

VIA VIDEO CONFERENCE



**CITY OF FAIR OAKS RANCH
AGENDA – CITY COUNCIL VIDEOCONFERENCE**

August 6, 2020 9:30 AM

Via Videoconference

7286 Dietz Elkhorn, Fair Oaks Ranch

THERE EXISTS A PUBLIC HEALTH EMERGENCY RELATED TO THE COVID-19 VIRUS THAT NECESSITATES A MEETING OF THE CITY COUNCIL TO TAKE PLACE VIA VIDEO CONFERENCE PURSUANT TO GOVERNMENT CODE CHAPTER 551.127, AS MODIFIED BY EXECUTIVE ORDER OF THE GOVERNOR

Videoconference Link:

<https://fairoaksranchtx.webex.com/fairoaksranchtx/onstage/g.php?MTID=ee04a830bf3924b65bba405f35faff1db>

Videoconference Password: Attendee

If you would like to join as an audio conference only please dial: **

1-415-527-5035 (Toll)

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*****Due to costs incurred by the city for each minute for each caller using the Toll Free line please consider using the Toll Number if your phone plan covers long distance calls.***

Access Code: 199 575 6762

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

If you wish to address the Council, please raise your hand on your computer or if calling in select *3 on your phone; this will place you in a queue for speaking. At the appropriate time the City Secretary will call upon each individual separately. In accordance with the Open Meetings Act, Council may not discuss or take action on any item which has not been posted on the agenda.

A. Citizens to be heard.

III. CONSENT AGENDA

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

- A. Approval of the June 12, 2020 Special City meeting minutes. Pg. 4
- B. Approval of the July 16, 2020 Regular City Council meeting minutes. Pgs. 5-6
- C. Affirmation modifying a declaration of local disaster; establishing rules and regulations for the duration of the disaster and restricting certain activities. Pgs. 7-13

- D. Approval of the second reading of an Ordinance regarding Fat, Oil and Grease Management. Pgs. 14-24
- E. Approval of Mayor Manitzas' absence from the July 16, 2020 City Council Meeting. Pg. 25

IV. CONSIDERATION/DISCUSSION ITEMS

- A. Discussion and possible action accepting the Board and Commission Subcommittee recommendations. Council Member Koerner Pgs. 26-28
- B. Discussion regarding a potential amendment to the Oak Wilt Control Ordinance. Melissa Castro, Environmental Compliance Manager Pgs. 29-50

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

- A. Quarterly Finance and Investment Reports. Sarah Buckelew, Finance Director Pgs. 51-59

VI. 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:

- A. 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:
 - 1. Claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
 - 2. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
 - 3. To receive legal advice and to receive and deliberate an offer of settlement for claims made on behalf of a real property owner against the City's operation of well K-2.
 - 4. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Kuitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

VII. RECONVENE INTO OPEN SESSION

Discussion and possible action on items discussed in Executive Session.

VIII. ADJOURNMENT

Requests for City topic needing additional information/research; or, potential consideration for a future agenda.

Signature of Agenda Approval:



I, Christina Picioccio, 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 9:30 AM, August 3, 2020 and remained so posted continuously for at least 1 hour 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 SPECIAL MEETING MINUTES
June 12, 2020
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

Council Present: Mayor Manitzas and Mayor Pro Tem Elizondo
Council Members: Havard, Hartpence, Koerner, Patel, and Maxton.

With a quorum present, Mayor Manitzas called the meeting to order at 9:13 AM.

II. CITIZENS TO BE HEARD

Citizen Lewis Spurlock, referencing the Executive Session grievance from the City Manager against Council Member Hartpence, spoke in support of Council Member Hartpence.

III. PURPOSE OF SPECIAL CALLED MEETING

Conduct a City Council and Staff FY 2020-21 Budget and Strategic Plan Workshop.

The City Manager and Finance Director provided a summary of the General and Enterprise Fund FY 200-21 Strategic Action Plan inclusive of funded and unfunded projects. Staff answered Council's question regarding departmental projects.

A break was held between 10:14 AM and 10:23 AM.

IV. EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body did not convene into Executive Session regarding:

- A. Section 551.074 Personnel Matters of the Open Meetings Act, Texas Government Code, a quorum of the governing body hereby convenes into closed session regarding a grievance from the City Manager against Council Member Steve Hartpence.

V. ADJOURNMENT

Mayor Manitzas expressed interest in developing a code of ethics ordinance for the council and indicated that he would work with city staff to prepare it.

Mayor Manitzas adjourned the meeting at 11:33 AM.

Garry Manitzas, Mayor

ATTEST:

Christina Picioccio, City Secretary

**CITY OF FAIR OAKS RANCH
CITY COUNCIL TELECONFERENCE & VIDEOCONFERENCE MEETING MINUTES
JULY 16, 2020
7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015**

I. OPEN MEETING

A. Roll Call – Declaration of a Quorum

Present: Mayor Pro Tem Elizondo
Council Members: Havard, Hartpence, Koerner, Patel and Maxton.

Absent: Mayor Manitzas

With a quorum present, the City Council meeting was called to order at 6:39 PM.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. There were no citizens to be heard.

III. CONSENT AGENDA

A. Approval of the July 2, 2020 Regular City Council meeting minutes.

MOTION: Made by Council Member Patel, seconded by Council Member Havard to approve the Consent Agenda.

VOTE: 6-0; Motion passed.

IV. CONSIDERATION/DISCUSSION ITEMS

A. Consideration and possible action modifying a declaration of local disaster; establishing rules and regulations for the duration of the disaster; and restricting certain activities.

MOTION: Made by Council Member Hartpence, seconded by Council Member Patel to approve an Ordinance modifying a Declaration of Local Disaster until such time as Governor Abbott's statewide emergency declaration is cancelled by the Governor or this Ordinance is otherwise repealed by the City Council for Fair Oaks Ranch.

VOTE: 6-0; Motion passed.

B. Consideration and possible action approving the first reading of a Grease Trap Management Ordinance.

MOTION: Made by Council Member Maxton, seconded by Council Member Patel to approve the First Reading of an Ordinance regarding Fat, Oil and Grease Management.

VOTE: 6-0; Motion passed.

C. Consideration and possible action approving a Professional Service Agreement for HVAC System design at the Police Building.

MOTION: Made by Council Member Koerner, seconded by Council Member Hartpence to authorize the City Manager to sign a Professional Services Agreement for the HVAC System design with M&S Engineering at a not to exceed cost of \$10,000.

VOTE: 6-0; Motion passed.

V. REPORTS FROM STAFF/COMMITTEES/COUNCIL

A. None.

VI. CONVENE INTO EXECUTIVE SESSION

Pursuant to Section 551.101 of the Open Meetings Act, Texas Gov't Code, a quorum of the governing body convened into Executive Session at 7:35 PM regarding:

A. 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:

1. Claims made on behalf of a real property owner against the City's operation of the K-3 Trinity Glen Rose Water Well.
2. To receive legal advice from Special Counsel and the City Attorney regarding the City's ground water rights.
3. To receive legal advice and to receive and deliberate an offer of settlement for claims made on behalf of a real property owner against the City's operation of well K-2.

City Council did not convene into Executive Session regarding:

A. 4. Cause No. 2018-CI-00202; the City of Fair Oaks Ranch, Texas vs. Edward I. Hill, Robert E. Heckendorn, Craig M. Kuitjen, Roger Fuentes, Wesley A. Pieper, Esther W. Hicks, William A. McDowell, Yolanda D. Ayala, PG Pfeiffer Ranches LLC, Maureen Pfeiffer Stevenson Family Trust.

VII. RECONVENE INTO OPEN SESSION

The Mayor Pro Tem reconvened into open session at 8:30 PM.

A roll call reestablishing a quorum was taken:

Present: Mayor Pro Tem Elizondo

Council Members: Havard, Koerner, Patel and Maxton.

Absent: Mayor Manitzas and Council Member Hartpence.

No action was taken.

VIII. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 8:32 PM.

Garry Manitzas, Mayor

ATTEST:

Christina Picioccio, City Secretary



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
August 6, 2020

AGENDA TOPIC: Affirmation modifying a declaration of local disaster; establishing rules and regulations for the duration of the disaster and restricting certain activities

DATE: August 6, 2020

DEPARTMENT: City Council

PRESENTED BY: Mayor Manitzas

INTRODUCTION/BACKGROUND:

On March 13, 2020, following President Trump's declaration of a national emergency, Texas Governor Abbott declared Texas a public health disaster. On March 16, 2020, Mayor Manitzas signed a Declaration of a Public Health Emergency declaring a local state of disaster and public health emergency in the city for seven days, effective March 17, 2020. At the March 19, 2020 Council meeting, the City Council approved an Ordinance extending the Declaration of Local Disaster to April 16, 2020. On April 16th City Council again took action to extend the Declaration to May 7, 2020. On May 7, 2020, City Council took action to extend the Declaration to May 21, 2020. On May 21, 2020, City Council took action to extend the Declaration to June 4, 2020. On June 4, 2020, City Council took action to extend the Declaration to June 18, 2020. On June 18, 2020, City Council took action to extend the Declaration to July 2, 2020.

In the following several weeks both Governor Abbott and Bexar County Judge Wolff issued multiple follow up Executive Orders. On April 27th Governor Abbott again issued several orders with Executive Order GA 18 being the one most directly affecting our city. In that Executive Order, and in subsequent press conferences, the Governor made it clear that his intent was for his order to supersede any conflicting order issued by local officials in response to the COVID-19 disaster. Judge Wolff also issued an updated Executive Order NW-07 in response to Governor Abbot's update. Judge Wolff subsequently issued Executive Order NW-08 on May 19, 2020 to conform with Governor Abbott's Executive Order GA-23.

On July 2, Governor Abbott issued an updated Executive Order GA-28 to be followed on a statewide basis effective at 12:01 p.m. on July 3, 2020. Among the provisions in the order was a requirement that any outdoor gathering in excess of 10 people, other than those set forth specifically in said orders, is prohibited unless the mayor of the city in which the gathering is held approves of the gathering, and such approval is made subject to certain conditions or restricts not inconsistent with the Governor's executive order. On July 10, Mayor Manitzas, pursuant to the authority vested in him under the section 418.018 of the Government Code and the Governor's order GA-28, issued a local declaration regarding outside gathering of people in excess of 10, effective 11:59 p.m. on July 10, 2020. This, along with a submittal guideline form, was sent to the City Council as an information piece only.

At this point we are presenting the Ordinance to the City Council to discuss extension of the emergency declaration. The City Attorney has reviewed our existing Ordinance and recommends, if the Mayor desires, Council extend the emergency declaration.

The first reading of this ordinance was approved at the July 16th Council Meeting.

For further guidance, residents and business owners will be directed to the Governor's report to Reopen Texas at <https://gov.texas.gov/uploads/files/organization/opentexas/OpenTexas-Report.pdf>. This document is also available on our city's website under the Coronavirus banner.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Public health, safety, and general welfare of our residents and city employees.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

TBD

LEGAL ANALYSIS:

Article III; Section F.4 – Legislation by Ordinance states if City Council, by a vote of not less than two-thirds of the members present at a posted called City Council meeting at which an ordinance is first introduced, determines an emergency exists related to public health or safety and requiring immediate action, such may then be voted upon and rejected or adopted at that meeting.

RECOMMENDATION/PROPOSED MOTION:

Consent (I move to affirm an Ordinance modifying a Declaration of Local Disaster until such time as Governor Abbott's statewide emergency declaration is cancelled by the Governor or this Ordinance is otherwise repealed by the City Council for Fair Oaks Ranch).

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH AMENDING ORDINANCE 2020-17; EXTENDING A DECLARATION OF LOCAL DISASTER; AMENDING THE RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING CERTAIN ACTIVITIES; PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY; FIRST AND FINAL READING

WHEREAS, Governor Greg Abbott of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, Governor Abbott has renewed the disaster declaration for all Texas counties; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, Governor Abbott has issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, Governor Abbott issued Executive Order GA-08 on March 19, 2020, mandating certain social-distancing restrictions for Texans in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, Governor Abbott issued Executive Order GA-14 on March 31, 2020, expanding the social distancing restrictions for Texans based on guidance from health experts and the President; and

WHEREAS, Governor Abbott subsequently issued Executive Orders GA-16, GA-18, GA-21, GA-23, GA-26, GA-28, and GA-29 from April through early July 2020, aiming to achieve the least restrictive means of combatting the threat to public health by continuing certain social-distancing restrictions, while implementing a safe, strategic plan to Open Texas; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texas residents safe is for all Texans to consistently follow good hygiene and social-distancing practices, especially those set forth in the minimum standard health protocols from DSHS; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID 19, Governor Abbott has mandated targeted and temporary adjustments to the reopening plan to achieve the least restrictive means for reducing the growing spread of COVID- 19 and the resulting imminent threat to public health, and to avoid a need for more extreme measures; and

WHEREAS, on July 2, 2020, Governor Abbott issued amended order GA-28 to be followed on a statewide basis effective 12:01 p.m. on July 3, 2020; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the Emergency Management Director of the City of Fair Oaks Ranch, and may exercise the powers granted by the governor on an appropriate local scale; and

WHEREAS, Garry Manitzas, the Mayor of the City of Fair Oaks Ranch previously determined and declared that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be impacted by COVID-19;

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and,

WHEREAS, Mayor Mantizas, on July 10, 2020, signed a local declaration of disaster with regards to any outside gathering of people in excess of 10; and,

WHEREAS, the Fair Oaks Ranch City Council, on March 19, 2020 approved Ordinance 2020-05 extending the Mayor's declaration of local disaster until April 16, 2020, and affirmed and amended said ordinance by the adoption of Ordinance 2020-06 on March 24, 2020, affirmed and amended said ordinance by the adoption of Ordinance 2020-08 on April 16, 2020 and then by Ordinance 2020-09 on May 7, 2020, and affirmed and amended said ordinance by the adoption of Ordinance 2020-10 on May 21, 2020, and affirmed and amended said ordinance by the adoption of Ordinance 2020-14 on June 4, 2020, and affirmed and amended said ordinance by the adoption of Ordinance 2020-15 on June 18, 2020, and affirmed and amended said ordinance by the adoption of Ordinance 2020-17 on July 2, 2020, and hereby affirms and further amends all prior actions through the adoption of this Ordinance 2020-18.

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

- Section 1. The recitals contained in the preamble hereof 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 City Council.
- Section 2. That the local state of disaster and public health emergency declared by Mayor Garry Manitzas for the City of Fair Oaks Ranch, Texas, pursuant to §418.108(a) of the Texas Government Code and renewed by City Council Ordinance 2020-17 pursuant to §418.108(b) of the Government Code, is hereby superseded, extended and amended, including all rules and regulations attached hereto as Exhibit A, by this Ordinance 2020-18 until such time as Governor Abbott's statewide emergency declaration is cancelled by the Governor or this Ordinance is otherwise repealed by the City Council of Fair Oaks Ranch.

- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- Section 4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Fair Oaks Ranch, Texas, emergency management plan.
- Section 5. Pursuant to §122.006 of the Health and Safety Code, this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules.
- Section 7. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein except those portions deemed to conflict with GA-28, or any subsequent emergency orders of Governor Abbott.
- Section 8. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 10. 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, Texas Government Code, as amended.
- Section 11. Should Governor Abbott lift the statewide disaster orders now in place, this ordinance shall no longer be subject to enforcement by the City and shall be repealed by the City Council at the first legally posted meeting thereafter.
- Section 12. That all law enforcement personnel of the City are authorized to enforce any emergency orders of the Governor or Health Authority of the State of Texas to the extent and in the manner authorized by same.
- Section 13. This Ordinance shall be in force and effect from its first and final passage, and any publication required by law.

PASSED, ADOPTED, and APPROVED the 16th day of July, 2020 on one reading as an emergency measure pursuant to City Charter Section 3.006 F. 4.

	FOR	AGAINST	ABSTAIN
Mayor Garry Manitzas	ABSENT		
Mayor Pro Tem Elizondo	✓		
Council Member Havard	✓		
Council Member Hartpence	✓		
Council Member Koerner	✓		
Council Member Patel	✓		
Council Member Maxton	✓		

AFFIRMED if necessary, on the 6th day of August, 2020.

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

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

EXHIBIT A

Outdoor Gathering Regulations

1. The total occupancy allowed for all outside gatherings of people in the City of Fair Oaks Ranch shall be a maximum of 10 in group.
2. No single group of persons larger than 10 is permitted without written approval of the Mayor and the agreement to adhere to safety protocols recommended by the state as reflected in the Open Texas guidelines applicable to the event. *[For example, an outdoor wedding where the guest count is projected to exceed 10 would need to submit evidence that the event will be held in conformance with the state issued guidelines for weddings and obtain written approval from the Mayor.]*
3. Submittal of request to hold an outdoor gathering of more than 10 in a group shall be provided, at least ten (10) business days in advance of the gathering date, to the City's Emergency Operations Center Director. Submittal shall include:
 - a. The location, date, and hours of the gathering;
 - b. The density of the forum and the ability to ensure social distancing of 6 feet between individuals;
 - c. The overall number of projected attendees;
 - d. The purpose of event requiring outdoor gathering at this time;
 - e. Proof of approval from property owner where event is to take place;
 - f. The likelihood of individuals over the age of 65 attending;
 - g. The level of transmission in the city and surrounding areas; and
 - h. The required, if any, city staff time and potential risk of exposure to COVID-19.
4. Within three (3) business days of receiving the submittal, the EOC Director shall call a meeting of EOC members to review and provide a recommendation of holding the outdoor event to the Mayor.
5. The Mayor, shall notify the requestor, in writing of the approval/disapproval of the requested outdoor gathering. The Mayor has the final decision on approving or disapproving the gathering.
6. If authorized, the health protocols for individuals from the Texas Department of State Health Services stated by the Governor in GA-28 and on the City's submittal form titled *"Submittal Guidelines for Outdoor Events"* should be followed.



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
August 6, 2020

AGENDA TOPIC: Approval of the Second Reading of an Ordinance regarding Fat, Oil and Grease Management

DATE: August 6, 2020

DEPARTMENT: Public Works

PRESENTED BY: Melissa Castro, Environmental Compliance Manager

INTRODUCTION/BACKGROUND:

FOG refers to fat, oil and grease that are generated from normal business operations of food service establishments. FOG is commonly washed into the plumbing system during the clean-up process through the kitchen sink. As it cools, it congeals and decreases pipe capacity both inside the food service establishment and in the main collection system. FOG can block a business owner's drain, as well as the collection lines, potentially becoming an environmental and public health risk.

The proposed ordinance regarding Fat, Oil and Grease Management is modeled after the Texas Commission on Environmental Quality's Model Standards for Grease Management. The primary goal of the ordinance is to prevent FOG-related blockages and sanitary sewer overflows by working with food service establishment personnel to reduce the amount of FOG discharged to the Fair Oaks Ranch Utilities ("FORU") wastewater collection system. This is accomplished by encouraging proper kitchen cleaning practices (best management practices) and monitoring the establishment's grease removal device (grease trap or grease interceptor) to ensure the device is being properly maintained and is adequately removing FOG and food solids prior to discharge.

The FORU system has experienced clogged laterals and lift station and wastewater plant issues due to grease buildup in the past. It is the Public Works Department's desire to prevent issues of this nature from becoming severe and costly.

In an effort to receive general guidance and first impressions of the FOG Management Ordinance, the Public Works Department delivered a presentation outlining general details and requirements to City Council on July 2, 2020.

The first reading of this Ordinance was approved at the July 16, 2020 City Council meeting.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City seeks to improve the operation of its wastewater collection system and reduce the potential of sewer blockages, backups, and overflows, which can become both an environmental and public health risk.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

Legal review completed on June 9, 2020.

RECOMMENDATION/PROPOSED MOTION:

Consent (I move to approve the First Reading of an Ordinance regarding Fat, Oil and Grease Management.)

AN ORDINANCE

AN ORDINANCE OF THE CITY OF FAIR OAKS RANCH AMENDING CHAPTER 6 (PUBLIC HEALTH AND SANITATION) BY ADDING A NEW SECTION TITLED “MANAGEMENT OF FATS, OILS, AND GREASES”; PROVIDING FOR SEVERABILITY AND REPEAL CLAUSES; PROVIDING FOR A PENALTY NOT EXCEEDING \$2000 PER VIOLATION FOR NONCOMPLIANCE; AND PROVIDING FOR AN EFFECTIVE DATE OF OCTOBER 1, 2020.

WHEREAS, the City of Fair Oaks Ranch (the “City”) in order to protect the health, safety, and welfare of its citizens, deems it necessary to adopt the following provisions regulating fats, oils, and greases in accordance with Texas Water Code § 26.0491;

WHEREAS, the City seeks to improve the operation of its sanitary sewer system and reduce the potential for sewer backups and overflows; and

WHEREAS, the City Council of the City of Fair Oaks Ranch deems it necessary to amend Chapter 6 Public Health and Sanitation by adding a new Article titled Management of Fats, Oils, and Greases.

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

- Part 1. Chapter 6 “Public Health and Sanitation” is hereby amended as set forth in the attached Exhibit A.
- Part 2. That the recitals contain 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. A penalty provision section is established in section 6.04.016 of the attached Exhibit “A”.
- Part 6. This ordinance shall take effect immediately from and after its second reading, passage and publication as may be required by governing law.
- Part 7. 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 8. 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 16th day of July, 2020.

PASSED, APPROVED and ADOPTED on second reading this the 6th day of August, 2020.

Garry Manitzas, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, City Secretary

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

Exhibit A

The City's Code of Ordinances Chapter 6 Public Health and Sanitation is hereby amended by the addition of the following Article:

ARTICLE 6.04 MANAGEMENT OF FATS, OILS AND GREASES

Division 1. Generally

Sec. 6.04.01 Applicability and Prohibitions

- (a) This ordinance shall apply to all non-domestic users of the Fair Oaks Ranch Utility sanitary sewer system.
- (b) Grease traps or grease interceptors shall not be required for residential users.
- (c) Facilities generating fats, oils, or greases as a result of food manufacturing, processing, preparation, or food service shall install, use, and maintain appropriate grease traps or grease interceptors as required in this Ordinance. These facilities include but are not limited to restaurants, food manufacturers, food processors, hospitals, hotels and motels, prisons, nursing homes, and any other facility preparing, serving, or otherwise making any foodstuff available for consumption.
- (d) No user may intentionally or unintentionally allow the direct or indirect discharge of any petroleum oil, non-biodegradable cutting oil, mineral oil, or any fats, oils, or greases of animal or vegetable origin into the sanitary sewer system in such amounts as to cause interference with the collection and treatment system, or as to cause pollutants to pass through the treatment works into the environment.

Sec. 6.04.02-6.04.09 Reserved

Division 2. Regulations

Sec. 6.04.010 Definitions

For the purposes of this Ordinance, the following definitions shall apply unless the context of their usage clearly indicates otherwise:

Act. Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

BOD. The value of the five-day test for Biochemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater."

City. City of Fair Oaks Ranch, Texas

COD. The value of the test for Chemical Oxygen Demand, as described in the latest edition of "Standard Methods for the Examination of Water & Wastewater."

EPA. United States Environmental Protection Agency

Fats, oils, and greases (FOG). Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in Title 40 Code of Federal Regulations, Part 136, as may be amended from time to time. All are sometimes referred to herein as “grease” or “greases.”

Generator. Any person who owns or operates a grease trap/grease interceptor, or whose act or process produces grease trap/grease interceptor waste.

Grease trap or grease interceptor. A device designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and greases prior to the wastewater entering the sanitary sewer collection system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection system. Grease traps and grease interceptors are also referred to herein as “grease traps/interceptors.”

Grease trap waste. Material collected in and from a grease trap/interceptor in the sanitary sewer service line of a commercial, institutional, or industrial food service or processing establishment, including the solids resulting from de-watering processes.

Indirect discharge or discharge. The introduction of pollutants into the sanitary sewer system from any non-domestic source.

Interference. A discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the sanitary sewer system, its treatment processes or operations or its sludge processes, use or disposal, or is a cause of a violation of the system’s current wastewater permit.

pH. The measure of the relative acidity or alkalinity of water and is defined as the negative logarithm (base 10) of the hydrogen ion concentration.

POTW or Publicly Owned Treatment Works. A treatment works which is owned by a state or municipality as defined by Section 502(4) of the Clean Water Act. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes all sewers, pipes and other conveyances that convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For purposes of this ordinance, the terms “sanitary sewer system” and “POTW” may be used interchangeably.

TCEQ. The Texas Commission on Environmental Quality, and its predecessor and successor agencies.

Transporter. A person who is registered with and authorized by the TCEQ to transport sewage sludge, water treatment sludge, domestic septage, chemical toilet waste, grit trap waste, or grease trap waste in accordance with Title 30 Texas Administrative Code §312.142.

TSS. The value of the test for Total Suspended Solids, as described in the latest edition of “Standard Methods for the Examination of Water & Wastewater.”

User. Any person, including those located outside the jurisdictional limits of the City, who contributes, causes, or permits the contribution or discharge of wastewater into the sanitary sewer system, including persons who contribute such wastewater from mobile sources.

Sec. 6.04.011 Installations

- (a) New Facilities. Food processing or food service facilities which are newly proposed or constructed, or existing facilities which will be expanded or renovated to include a food service facility, where such facility did not previously exist, shall be required to design, install, operate and maintain a grease trap/interceptor in accordance with locally adopted plumbing codes or other applicable ordinances. Grease traps/interceptors shall be installed and inspected prior to issuance of a certificate of occupancy.
- (b) Existing Facilities with a grease trap/interceptor. Existing grease traps/interceptors must be operated and maintained in accordance with the manufacturer’s recommendations and in accordance with these Model Standards, unless specified in writing and approved by the sanitary sewer system. Grease traps/interceptors that are proven inadequate for existing facilities must be removed and replaced with a properly designed grease trap/interceptor.
- (c) Existing Facilities without a grease trap/interceptor. Within sixty (60) days of the effective date of this Ordinance, existing facilities without a grease trap/interceptor must design, install, operate and maintain a grease trap/interceptor in accordance with locally adopted plumbing codes or other applicable ordinances. Grease traps/interceptors shall be inspected by the City’s Building Department upon installation.
- (d) All grease trap/interceptor waste shall be properly disposed of at a facility in accordance with federal, state, and local regulation.

Sec. 6.04.012 Cleaning

- (a) Grease traps/interceptors shall be maintained in an efficient operating condition at all times.
- (b) Each grease trap pumped shall be fully evacuated unless the trap volume is greater than the tank capacity on the vacuum truck in which case the transporter shall arrange for additional transportation capacity so that the trap is fully evacuated within a 24-hour period, in accordance with Title 30 Texas Administrative Code §312.143.

Sec. 6.04.013 Self-Cleaning

- (a) Grease trap self-cleaning operators must receive approval from the sanitary sewer system annually prior to removing grease from their own grease trap(s) located inside a building, provided:
 - (1) The grease trap is no more than fifty (50) gallons in liquid/operating capacity;
 - (2) Proper on-site material disposal methods are implemented (e.g. absorb liquids into solid form and dispose into trash);
 - (3) The local solid waste authority allows such practices;

- (4) Grease trap waste is placed in a leak-proof, sealable container(s) located on the premises and in an area for the transporter to pump-out; and
 - (5) Detailed records on these activities are maintained.
- (b) Grease trap self-cleaning operators must submit a completed self-cleaning request to the sanitary sewer system for approval. The written request shall include the following information:
 - (1) Business name and street address;
 - (2) Grease trap/interceptor operator name, title, and phone number;
 - (3) Description of maintenance frequency, method of disposal, method of cleaning and size (in gallons) of the grease trap/interceptor; and
 - (4) Signed statement that the operator will maintain records of waste disposal and produce them for compliance inspections.
- (c) Self-cleaners must adhere to all the requirements; procedures and detailed record keeping outlined in their approved application, to ensure compliance with this Ordinance. A maintenance log shall be kept by self-cleaning operators that indicates, at a minimum, the following information:
 - (1) Date the grease trap/interceptor was serviced;
 - (2) Name of the person or company servicing the grease trap/interceptor;
 - (3) Waste disposal method used;
 - (4) Gallons of grease removed and disposed of;
 - (5) Waste oil added to grease trap/interceptor waste; and
 - (6) Signature of the operator after each cleaning that certifies that all grease was removed, disposed of properly, grease trap/interceptor was thoroughly cleaned, and that all parts were replaced and in operable condition.
- (d) Violations incurred by grease trap self-cleaners will be subject to enforcement action including fines and/or removal from the self-cleaner program.

Sec. 6.04.014 Cleaning Schedules

- (a) Grease traps/interceptors shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease trap/interceptor; to ensure the discharge is in compliance with local discharge limits; and to ensure no visible grease is observed in discharge.
- (b) Grease traps/interceptors subject to these standards shall be completely evacuated a minimum of every ninety (90) days, or more frequently when:
 - (1) Twenty-five (25) percent or more of the wetted height of the grease trap/ interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils, or greases; or
 - (2) The discharge exceeds BOD, COD, TSS, FOG, pH, or other pollutant levels established by the sanitary sewer system; or

- (3) If there is history of non-compliance.
- (c) Any person who owns or operates a grease trap/interceptor may submit to the sanitary sewer system a request in writing for an exception to the ninety (90) day pumping frequency of their grease trap/interceptor. The sanitary sewer system may grant an extension for required cleaning frequency on a case-by-case basis when:
 - (1) The grease trap/interceptor owner or operator has demonstrated the specific grease trap/interceptor will produce an effluent, based on defensible analytical results, in consistent compliance with established local discharge limits such as BOD, TSS, FOG, or other parameters as determined by the sanitary sewer system; or
 - (2) Less than twenty-five (25) percent of the wetted height of the grease trap/ interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils, or greases.
- (d) In any event, a grease trap/interceptor shall be fully evacuated, cleaned, and inspected at least once every 180 days.

Sec. 6.04.015 Manifest Requirements

- (a) Each pump-out of a grease trap/interceptor must be accompanied by a manifest to be used for record keeping purposes.
- (b) Persons who generate, collect, and transport grease waste shall maintain a record of each individual collection and deposit. Such records shall be in the form of a manifest. The manifest shall include:
 - (1) Name, address, telephone, and commission registration number of transporter;
 - (2) Name, signature, address, and phone number of the person who generated the waste and the date collected;
 - (3) Type and amount(s) of waste collected or transported;
 - (4) Name and signature(s) of responsible person(s) collecting, transporting, and depositing waste;
 - (5) Date and place where the waste was deposited;
 - (6) Identification (permit or site registration number, location, and operator) of the facility where the waste was deposited;
 - (7) Name and signature of facility on-site representative acknowledging receipt of the waste and the amount of waste received;
 - (8) The volume of the grease waste received; and
 - (9) A consecutive numerical tracking number to assist transporters, waste generators, and regulating authorities in tracking the volume of grease transported.
- (c) Manifests shall be divided into five copies and records shall be maintained as follows:
 - (1) One copy of the manifest shall have the generator and transporter information completed and be given to the generator at the time of waste pickup.

- (2) The remaining four copies of the manifest shall have all required information completely filled out and signed by the appropriate party before distribution of the manifest.
- (3) One copy of the manifest shall go to the receiving facility.
- (4) One copy shall go to the transporter, who shall retain a copy of all manifests showing the collection and disposition of waste.
- (5) One copy of the manifest shall be returned by the transporter to the person who generated the waste within 15 days after the waste is received at the disposal or processing facility.
- (6) One copy of the manifest shall go to the City's Environmental Compliance Manager.
- (d) Copies of manifests returned to the waste generator shall be retained for five (5) years and be readily available for review by city personnel.

Sec. 6.04.015 Alternative Treatment

- (a) A person commits an offense if the person introduces, or causes, permits, or suffers the introduction of any surfactant, solvent, or emulsifier into a grease trap. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the trap into the collection system, and include but are not limited to enzymes, soap, diesel, kerosene, terpene, and other solvents.
- (b) It is an affirmative defense to an enforcement of Section 6.04.015(a) that the use of surfactants or soaps is incidental to normal kitchen hygiene operations.

Sec. 6.04.016 Schedule of Penalties

(a) Civil penalty.

- (1) If the sanitary sewer system determines that a generator is responsible for interference or a blockage of a collection system line, the generator shall owe a civil penalty of \$1,000 for the first violation, \$1,500 for the second violation, and \$2,000 for the third violation within a two-year period, in addition to the cost incurred by the City for purposes of cleaning the collection line and inspecting the violation. Continuous violations may also result in suspension of services.
- (2) Any person violating any of the provisions of this Ordinance, except for the interference or blockage of a collection system line, shall be subject to a written warning for the first violation, a \$1,000 civil penalty for the second violation, a \$1,500 civil penalty for the third violation, and a \$2,000 civil penalty for the fourth violation within a two-year period. Continuous violations may also result in suspension of services.
- (3) Notice of violations and assessments of penalties made pursuant to this article shall be sent to the generator or account holder informing them of the violation and assessment of penalties. Notices provided herein shall be deemed delivered within three business days after their placement with the United State Postal Service, hand delivery, or courier.

- (4) Civil penalties assessed pursuant to this article shall be added to a wastewater account holder's regular monthly utility bill from the City or be billed separately to the generator, as determined by the City. Any cost to repair sewer lines, streets or any other city property caused by not following this ordinance will be billed to generator according to the city fee schedule.

(b) Civil penalty appeal.

- (1) An aggrieved person may request an appeal hearing before a hearing officer(s) appointed by the City Manager within fifteen (15) business days after the date on the notice provided in compliance with article. The hearing officer(s) shall evaluate all information offered by the aggrieved person at the hearing. The aggrieved person shall bear the burden of proof to show why, by preponderance of the evidence, the administrative fee should not be assessed. The hearing officer(s) shall render a decision in writing within three (3) business days of the conclusion of the hearing. Receipt of the decision of the hearing officer(s) by the aggrieved person is presumed on the third business day after the City mails the decision of the hearing officer(s) to the aggrieved person.

- (2) The aggrieved person may appeal the decision from the hearing officer(s) in writing to the City Manager within seven (7) business days from the date the City mails the decision of the hearing officer(s) to the aggrieved person. In the written appeal, the aggrieved person shall provide the factual basis for the appeal and describe why the decision of the hearing officer(s) is not supported by the evidence. The City Manager shall promptly review the appeal. The decision by the City Manager is final.

- (c) Criminal penalty. A conviction for a violation of any provision of this ordinance shall constitute a class C misdemeanor. A person convicted of a violation of any provision of this ordinance shall be fined an amount of not less than two hundred dollars (\$200.00) per violation and a maximum of not more than two thousand dollars (\$2,000.00) per violation. Each violation of this ordinance shall constitute a separate offense, and each day a violation continues shall be considered a new offense.

- (d) Other remedies. The remedies provided for in this subdivision are cumulative of each other and of any other remedy provided for or allowed by law. In addition to any other remedy allowed by law, the City may seek injunctive relief in any court of proper jurisdiction to restrain or enjoin a violation of any provision of this ordinance.



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
July 16, 2020

AGENDA TOPIC: Approval of Mayor Manitzas' absence from the July 16, 2020 City Council Meeting.

DATE: July 16, 2020

DEPARTMENT: City Council

PRESENTED BY: Consent Agenda – Mayor Manitzas

INTRODUCTION/BACKGROUND:

Mayor Manitzas' absence from the July 16, 2020 City Council meeting was due family medical issues.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Complies with Section 3.09 of the Home Rule Charter

LONGTERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Consent Agenda (I move to approve the Mayor's absence from the July 16, 2020 City Council Meeting.)



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

August 6, 2020

AGENDA TOPIC: Discussion and possible action accepting the Board and Commission Subcommittee recommendations

DATE: August 6, 2020

DEPARTMENT: City Council

PRESENTED BY: Council Member Laura Koerner

INTRODUCTION/BACKGROUND:

At the June 4, 2020 City Council Meeting, the Mayor created a Boards and Commissions Subcommittee to review and make recommendations regarding the city's process of appointing/reappointing members of the City's Boards and Commissions. The subcommittee was tasked with working with City Staff to implement a consistent formal process that includes:

- Incumbent declaration of interest to continue serving
- Common application form
- Creation of website page to notify citizenry of open positions
- Standardized appointment process
- Standardized term start corresponding with fiscal year
- Staggered terms
- Possible standard term limits

This consideration item seeks review and possible action on the subcommittee's recommended plan for appointing/reappointing members to the City's Boards and Commissions. The subcommittee met on June 24, June 27, and July 22, along with the City Secretary's Office. On June 27, the City Secretary sent out correspondence to all incumbents with expired terms or in positions with currently no term lengths, seeking their desire to serve another term on their Board or Commission. The responses received by the committee are included in the agenda packet**.

The subcommittee recommends the following:

- Accept the request of all incumbents that have expressed a willingness to serve an additional term (formal reappointment for a term starting on October 1 and details on term length will be presented for consideration and possible action at a September City Council meeting)
- Post remaining open or vacant positions on the City's Boards and Commission webpage, with the standardized application, encouraging citizens to apply, with a deadline of Aug 24th. The City Communications Team will assist with outreach to city residents
- The subcommittee will meet again the week of Aug 24th-Aug 28th to review the applications and determine recommendations to City Council including recommended term lengths to create staggers, as needed/possible.

- The subcommittee will present recommendations to Council at the Sept 3rd City Council, seeking guidance on whether interviews are desired or needed.
- Formal appointment/reappointment consideration and action will be presented for Council vote at the Sept 17th City Council meeting, with terms starting October 1, 2020.

The subcommittee also conducted a review of the applicable Boards and Commissions ordinances and is working with City Secretary to propose amendments, as necessary, to create standardized wording, term lengths, and term staggering. Those recommended amendments will also be presented to City Council in September, or possibly earlier, for consideration and possible action.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

A uniform established process for board, commission and committee appointments will enable more citizens who have interest in community service to become involved providing fresh perspective to established bodies.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

I move to accept the Boards and Commissions Subcommittee recommendation to:

- Accept the request of all incumbents that have expressed a willingness to serve an additional term (formal reappointment for a term starting on October 1 and details on term length will be presented for vote at a September City Council meeting)
- Post remaining open or vacant positions on the City's Boards and Commission webpage, with the standardized application, encouraging citizens to apply, with a deadline of Aug 24, 2020. The City Communications Team will assist with outreach to city residents
- Have the subcommittee meet again the week of Aug 24th-Aug 28th to review the applications and determine recommendations to City Council including recommended term lengths to create staggers, as needed/possible.
- Have the subcommittee present recommendations to Council at the Sept 3rd City Council, seeking guidance on whether interviews are desired or needed.
- Present proposed appointments and reappointments for consideration and possible action to Council at the Sept 17th City Council meeting, for terms start on October 1, 2020.

