

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AMENDING CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.08 BOARDS, COMMISSIONS, AND COMMITTEES, SECTION 1.08.001 MUNICIPAL DEVELOPMENT DISTRICT BOARD OF DIRECTORS OF THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY AND REPEALING CLAUSES; AND AN EFFECTIVE DATE

WHEREAS, Chapter 1, Article 1.08 of the City of Fair Oaks Ranch Code of Ordinances provides for City Boards, Commissions, and Committees, and

WHEREAS, on August 18, 2011, the City Council approved Ordinance 2011-08 creating the Municipal Development District Board of Directors to manage and control the District, and

WHEREAS, said ordinance provides for a committee composition of seven (7) Directors of which two (2) Directors shall be persons who are members of the Fair Oaks Ranch City Council, one (1) Director shall be a person who is a member of the Fair Oaks Ranch Homeowner's Board of Directors, and each Director shall be appointed to a Designated Place, and

WHEREAS, during regular policy reviews at the October 9, 2024, and January 8, 2025, MDD Board meetings, the Board identified the need to clarify the Rules of Procedure regarding Board membership, including the number of City Council members allowed to serve and the process for members joining or leaving City Council after appointment, and

WHEREAS, to ensure consistency between the MDD Rules of Procedure and the ordinance, the MDD Board President, in coordination with the City Attorney and City staff, submitted a proposal to amend the ordinance to address these issues and implement other administrative updates, and

WHEREAS, the City Council finds amending the Fair Oaks Ranch Code of Ordinances Chapter 1 General Provisions, Article 1.08 Boards, Commissions, and Committees, Section 1.08.001 Municipal Development District Board of Directors is appropriate.

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

Section 1. Chapter 1 General Provisions, Article 1.08 Boards, Commissions, and Committees, Section 1.08.001 Municipal Development District Board of Directors is hereby amended as set forth in the attached **Exhibit A**.

Section 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this 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.

- Section 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.
- Section 5.** 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.
- Section 6.** 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 hereby declares that this ordinance would have been enacted without such invalid provision.
- 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 ordained herein.
- 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.** This ordinance shall take effect immediately from and after its second reading, passage and any publication requirements as may be required by governing law.

PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 20th day of March 2025.

PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on reading this 3rd day of April 2025.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

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