

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS AUTHORIZING A FREE TREE GIVEAWAY AS MITIGATION FOR TREES REMOVED BY THE WWTP PHASE 1 EXPANSION AND PLANT 5 GST PROJECTS, EXPENDITURE OF THE REQUIRED FUNDS, AND PROVIDING AN EFFECTIVE DATE

WHEREAS, nine protected and three heritage trees are marked to be removed by the Wastewater Treatment Plant Phase 1 Expansion project, of which one heritage tree is located on the Fair Oaks Ranch Golf and Country Club (Club) property, and

WHEREAS, four protected trees are marked to be removed by the Plant 5 Ground Storage Tank project, and

WHEREAS, the replanting of trees on City property or within utility easements is not feasible due to lack of space, potential damage to underground utility lines and interference with future maintenance and repair efforts, and

WHEREAS, on October 2, 2025, the City Council expressed support for a Free Tree Giveaway as mitigation for trees marked to be removed by both projects, and

WHEREAS, the Fair Oaks Ranch Golf and Country Club has expressed interest in receiving trees to mitigate the tree marked to be removed on the golf course, and

WHEREAS, a total of 109 trees of 3-gallon and 15-gallon sizes will be made available to City residents by means of a Free Tree Giveaway, and 11 15-gallon trees will be provided to the Club for replanting, and

WHEREAS, the Free Tree Giveaway is a fair compromise as it meets the intent of tree mitigation requirements in the Unified Development Code and provides a meaningful community benefit, and

WHEREAS, the City Council finds it appropriate to mitigate the trees marked to be removed by means of a Free Tree Giveaway on November 7, 2025 in recognition of Texas Arbor Day.

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 Free Tree Giveaway as mitigation for trees removed by the WWTP Phase 1 Expansion and Plant 5 GST projects, and expenditure of the required funds.

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

Section 3. 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 4. That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 5. 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 6. This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. 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 October 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