BOARDS COMMISSIONS WEBSITE INFORMATION

	Board of Appeals	CIAC	MDD	P&Z	ZBOA		CIAC	Communications Committee	WEC
Role/Mission	The role of the board is to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the International Building Code, International Residential Code for One and Two Family Dwellings, International Energy Conservation Code, International Plumbing Code and National Electric Code. Rules of Procedure - 5.0	The Capital Improvements Advisory Committee (CIAC) is responsible for assisting the City in development of Land Use Assumptions, Capital Improvement Plans, and reviewing of impact fees. Website	The MDD mission is to approve funding for economic development, retention and improvement of the District, and for improvement of short and long term property values. Priorities for expenditure of resources are aligned to the City's Comprehensive Plan and the MDD's adopted Mission, Goals & Objectives. All meetings are announced and open. Website - "Background Section"	The Planning and Zoning Commission (P&Z) acts as an advisory group to the City Council in required and discretionary land use matters associated with the following: Comprehensive planning, Zoning; Subdivision Platting; and other growth management initiatives related to the physical development of the city. Website - P&Z Page	The Zoning Board of Adjustment shall hear and decide appeals when error is alleged in any order, requirement, decision or determination made by an administrative official of the City in the enforcement of any zoning related decisions. The Zoning Board of Adjustment may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order. ZBOA Application #1 & UDC #1	Role/Mission	The Capital Improvements Advisory Committee (CIAC) is responsible for assisting the City in development of Land Use Assumptions, Capital Improvement Plans, and reviewing of impact fees. Website	*	The Wildlife Education Committee (WEC) is responsible for developing a proactive program using educational materials to help us all better enjoy and coexist with the bounties of nature we are blessed to have in our community.
Membership/Qualifications	Consists of three persons appointed by City Council and one alternate member. Those who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. Rules of Procedure - 2.2 Rules of Procedure - 6.1 Ordinance 2015-11 to Establish Ordinance 2018-11 Resolution 2016-03 for Member Appointments	Shall be composed of no fewer than five (5) members, no fewer than 40% of the members must be representatives of the real estate development, or building industries and the membership must include a representative from the extraterritorial jurisdiction. Rules of Procedure - Section 1 -Members ? Original Ordinance Resolutions for Member Appointments	The Board shall consist of seven (7) Directors, each of whom shall be appointed by the City Council of the City. Each of the Directors shall be a resident of the City of Fair Oaks Ranch or a resident of the City of Fair Oaks Ranch's Extraterritorial Jurisdiction Two (2) members shall be persons who are members of the Fair Oaks Ranch City Council and one (1) member shall be a person who is a member of the Fair Oaks Ranch Homeowner's Board of Directors. Ordinance 2011-08 - to Establish Resolutions for Member Appointments	The commission shall consist of seven (7) regular members appointed by the City Council. Resident citizens, real property owners & qualified voters of the city. Rules of Procedure - 2.2 Ordinance 2018-03 to Establish Resolutions for Member Appointments	The Board shall consist of five (5) members and two (2) alternates who shall be appointed by majority vote of the City Council. Members must be at least 18 years of age, a resident citizen, a qualified voter of the city, not be employed by the city nor receive salary or compensation for services to the board. ZBOA Appriclation & #1 Membership & Term Ordinance 2019-03 (UDC) to Establish Resolutions for Member Appointments	Membership	Shall be composed of no fewer than five (5) members, no fewer than 40% of the members must be representatives of the real estate development, or building industries and the membership must include a representative from the extraterritorial jurisdiction. Rules of Procedure - Section 1 -Members		To consist of not more than seven (7) members.
Term	Shall serve at the will of the City Council or until a successor has been appointed. Rules of Procedure - 2.2	Member shall serve until the appointment is rescinded or member resigns.	Each member of the Board shall be appointed and serve two (2) years staggered or until a successor is appointed. Ordinance 2011-08	Commission members serve three (3) year staggered terms with no term limits. Rules of Procedure - 2.2	Staggered 2 year terms (as proposed). No limit on number of terms Rules of Procedure - 3b	Term	Member shall serve until the appointment is rescinded or member resigns.		Members shall remain on the committee unless asked to leave by a majority vote of the Council or upon a member's request for voluntary retirement.
Meetings	The Board shall meet upon notice from the chairperson, within 10 days from the filing of an appeal or at stated periodic meetings.	The CIAC shall meet a day in March and September each year or at the call of the Chairman, unless postponed or canceled for valid reason(s). Special meeting may be held on any business day of the week to consider items that require action prior to the next regularly scheduled meeting and may be called upon the request of the committee chairman.	The Board meets four (4) times a year, generally the third (3) Wednesday of the month, at 4:00 PM in the City Hall Council Chambers. Changes to the schedule date and location may occur. The President, or upon the President's incapacity, the Vice-President, may call special meetings of the Board of Directors at such time as may be required.	The P&Z Commission meets the second Thursday of every month at 6:30 PM in the City Hall Council Chambers. Special meetings may be called as needed.	Shall be held at the call of the presiding officer and at other times as determined by the board. ZBOA Application - "Meetings" #1	Meetings	The CIAC shall meet a day in March and September each year or at the call of the Chairman, unless postponed or canceled for valid reason(s). Special meeting may be held on any business day of the week to consider items that require action prior to the next regularly scheduled meeting and may be called upon the request of the committee chairman.		
Members	Darrel White - 1/21/2016 **	John Merritt - 2/16/2006 (Chairman) **	Al McDavid (President) - 2/20/2014 (Place 7) At Large **	Bobbe Barnes (Place 2) - 3/19/2018 - 2021	Richard Morris - 4/22/2019 - 2021	Members	John Merritt		Paul Mebane
Members	Jenks Boston - 1/21/2016 **	Harold Manning - 10/17/2013 (Vice Chairman) **	Brad Dutton (Vice President)-9/15/2011 (Pl. 6) At Large **	David Horwath (Place 4) - 3/19/2018 - 2021	John T. Wall - 4/22/2019 - 2021	Members	Harold Manning		Debby Stephens
Members	Walter Wong - 1/21/2016 **	John Weir - 7/17/2003	Laura Koerner (Secretary) - 6/1/2017 (Pl. 2) Council Rep	Douglas Leonard (Place 5) - 3/19/2018 - 2020 **	Warren R. Needels - 4/22/2019 - 2021	Members	John Weir		Scott Russell
Members	Earl Hamilton - 1/21/2016 (Alternate) **	Fran Driskell - 2/16/2006 **	Roy Elizondo (Treasurer) - 7/7/2016 (Pl. 1) Council Rep	Dale Pearson (Place 6) - 3/19/2018 - 2020 **	Laurence R. Nichols - 4/22/2019 - 2021	Members	Fran Kriskell		Dedie Manitzas
Members		Paul Lampe - 11/19/2015	Carolyn Knopf - 10/3/2019 - 2021 (Pl. 3) FORHA Rep	Michael Rey (Place 7) - 3/19/2018 - 2020	Shane Stolarczyk - 4/22/2019 - 2021	Members	Paul Lampe		Dr. Bruce Nicholson
Members		Dana Green - 11/19/2015 **	Faina Stevic -9/15/2011 (Pl. 5) At Large	Linda Tom (Place 1) - 8/14/2019 - 2021	Christopher Weigand (Alternate) - 4/22/2019 - 2021	Members	Dana Green		Chris Cook
Members		Monte McCormick - 6/1/2017	Vacant - (Pl. 4) At Large	Frank Trapasso (Place 3) - 3/19/2018 - 2021	Craig A. Matson (Alternate) - 4/22/2019 - 2021	Members	Monte McCormick		Teal Harris
Members		Paul Mebane - 3/15/2018 **				Members	Paul Mebane		Council Member Havard (Liaison)
Members		Council Member Patel (Liaison) - 8/18/2016				Members	Council Member Patel (Liaison)		

- Members contacted as they exceeded their terms
- **Members indicated interest in serving another term
- Members still within their term
- Council Member Positions



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

August 6, 2020

AGENDA TOPIC: Discussion regarding a potential amendment to the Oak Wilt Control Ordinance

DATE: August 6, 2020

DEPARTMENT: Public Works

PRESENTED BY: Melissa Castro, Environmental Compliance Manager

INTRODUCTION/BACKGROUND:

Oak wilt is an infectious disease caused by the fungus *Bretziella fagacearum*, which invades and disables the water-conducting system (xylem) in oak trees. All oak trees can be infected by the fungus; however, some oak species are affected more than others. Each group of oaks, which can all be found within the City of Fair Oaks Ranch, play different roles in the spread of this disease. To combat the spread of oak wilt (spread via two ways: above ground and below ground), the Texas A&M Forest Service highlights four primary approaches. The first approach attempts to prevent the formation of new oak wilt infection centers by eliminating diseased red oaks, handling firewood properly, proper timing of pruning, and painting wounds on healthy oaks. The second approach involves trenching or other measures to disrupt root connections responsible for root transmission of the pathogen. The third approach is the injection of the fungicide propiconazole into individual, high-value trees to help reduce crown loss and extend the life of the tree. The fourth approach is to consider planting other tree species to diversify the City's landscape and to mitigate the impact of oak wilt. It is important to note that these measures will not cure oak wilt, but can significantly reduce tree loss.

From 2017 to 2020 alone, the City has seen a dramatic increase in oak wilt infection centers – approximately eleven new centers spread throughout the City and an unknown number of individually affected trees. The primary goal for amending the City's current Oak Wilt Control Ordinance is to control the spread of oak wilt and minimize the number of new oak wilt infection centers within Fair Oaks Ranch. This is accomplished by educating residents on best management practices recommended by the Texas A&M Forest Service; overseeing oak tree maintenance and oak wilt treatment through the registration of licensed contractors and the issuance of permits; and eliminating the threat of diseased red oak trees within the City.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

The City seeks to control the spread of oak wilt and to educate residents on preventative measures and best management practices.

LONG-TERM FINANCIAL & BUDGETARY IMPACT:

N/A

LEGAL ANALYSIS:

N/A

RECOMMENDATION/PROPOSED MOTION:

Subsequent to the presentation, provide staff with insight and general direction. No formal action is required.



Oak Wilt Control Ordinance

Presented by Melissa Castro, Environmental Compliance Manager
August 6, 2020 City Council Meeting

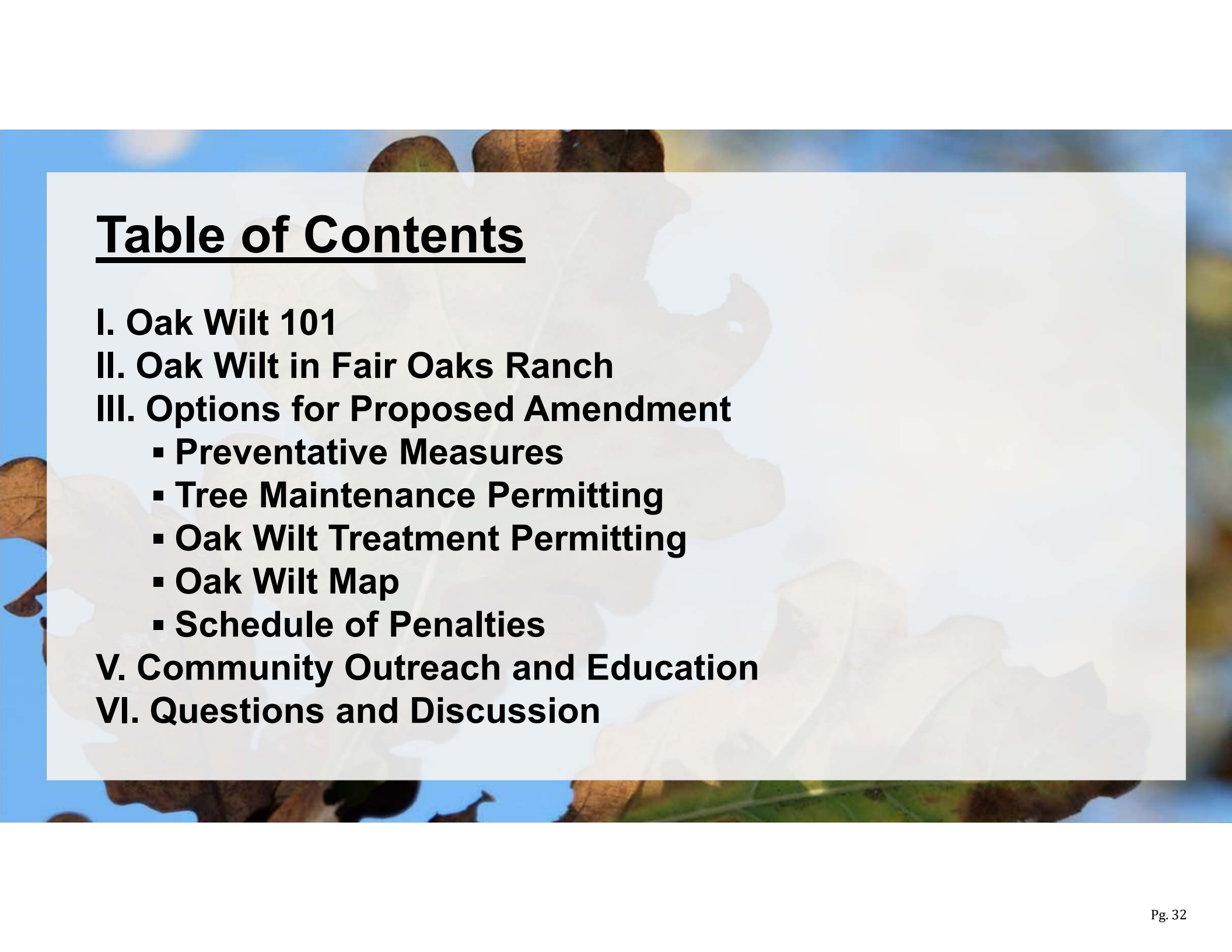
The background of the slide features a close-up photograph of several oak leaves. Some leaves are green, while others are brown and show signs of aging or damage, possibly from oak wilt. The leaves are layered, creating a sense of depth. The overall color palette is natural, with greens, browns, and hints of blue from the sky in the background.

