

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS AUTHORIZING EXECUTION OF AN AGREEMENT FOR DESIGN SERVICES OF A GATEWAY FEATURE, EXPENDITURE OF THE REQUIRED FUNDS, AND EXECUTION OF ALL APPLICABLE DOCUMENTS BY THE CITY MANAGER AND DIRECTING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE MUNICIPAL DEVELOPMENT DISTRICT.

WHEREAS, the City of Fair Oaks Ranch ("City") has been without a signature gateway feature since the feature referred to as "The Boat" was removed; and,

WHEREAS, the City Branding Committee selected a Citizens Committee on November 2023; and,

WHEREAS, the Committee discussed and advanced the scope to provide for conceptual design of a gateway feature with several options; and,

WHEREAS, these options were presented to citizens at a Town Hall Event on February 27, 2024, and with a resident survey to gain input on this Project; and,

WHEREAS, City Council desires a Gateway Feature, with the first feature located on Fair Oaks Parkway, which may serve as the primary feature for more in the future; and,

WHEREAS, grant funding for community purposes is available through the Municipal Development District under Local Government Code Chapter 377; and,

WHEREAS, City Council wishes to begin the Project immediately.

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

Section 1. The City Council hereby authorizes the City Manager to negotiate and execute an agreement to provide for design, survey and geotechnical services within the City's approved Procurement Policy and based on the conceptual design included in **Exhibit A**, to expend required funds and to execute any and all applicable documents to effectuate this Resolution.

Section 2. The City Council directs the City Manager to submit an application to the Municipal Development District for grant funding to support this project.

Section 3. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.

- Section 5.** That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 6.** All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.
- Section 7.** This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 8.** This resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, and ADOPTED on this 16th day of May 2024.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney