*$ 44,190*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	19R
PROJECT TITLE	Well 31 - Structural/Mechanical
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: This project consists of re-coating and replacing the insulation system on the yard piping, and replacing the site fencing at well site 31.

Location	Well 31 Site
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Facility Component	**Overall Risk Assessment Score**
Well 31	5.15 (Moderate Risk)

**From Table 10-11 in Master Plan

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***
16.0	2	No

PROJECT NEED/BENEFITS

This project will replace the perimeter fencing due to its age and condition. This project will also improve the insulation system preventing the corrosion of the piping under the insulation. This project will also involve coating the piping and valves to extend the service life of the well which is rated for 80 gpm capacity. Based on the condition and critical assessment in the master plan, Well 31 ranked 17th out of all the wells within the system.

PROJECT COSTS	**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ 5,363	$ -	$ -	$ -	$ 5,363
Construction (including 30% contingency)	$ -	$ -	$ -	$ 16,087	$ -	$ -	$ -	$ 16,087
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ 21,450*	*$ -*	*$ -*	*$ -*	*$ 21,450*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

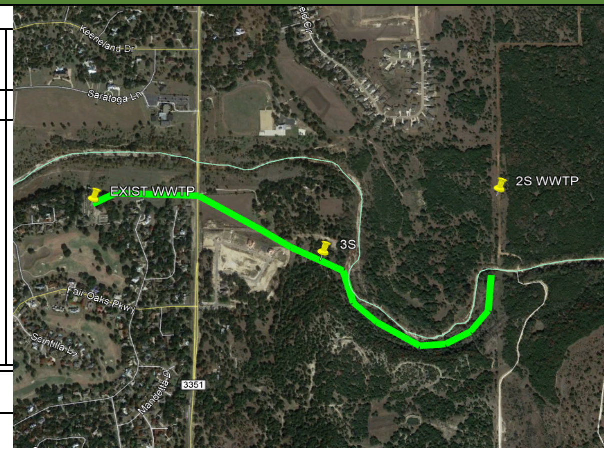
PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY OF FAIR OAKS RANCH CAPITAL IMPROVEMENT PROGRAM

PROJECT ID:	3S
PROJECT TITLE	New Gravity Line from Old WWTP to New WWTP
DEPARTMENT(S)	Engineering

PROJECT DESCRIPTION: A new 12/15/18-inch gravity line from the existing WWTP to the proposed lift station at the new WWTP. This project is being considered in conjunction with Projects 2S and 4S.



Location	Old WWTP to New 1.6 MGD Lift Station
Limits From/To:	

Schedule	**Start**	**End**
Design Phase		
ROW/Esmt Acq.		
Construction		

Prioritization Score	**Priority Rank**	**Impact Fee Eligible***	**Impact Fee Funding Eligibility***
14.0	3	Yes	25%

*Based on Water & Wastewater Impact Fee Report (FNI 2020)

PROJECT NEED/BENEFITS

This project will convey wastewater flows from the existing WWTP to the new WWTP (Project 2S) by installing approximately 2,690 linear feet of 12-inch, 2,640 linear feet of 15-inch, and 1,320 linear feet of 18-inch of sewer main to the proposed lift station included with Project 2S. This project avoids the re-routing of existing flow paths in the system to the WWTP. This sewer line will also allow the City to serve the ultimate population in this area. Refer to Project 2S for a detailed project description and project needs/benefits.

PROJECT COSTS	**Prior**	**FY23**	**FY24**	**FY25**	**FY26**	**FY27**	**Future**	**Total**
Design Phase	$ -	$ -	$ -	$ -	$ 251,000	$ 45,659	$ -	$ 296,659
Construction (includes 30% contingency)	$ -	$ -	$ -	$ -	$ -	$ 2,028,625	$ -	$ 2,028,625
Management	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Inspection/Testing	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Estimated Cost	*$ -*	*$ -*	*$ -*	*$ -*	*$ 251,000*	*$ 2,074,284*	*$ -*	*$ 2,325,284*
Annual O&M Fiscal Impact	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

PROJECT BUDGET		**Prior**	**FY22**	**FY23**	**FY24**	**FY25**	**FY26**	**Future**	**Total**
Funding Source									
Account No.	**Fund**								
	Planned CIP	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Impact Fees	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Revenues		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
EXPENDITURE									
xx-xx-xxxx	TBD	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Expenditures		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -

Note: All amounts are shown in current dollars

CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
October 21, 2021

AGENDA TOPIC:	Consideration and possible action approving a Memorandum of Understanding (MOU) with the Fair Oaks Ranch Homeowners Association (FORHA) for an Annual Peace Tree Lighting and Veterans Day Event and to authorize the City Manager to execute the agreement.
DATE:	October 21, 2021
DEPARTMENT:	Administration
PRESENTED BY:	Tobin E. Maples, AICP, City Manager

INTRODUCTION/BACKGROUND:

Over the past few years, FORHA and members of the community have approached the City with a desire to establish an annual event to honor veterans and kick-off the holiday season. If the City desires to advance an event of this nature jointly with FORHA, staff recommends Council take formal action to memorialize event roles and responsibilities. A proposed MOU being developed for this purpose will be provided prior to the October 21st City Council meeting with hard copies available the night of the meeting.

By way of background, the Peace Tree is located on property owned by the City. FORHA has traditionally led all Peace Tree lighting activities. To the best of the city's knowledge, formal agreements for Peace Tree lighting activities do not exist. At their October 12, 2021, Regular Business meeting, the FORHA Board agreed to marry the annual lighting of the peace tree with a veteran's day celebration.