Table of Contents

I. Oak Wilt 101

II. Oak Wilt in Fair Oaks Ranch

III. Options for Proposed Amendment

- **Preventative Measures**
- **Tree Maintenance Permitting**
- **Oak Wilt Treatment Permitting**
- **Oak Wilt Map**
- **Schedule of Penalties**

V. Community Outreach and Education

VI. Questions and Discussion



Oak Wilt 101

Information from the Texas A&M Forest Service (texasoakwilt.org)

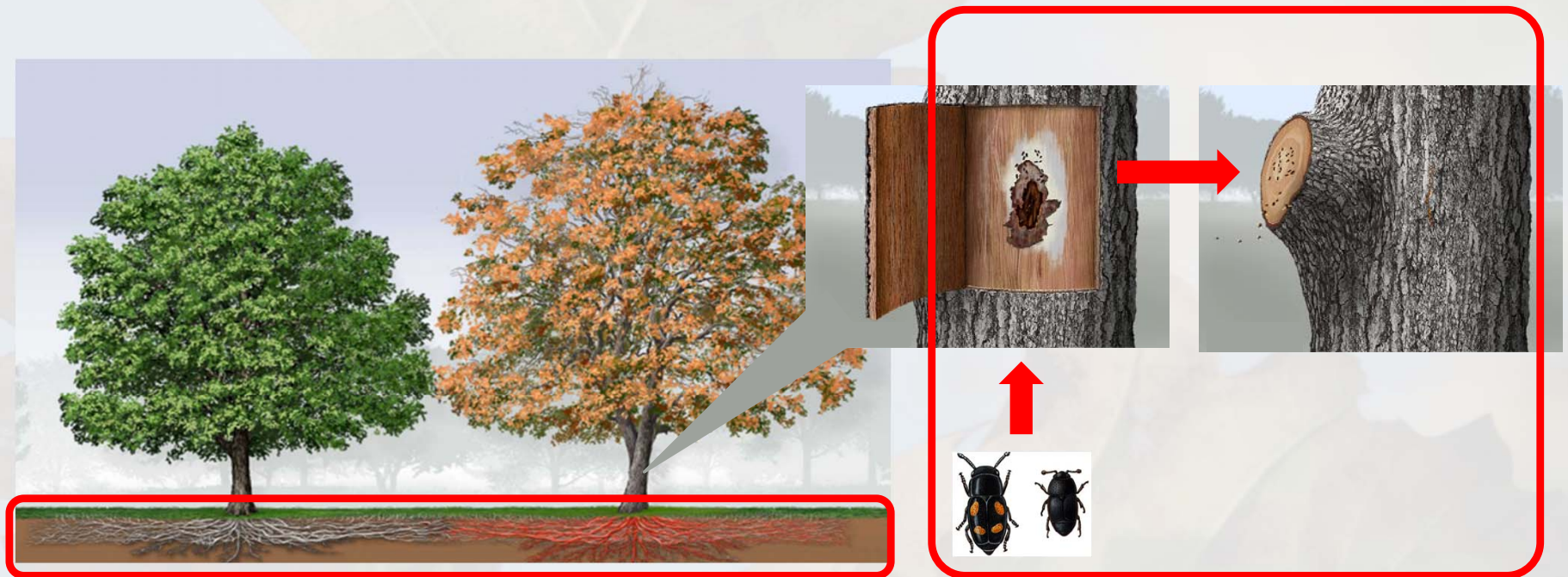
What is oak wilt?

Oak wilt is an infectious disease caused by the fungus *Bretziella fagacearum*, which invades and disables the water-conducting system (xylem) in oak trees. All oaks can be infected by the fungus; however, some oak species are affected more than others.



How does oak wilt spread?

Oak wilt is spread via two ways: **above ground** which is facilitated by a sap-feeding beetle carrying fungal spores to new trees and **below ground** through root transfer.



How is oak wilt managed?

There are **four primary approaches** used for oak wilt management in Texas.

1. Prevent the formation of new oak wilt centers by eliminating diseased red oaks, handling firewood properly, proper timing of pruning, and painting wounds on healthy oaks.
2. Disruption of root connections by way of trenching.
3. Injection of fungicide into individual, high-value trees to help reduce crown loss and extend the life of the tree.
4. Diversify landscape in order to mitigate the impact of oak wilt.

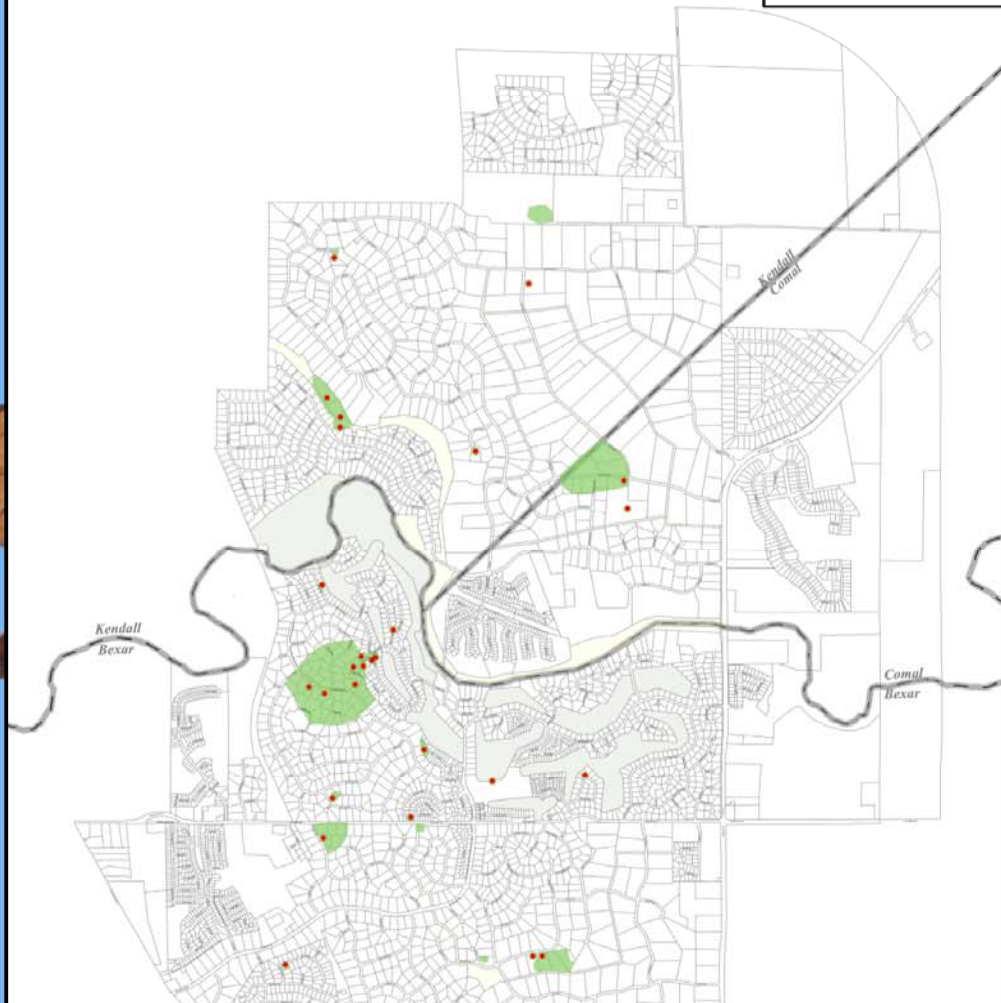
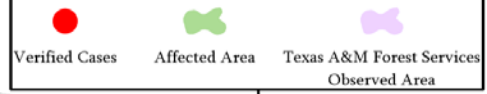
These measures will NOT cure oak wilt, but can significantly reduce tree loss.



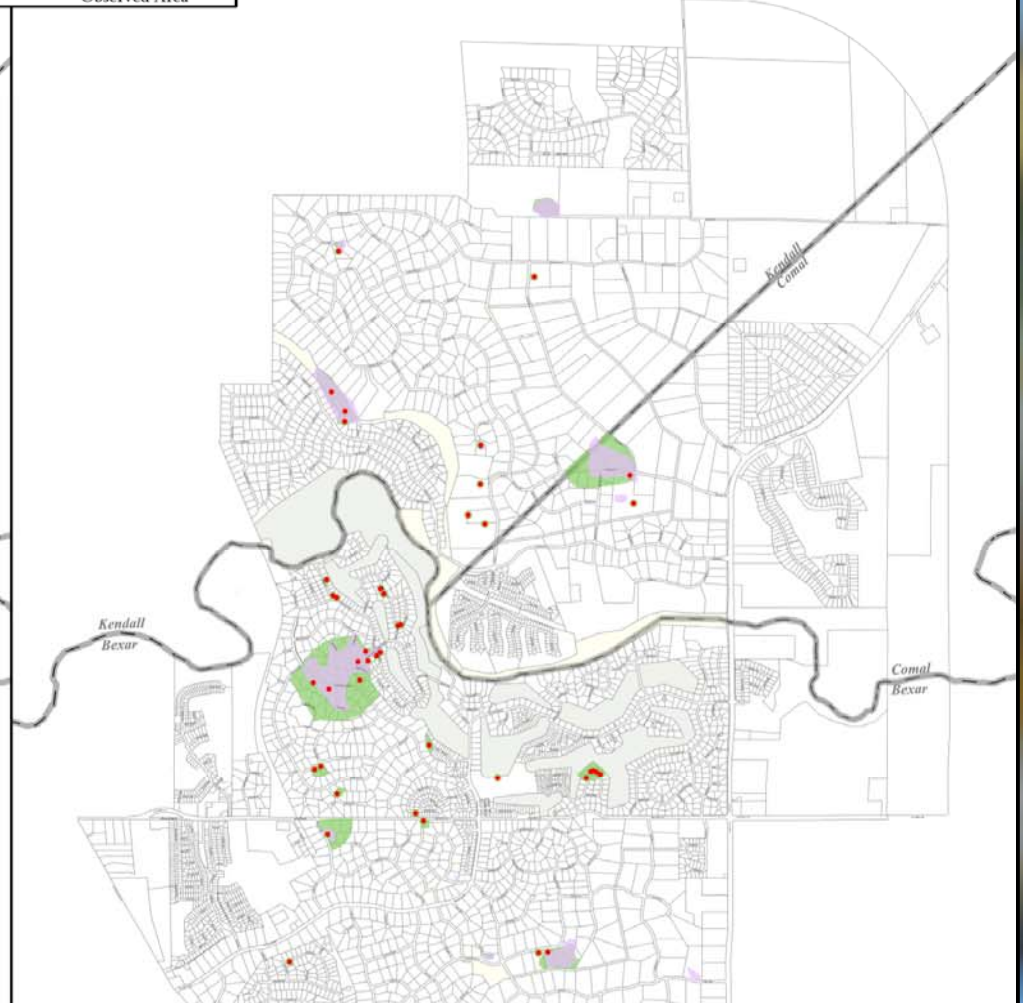
Oak Wilt in Fair Oaks Ranch

2017

Oak Wilt in Fair Oaks Ranch

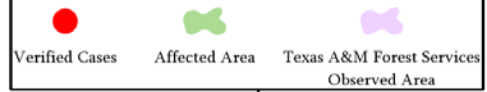


2020

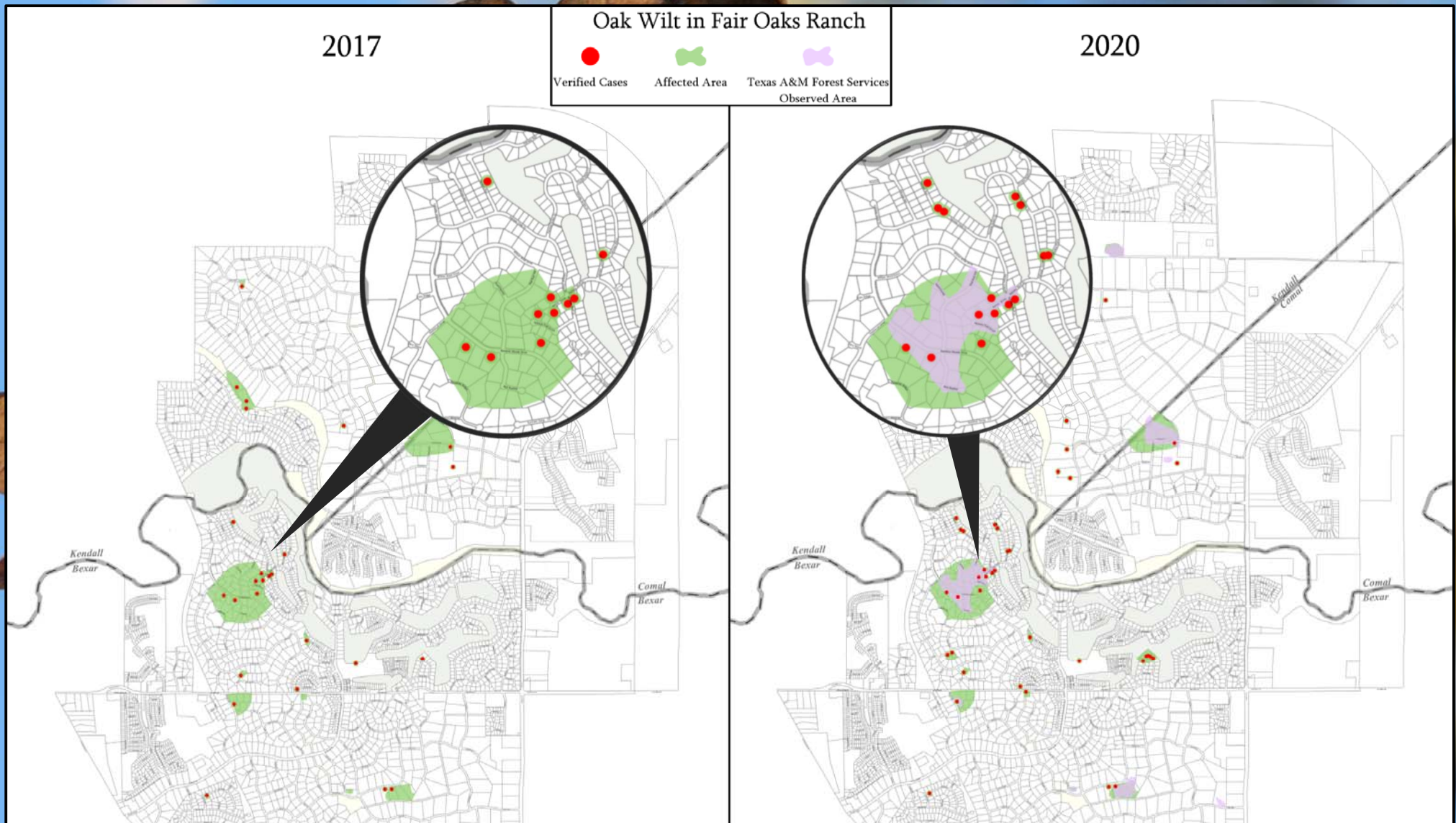


2017

Oak Wilt in Fair Oaks Ranch

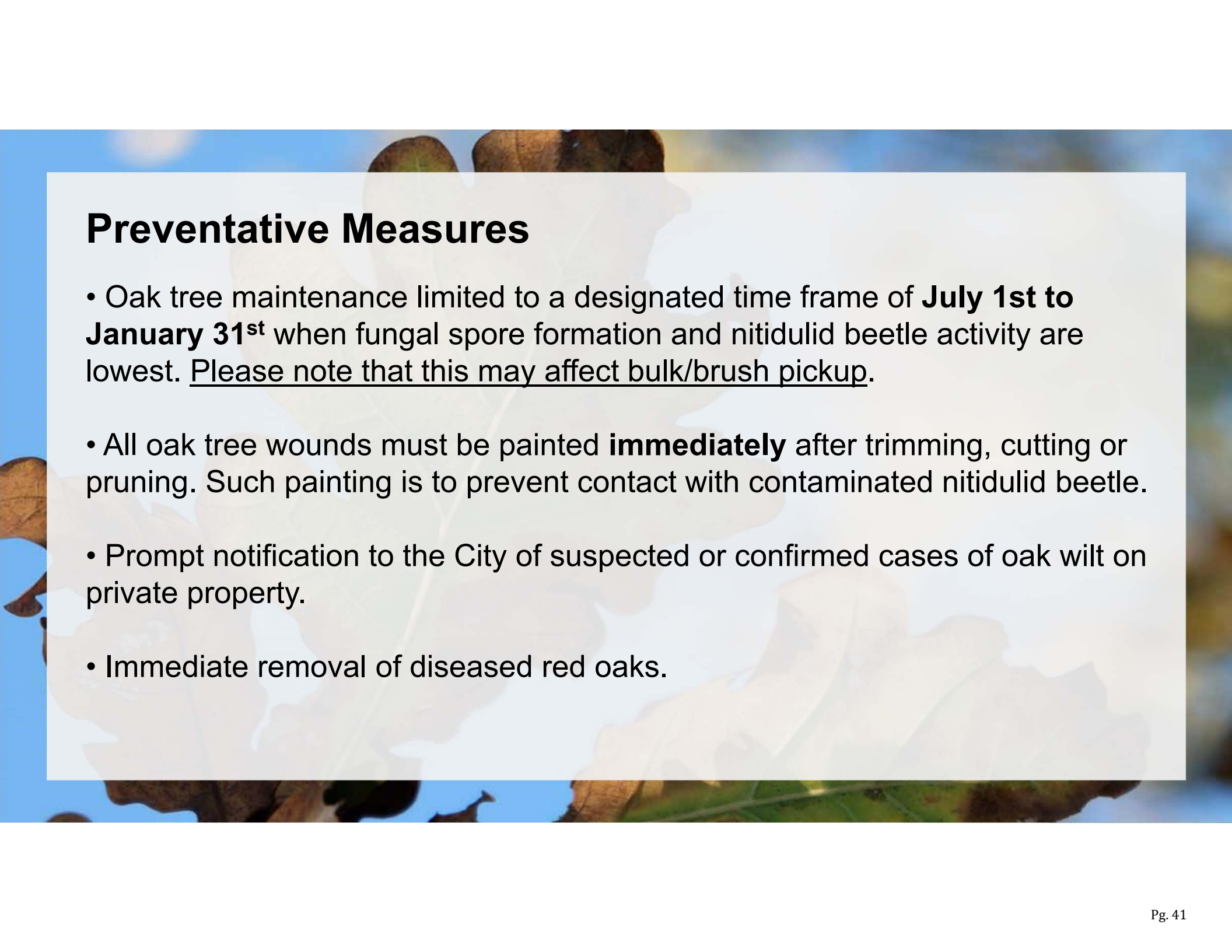


2020





Options for Proposed Amendment



Preventative Measures

- Oak tree maintenance limited to a designated time frame of **July 1st to January 31st** when fungal spore formation and nitidulid beetle activity are lowest. Please note that this may affect bulk/brush pickup.
- All oak tree wounds must be painted **immediately** after trimming, cutting or pruning. Such painting is to prevent contact with contaminated nitidulid beetle.
- Prompt notification to the City of suspected or confirmed cases of oak wilt on private property.
- Immediate removal of diseased red oaks.

Tree Maintenance Permitting

- **Homeowner Tree Maintenance Permit** – valid for thirty (30) days and issued at no charge to the property owner doing his or her own oak tree maintenance.
- **Tree Contractor Registration** – all tree contractors required to register with the City. Registration is valid for one (1) year from the date of issuance.

Registration Requirements:

- Registration fee (\$75)
 - Proof of current ISA Certified Arborist on-staff or current San Antonio Tree Maintenance License
 - State of Texas Sales Tax ID No. and General Liability Insurance Policy
 - Signed acknowledgement that permit holder will abide by all oak wilt preventative measures
-
- **Tree Maintenance Permit** – obtained by registered contractors for each individual project, valid for ten (10) business days and requires permit fee (to be determined) to be paid at the time of pickup.

Oak Wilt Treatment Permitting

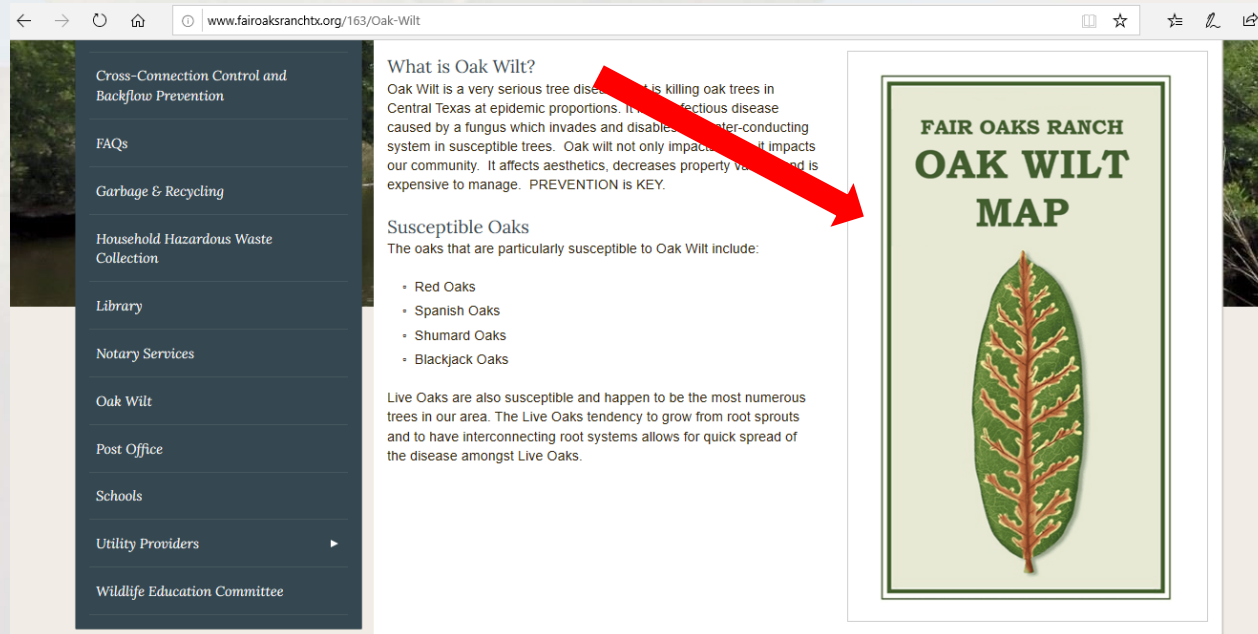
Oak Wilt Treatment Permit – contractor must be registered as a tree contractor (previous slide) and obtain permit prior to providing treatment.

Permit Requirements:

- Permit fee (to be determined)
- Proof of a current Texas Department of Agriculture License No.
- Texas Oak Wilt Certification No.
- Copy of treatment proposal with date(s) of service
- State of Texas Sales Tax ID No. and General Liability Insurance Policy
- Signed acknowledgement that permit holder will abide by all oak wilt preventative measures

Oak Wilt Map

All updates will be completed by the Public Works Department with assistance from a Texas Oak Wilt Qualified ISA Certified Arborist or the Texas A&M Forest Service. Current map will be posted to the City's oak wilt webpage.



Schedule of Penalties

- **Non-compliance Fees** – Handled internally and issued as a “Notice of Non-compliance” with an administrative fee attached. Repeat violations may be handled through court.