The purpose of this MOU is to create a formal understanding of responsibities between FORHA and the City for this specific event. After Council approval, the MOU will be scheduled for consideration by the FORHA Board.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Address the interest of FORHA and its members

LONGTERM FINANCIAL & BUDGETARY IMPACT:

TBD but minimal impact anticipated.

LEGAL ANALYSIS:

Approved as to form.

RECOMMENDATION/PROPOSED MOTION:

I move to approve a Memorandum of Understanding (MOU) with the Fair Oaks Ranch Homeowners Association (FORHA) for an Annual Peace Tree Lighting and Veterans Day event and to authorize the City Manager to execute the agreement.

MEMORANDUM OF UNDERSTANDING BETWEEN THE FAIR OAKS RANCH HOMEOWNERS' ASSOCIATION (FORHA) AND THE CITY OF FAIR OAKS RANCH (CITY) FOR AN ANNUAL PEACE TREE LIGHTING AND VETERNAS DAY EVENT

THE STATE OF TEXAS §
§
COUNTIES OF BEXAR, COMAL, AND KENDALL §

This Understanding is entered into between The City of Fair Oaks Ranch, Texas (the "City"), acting by and through its governing body, and The Fair Oaks Homeowners Association, Inc., ("FORHA"), acting by and through its governing body.

RECITALS

To protect and promote the interest of its citizens, the City agrees to allow FORHA to conduct an annual event on property owned by the City, which includes, hanging and displaying decorative lighting on the Peace Tree previously donated to the City by FORHA. It is not the intent of this understanding for the CITY to serve as the primary sponsor or owner of this annual event unless the CITY agrees to such subsequent to a request from FORHA.

To protect the interest of its employees, CITY does not waive any rights to promulgate policies, procedures, rules, directives, and orders for the lawful use of the property.

NOW, THEREFORE, the CITY and FORHA in consideration of the mutual covenants and agreements do mutually agree as follows:

SCOPE

CITY authorizes FORHA to enter onto the subject property owned and controlled by the CITY in order to prepare for and host an annual event promoting inclusiveness among residents of the CITY leading to peace and good will into the holiday season and recognizing the contributions of Veterans. The event will be held on November 11th of each year and may include but is not limited to the following activities:

- Preparation of the property
- Honor Guard Presentation of the United States flag and Texas State flag
- Pledge of Allegiance and singing of the National Anthem
- Introduction of elected officials and honorary guest(s)
- Brief speech and/or statement by Mayor, FORHA Board President, and/or honorary guest(s)
- Lighting of the Peace Tree from November 11th through the first week of the next calendar year
- Refreshments for participants
- Community fellowship

ROLES AND RESPONSIBILITIES

FORHA shall be responsible for:

- Providing a FORHA liaison to work with the CITY to coordinate the event
- Overall planning for the annual November 11th event, inclusive of contacting and securing sponsors and participants
- For budgetary purposes coordination and scheduling of the event with the CITY not later than June 30th of each year
- Securing all 3rd party authorizations necessary to conduct the event including but not limited to approval from the Fair Oaks Ranch Country Club for the utilization of their parking lot
- Providing financial support for any costs associated with support of the event, inclusive of but not limited to, purchasing lights, extension/electrical cords, adapters, refreshments, portable PA systems, etc.

- Providing FORHA volunteers quarterly to check on the landscaping needs of the Peace Tree area-e.g., pick-up leaves, trim the bushes, weed the area, and possibly add mulch if needed
- Event advertisement through FORHA-e.g., Social Media-Nextdoor, Facebook, newspaper, etc.
- Work with the CITY to design a new setting for the Peace Tree Plaque that is located at the base of the tree
- In coordination with CITY staff, conduct an annual review of this MOU to determine if modifications are warranted.

CITY shall be responsible for:

- Providing a CITY liaison to work with FORHA to coordinate the event
- Maintenance and annual preparation of the City owned property utilized for the event. The intent being the City will provide the labor and material to power wash curbs, benches, rocks, sidewalks, and driveways, etc., trim trees, grass, shrubbery, replace mulch and/or add rock landscaping to the mulch areas, replace dead plants, etc.
- Hire an arborist to evaluate and implement an action plan to stabilize the Peace Tree if the tree becomes distressed at anytime
- Provide logistical support and labor to install and take down Peace Tree lighting
- Provide electricity to light the Peace Tree from November 11th through the first week of the next calendar year. The intent is to turn the lights off immediately following the New Year's Day holiday
- Event advertisement through CITY-e.g., Social Media-Nextdoor, Facebook, etc.
- Presentation of the United States flag and Texas State flag by the CITY Police Department Honor Guard.
- If necessary, providing portable lighting for the parking lot area
- Public safety and traffic control

TERM

The term of this MOU will be indefinite from the effective date hereof. This MOU may be terminated and/or modified by (i) by the mutual agreement and consent of both CITY and FORHA; by either party, upon the failure of the other party to fulfill its obligations as set forth in this MOU; (iii) by the CITY, at will and without cause by providing FORHA written notice six (6) months prior to date of termination. Any oral or written representations or modifications concerning this Understanding shall be of no force and effect excepting a subsequent modification in writing by both parties.

CITY will retain control and supervision over the use of its property at all times and does not waive any rights regarding the lawful administration of police powers within its jurisdiction, inclusive of this event. A police officer of the CITY responding to a call for service or investigating suspicious activity at this event shall maintain complete discretion in the manner and means by which they conduct police activity on a daily basis and as they would on any properties within Fair Oaks Ranch. Nothing herein may be read to imply that any FORHA has the right to limit lawful discretionary police activity during this event, without first obtaining written permission from the CITY or pursuant to a lawful order of a court of competent jurisdiction.

APPROVED:

President of Fair Oaks Homeowners Association, Inc.   Date

City Manager, City of Fair Oaks Ranch, Texas   Date