Examples of non-compliance:

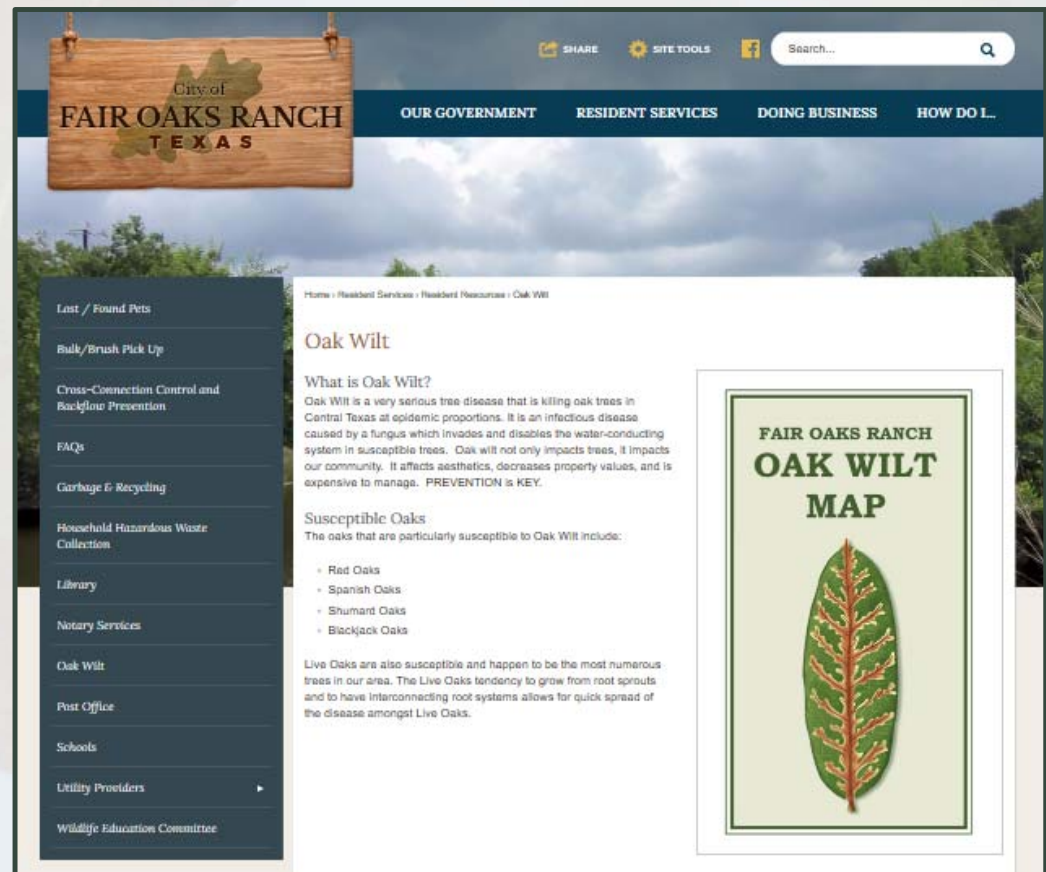
- Failure to obtain tree maintenance permit or treatment permit
 - Failure to paint oak tree wounds
 - Tree maintenance performed out of designated time frame (exceptions apply)
- **Criminal Penalty** – provided in Section 1.01.009 of the Code of Ordinances.
- “..the violation of any such provision of this code or any such ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00).”



Community Outreach & Education

*** Please note that the following slides include PROPOSED ideas and activities. ***

- ▶ Regular updates to Fair Oaks Ranch Oak Wilt webpage
- ▶ City News Flash at the start of oak wilt season and pruning season

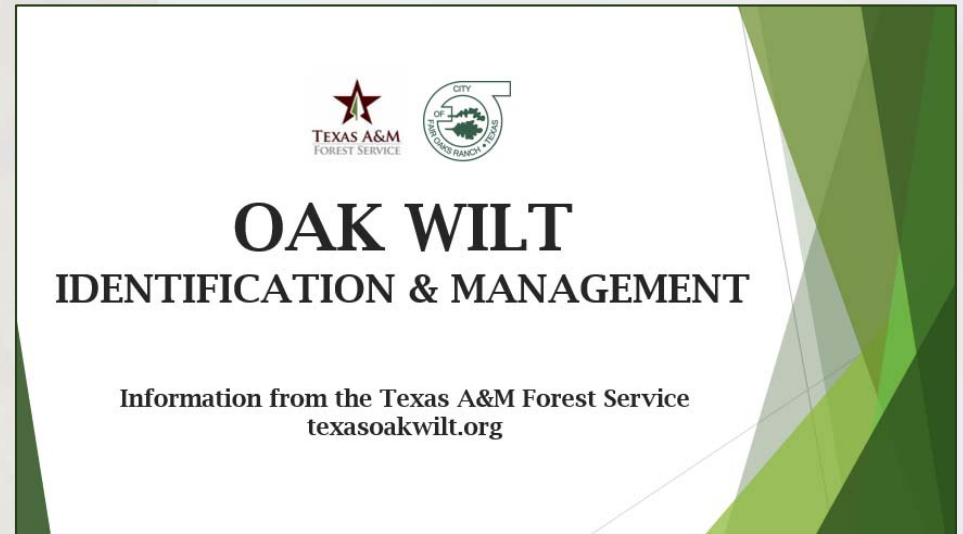


- ▶ **Create neighborhood signs for HOAs to post February through June (oak wilt season)**
- ▶ **Annual “Friendly Reminder” Postcard on Oak Wilt Preventative Measures**



- ▶ **Neighborhood presentations on oak wilt management**
(available by request)

- ▶ **Tree Planting Day**
Promotes landscape diversity





Questions and Discussion



CITY COUNCIL CONSIDERATION ITEM
CITY OF FAIR OAKS RANCH, TEXAS
August 6, 2020

AGENDA TOPIC: Presentation of Quarterly Investment Report Q2 2020
DATE: August 6, 2020
DEPARTMENT: Finance
PRESENTED BY: Sarah Buckelew, Finance Director

INTRODUCTION/BACKGROUND:

Pursuant to Texas Government Code Section 2256.023 and the City's Investment Policy Section 12, the Finance Director is required, on a quarterly basis, to prepare and submit to City Council a written report of investment transactions that have occurred since the previous report, and the market value of the current investments.

The attached presentation is being made to comply with the Q2 2020 reporting requirements.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Frequent review and reporting of the City's assets and investment vehicles is both prudent and necessary to verify that the City's investment portfolio is being managed according to the investment policy.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

The investment portfolio shall be managed in accordance with the objectives specified in the investment policy (safety, liquidity, diversification, and yield). The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates.

LEGAL ANALYSIS:

Not applicable at this time.

RECOMMENDATION/PROPOSED MOTION:

This presentation is for informational purposes only and to comply with requirements under Texas Government Code Section 2256.023 and the City's Investment Policy.



June 2020

**QUARTERLY
FINANCIAL REPORT**



About This Quarterly Financial Report

This report has been prepared by the City of Fair Oaks Ranch Finance Department. The Quarterly Financial Report is intended to provide our users (internal and external) with information regarding the City's financial position. This report includes information for the quarter ending June 30, 2020.

This report is presented in two sections.

1. The Executive Dashboard section contains a high level summary of the major operating funds using graphic illustrations and key economic indicators. Narrative disclosures are also included to highlight any significant changes or fluctuations.
2. The Quarterly Investment Report provides a summary of the City's investment portfolio, interest earnings and a brief market outlook.

The Quarterly Financial Report is intended to provide our users with timely and relevant information. Please provide us with any comments or suggestions you may have. If you would like additional information, feel free to contact me.



Sarah Buckelew
Director of Finance

7286 Dietz Elkhorn
Fair Oaks Ranch, TX 78015
210-698-0900

Section **1**

City of Fair Oaks Ranch
Quarterly Financial Report
June 2020

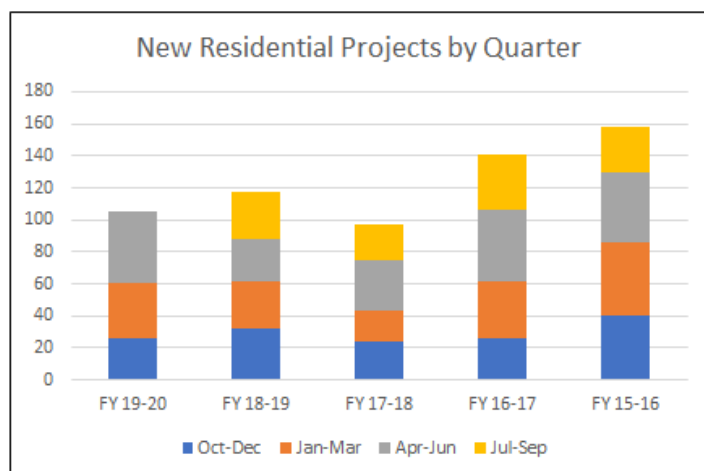
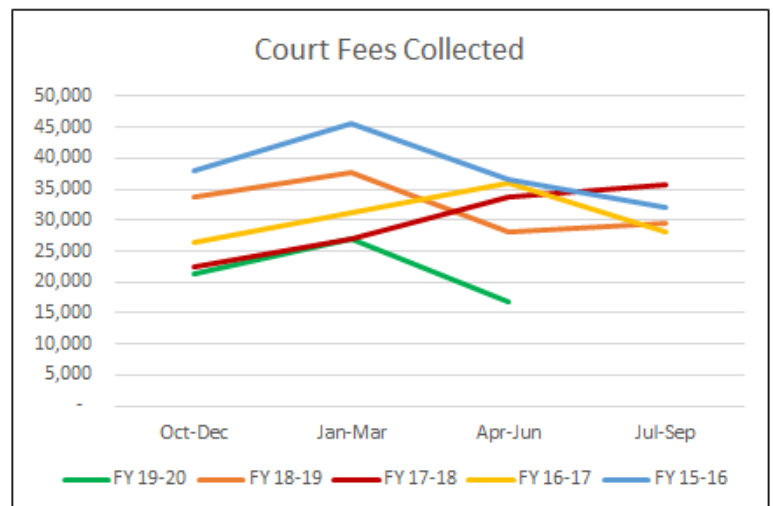
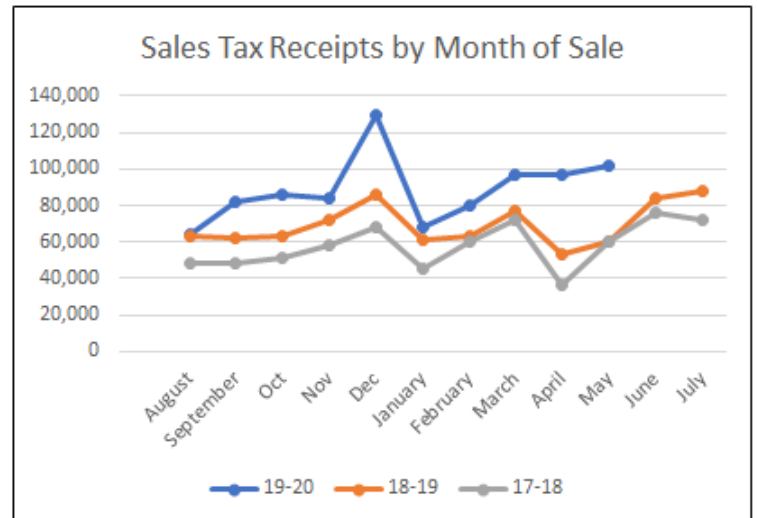
Executive Dashboards



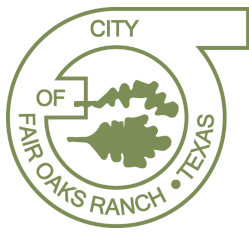
City of Fair Oaks Ranch, Texas

General Operations Executive Dashboard

	FY 19-20 Annual Budget	FY 19-20 Annual Projection	FY 19-20 % Variance
Beginning Fund Balance as of 9/30/2019	3,495,382	3,495,382	0.0%
Revenues:			
Taxes	6,277,653	6,349,154	1.1% (a)
Franchise Fees	529,700	585,950	10.6% (b)
Interest	115,000	96,336	-16.2% (c)
Permits	252,500	315,189	24.8% (d)
Animal Control	3,400	2,400	-29.4%
Fines & Forfeitures	127,570	75,636	-40.7% (e)
Fees & Services	243,847	277,247	13.7% (f)
Miscellaneous Income	15,100	151,429	902.8% (g)
Total Revenues	7,564,770	7,853,340	3.8%
Transfers in	292,000	288,582	-1.2%
Total Revenues	7,856,770	8,141,922	3.6%
Expenditures:			
Personnel	4,536,909	4,138,719	-8.8% (h)
Maintenance & Ops	655,858	706,878	7.8% (i)
Professional Services	984,806	921,307	-6.4% (k)
Shared Services	327,617	315,407	-3.7%
Capital Outlay	351,696	475,999	35.3% (m)
Transfers	1,430,017	830,017	-42.0% (n)
Total Expenditures	8,286,903	7,388,327	-10.8%
Transfer To/(From) Fund Balance	(430,133)	753,595	-275.2%
Ending Fund Balance	3,065,249	4,248,977	38.6%
(a) Ad-Valorem Projection increased based on higher than anticipated June collections and increasing sales tax revenues. (b) Projection increased due to telecom franchise fees higher than anticipated. (c) Projection decreased interest by 40% for the remainder of fiscal year. (d) Projection updated for increased number of irrigation, pools, and remodeling permits. (e) Projection decreased due to a decrease in court dates. (f) Projection updated for Plan Review fee of \$26k for storage unit. (g) Projection updated for receipt of TML insurance claim reimbursement for Street Sweeper and Polaris RZR. (h) Projection updated to reflect position vacancies and turnover. (i) Projection includes increase in Street Maintenance program costs. (k) Projection decreased in Trainings and Meetings for cancellations due to COVID. (m) Projection increased for purchase of new Street Sweeper and Polaris RZR, off-set with insurance claim reimbursements. (n) Projection updated to reflect no transfer of \$600k to SAP Fund for the Civic Center.			



- ### Key Trends
- Expenses were high in Oct-19 due to annual Fund Transfers to SAP and Equipment Replacement Funds posting.
 - Property Taxes collected to date are 98% of total tax levy and 101% of budget.
 - Sales Tax collected to date are 84.7% of budget as compared to 70.9% at the same time last year.



City of Fair Oaks Ranch, Texas

Strategic Action Plan (SAP) Dashboard

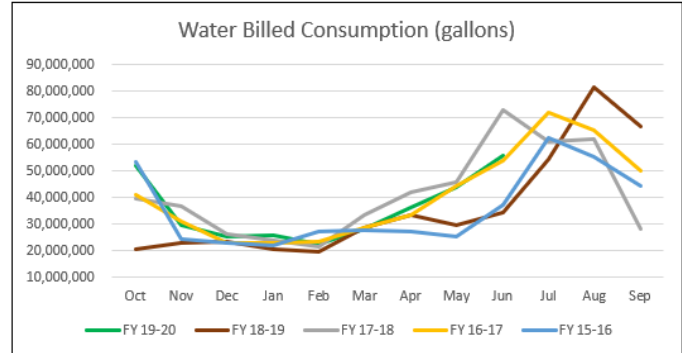
SAP Fund Balance Project Allocations and Fund Balance								
	Fund Balance		Budgeted Spend	Projected Spend	Actual YTD Spend	Fund Balance		
	Actual 2018-19	Transfer from Gen Fund				Transfers	Projected 9/30/2020	Comments
Financial Integrity								
Stormwater Funding	120,000	-	120,000	170,000	63,621	50,000	-	Project in Process
Revenue Projections		10,000	10,000	-	-	(10,000)	-	
Internal Controls Framework	35,000	20,000	55,000	55,000	52,500		-	Contract committed, project fieldwork complete.
Debt Review & Policy Implementation		15,000	15,000	-	-	(15,000)	-	
Grants & Utilities Reporting		10,000	10,000	-	-		10,000	
Financial Mgmt Policy Review		15,000	15,000	-	-	(15,000)	-	
Stormwater Utility Cost Center		50,000	50,000	-	-	(50,000)	-	Budget rolled into Stormwater Funding SAP
Responsible Growth Management								
Comprehensive Plan & UDC		50,000	50,000	50,000	32,659		-	Project in Process
FM 3351 Owners Rep & Project Mgr		75,000	75,000	12,340	6,340	(62,660)	-	Project in Process
Drainage Project & Funding		50,000	50,000	50,000	27,994		-	Project in Process
MS4 Program		5,000	5,000	5,000	-		-	
Reliable & Sustainable Infrastructure								
Long-term Road Cond Analysis		80,000	80,000	80,000	-		-	Uncommitted
City Hall Building Renovation		-	600,000	-	-		-	
City Campus Outbuilding Reno	461,729	-	450,000	461,729	8,500		-	Design contract committed.
Public Health, Safety & Welfare								
PS Command Structure Review		25,000	25,000	-	-		25,000	Uncommitted, deferred to FY 20-21.
Fire Services Program Review		25,000	25,000	-	-		25,000	Uncommitted, deferred to FY 20-21.
EMS Program Review		25,000	25,000	-	-		25,000	Uncommitted, deferred to FY 20-21.
Operational Excellence								
Compensation & Benefit Plan Study		50,000	50,000	50,000	11,250		-	Contract committed, project in process.
Employee Handbook		5,000	5,000	5,000	-		-	Legal Review in process.
HR Technology Upgrade		32,000	32,000	32,000	-		-	Not committed.
Development Training Program		5,000	5,000	5,000	-		-	Not committed.
Communications & Mktg Strategy		5,000	5,000	5,000	-		-	Not committed.
Records Management		12,000	12,000	12,000	-		-	Not committed.
IT Risk Analysis		50,000	50,000	50,000	-	166,185	166,185	Fund Balance remaining for FY 20-21 budgeted projects.
Infrastructure (Roads)	111,409	(740)	110,669	110,669	110,669		-	Roadwork from PY maintenance, completed this FY
Personal Property	22,600	-	22,600	22,600	2,716	200,000	200,000	Fund Balance remaining for FY 20-21 budgeted projects.
Unallocated Fund Balance	359,490	(13,735)	-	-	-	(263,525)	82,230	
Total Fund Balance	1,110,228	599,625	1,952,269	1,176,338	316,249	-	533,415	



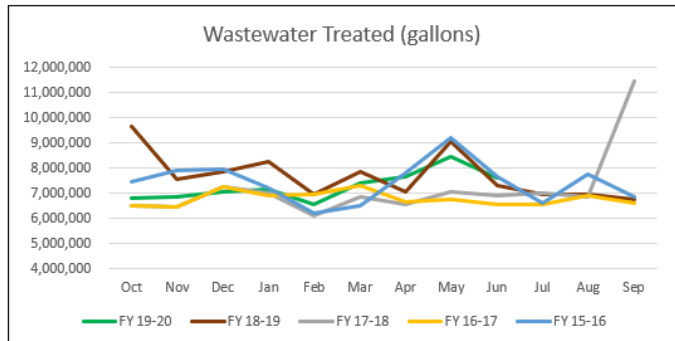
City of Fair Oaks Ranch, Texas

Utility Operations Dashboard

Water Utility			
	FY 19-20 Annual Budget	FY 19-20 Annual Projection	FY 19-20 % Variance
Water Revenues	3,971,147	4,075,085	2.6% (a)
Water Operating Expenses			
Personnel	783,911	669,552	-14.6% (b)
Maintenance & Ops	1,760,076	1,755,434	-0.3%
Services	66,138	566,138	756.0% (c)
Total Ops Expense	2,610,126	2,991,124	14.6%
Operating Income	1,361,021	1,083,961	-20.4%
Capital Outlay	1,200,117	781,589	-34.9% (d)
Lease Interest Costs	75,522	75,522	0.0%
Transfers & Non-Cash Adjustments	(563,758)	442,693	-178.5% (e)
Net Income/(Loss)	649,140	(215,843)	-133.3%



Wastewater Utility			
	FY 19-20 Annual Budget	FY 19-20 Annual Projection	FY 19-20 % Variance
Wastewater Revenues	1,075,001	1,147,750	6.8%
Wastewater Operating Expenses			
Personnel	644,490	581,708	-9.7% (b)
Maintenance & Ops	709,223	703,058	-0.9%
Services	1,320	1,320	0.0%
Total Ops Expense	1,355,033	1,286,086	-5.1%
Operating Income	(280,032)	(138,335)	-50.6%
Capital Outlay	318,067	297,347	-6.5% (d)
Lease Interest Costs	14,385	14,385	0.0%
Transfers & Non-Cash Adjustments	178,156	(500,908)	-381.2% (e)
Net Income/(Loss)	(790,640)	50,840	-106.4%



- (a) Increased projection for Non Potable revenue based on year to date actuals.
- (b) Projection updated to reflect position vacancies and turnover
- (c) Increased projection for Professional Services due to water rights legal fees.
- (d) Updated projection for Capital Outlay and Asset Transfer to Balance Sheet for CIP projects.
- (e) Transfer of funds from Water CIP to Wastewater CIP for allocation of projects.

Key Trends

- Water and Wastewater revenue projections have been increased based on year-to-date actuals.
- Water professional fees projection has been increased due to water rights legal fees.

Section 2

City of Fair Oaks Ranch
Quarterly Financial Report
June 2020

INVESTMENT REPORT



City of Fair Oaks Ranch

Investment Report Q2 2020

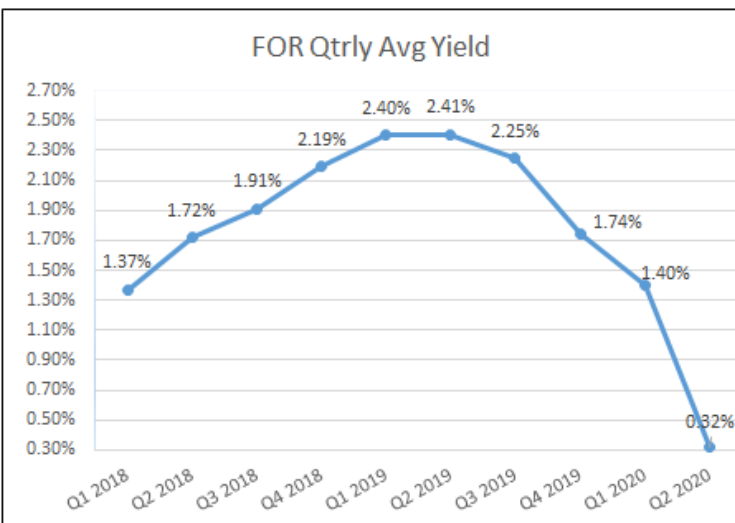
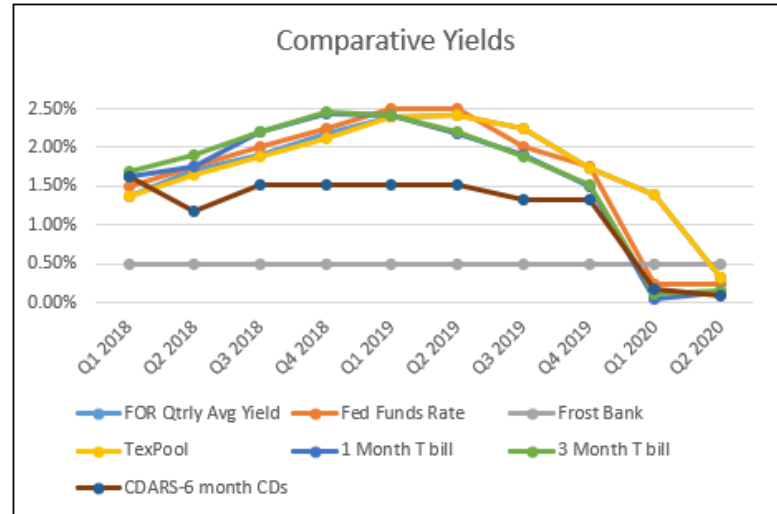
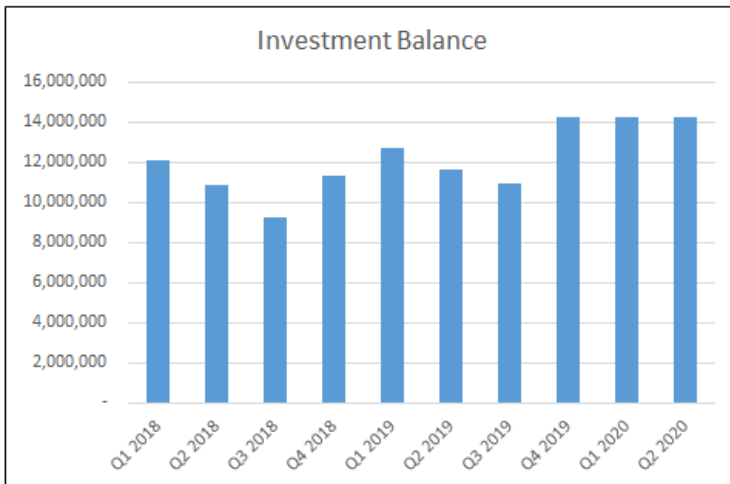
Investment Inventory
04/01/2020 - 06/30/2020

Governmental Fund Investments

Security	Yield	Beg Bal	Transfers In/Out	Interest Earnings	Ending Bal	Ending Market	Weighted Avg Maturity	Maturity Date	Notes
Pool (Texpool 004) General	0.320%	13,130,848	(475,549)	9,952	12,665,251	12,665,251	34 days	-	All bond proceeds have been spent and project is complete.
Pool (Texpool 006) 2015 CIP Bonds	0.320%	0	-	-	0	0	34 days	-	
Pool (Texpool 007) Debt Service	0.320%	954	-	1	954	954	34 days	-	
TOTAL		13,131,802	(475,549)	9,953	12,666,206	12,666,206			

Utility Fund Investments

Security	Yield	Beg Bal	Transfers In/Out	Interest Earnings	Ending Bal	Ending Market	Weighted Avg Maturity	Maturity Date	Notes
Pool (Texpool 001) Utility	0.320%	1,133,728	-	885	1,134,612	1,134,612	34 days	-	
Pool (Texpool 002) Water Cap	0.320%	179,124	-	140	179,263	179,263	34 days	-	
Pool (Texpool 003) Sewer Cap	0.320%	84,183	-	66	84,249	84,249	34 days	-	
Pool (Texpool 005) 1997 CO	0.320%	-	-	-	-	-	34 days	-	
TOTAL		1,397,034	-	1,090	1,398,124	1,398,124			



Key Trends

- The Federal Reserve left the target range for its federal funds rate unchanged at 0-0.25 percent on June 10th 2020 as expected, saying the US economic recovery from the coronavirus pandemic is set to be challenging and there will take time and work.
- Transfers in and out of accounts represents vendor payments made, or funding of City operations by transferring funds into the City Operating Cash Account. Transfers into TexPool represent deposits of property tax revenue.

This report is in compliance with the City's Investment Policy Section 9 and 11, and Texas Government Code Section 2256.023.