

## A RESOLUTION

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS AMENDING RESOLUTION 2024-34 ADOPTING THE FAIR OAKS RANCH TRANSPORTATION SAFETY ADVISORY COMMITTEE RULES OF PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, On July 18, 2024, the City Council of the City of Fair Oaks Ranch, by ordinance, established the Fair Oaks Ranch Transportation Safety Advisory Committee, and

**WHEREAS**, Section 3 of the ordinance requires the committee's procedures be created, by resolution, and presented to the City Council for consideration and approval, and

**WHEREAS**, on July 18, 2024, the City Council of the City of Fair Oaks Ranch approved Resolution 2024-34 adopting the Fair Oaks Ranch Transportation Safety Advisory Committee Rules of Procedures, and

**WHEREAS**, on February 5, 2025, members of the Transportation Safety Advisory Committee proposed amendments to the Rules and recommended advancement to the City Council for consideration and possible action, and

**WHEREAS**, after careful review and consideration, the City Council deems it appropriate to amend the Transportation Safety Advisory Committee's Rules of Procedures.

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

- Section 1.** The Fair Oaks Ranch Transportation Safety Advisory Committee Rules of Procedure is adopted as set forth in the attached, as "**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 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 6<sup>th</sup> day of March 2025.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, TRMC  
City Secretary

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

The Transportation Safety Advisory Rules of Procedures is hereby amended as follows:

[Deletions shown as strikethrough and additions shown as underscore]

## EXHIBIT A

### CITY OF FAIR OAKS RANCH TRANSPORTATION SAFETY ADVISORY COMMITTEE RULES OF PROCEDURES

#### 1.0 Statement

It is hereby declared that the appointment to the Transportation Safety Advisory Committee is a distinct honor and the trust imposed in the appointee involves the corresponding obligation of the appointee to serve the community by regular attendance and participation in the proceedings of the body. This document describes the procedures to be used to carry out the Committee's mission.

#### 2.0 Creation and Membership

- 2.1 The Transportation Safety Advisory Committee ("TSAC") was established, under Ordinance 2024-09, and members serve at the will of the City Council. Appointments and reappointments to the Committee shall be made annually based on the term expiration and expressed interest of members to continue to serve, or at such other times as may be authorized by State Law. Members, ~~including Alternates,~~ shall be residents of Fair Oaks Ranch ~~resident citizens~~. Terms shall coincide with the City's fiscal year (October 1 through September 30). Appointments to fill unexpired terms will be made on an as needed basis.
- 2.2 The Committee shall consist of ~~five (5)~~ seven (7) members who shall be appointed by majority vote of the City Council. The members shall serve for a term of two (2) years, staggered, and are subject to removal for cause by City Council. Each member shall occupy a place on the Committee, such places being numbered 1 through ~~5~~ 7. A vacancy on the TSAC ~~shall~~ may be filled for the unexpired term by the City Council.
- 2.3 ~~City Council by majority vote shall appoint two (2) individuals as alternate Committee members to serve in the absence of one (1) or more regular members when requested to do so by the Chairperson or by the City Manager or designee. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. Alternates shall be Fair Oaks Ranch citizens. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.~~
- 2.4 The City Manager shall assign city staff as non-voting members to participate and support the Committee with the minimum representation from Public Safety ~~or~~ and Public Works or other departments.
- 2.5 Staff should develop and lead orientation sessions at the beginning of new terms of office for new ~~and alternate~~ Committee members. If a seat becomes vacant and a new member(s) are appointed to complete an unexpired term, the new member(s) should also be provided an orientation session.

- 2.6 All members, ~~including alternates,~~ are encouraged to attend every called meeting of the TSAC. ~~If necessary, the Chairperson will call an alternate member (s) to serve prior to taking a meeting Roll Call.~~
- 2.7 ~~Sitting City Council members are prohibited from serving on the Committee.~~

### 3.0 Officers

- 3.1 The Committee shall select from among its members in their first meeting of the fiscal year following new appointments, a Chairperson and Vice-Chairperson to serve for a period of one (1) year.
- 3.2 If either the Chair or Vice-Chairperson position becomes vacant, a majority of the remaining members who are present ~~and voting~~ shall appoint an existing Committee member to complete the unexpired term of the vacant position.
- 3.3 In the absence of both the Chairperson and Vice-Chairperson at a scheduled meeting the Committee shall elect an Acting Chairperson.

### 4.0 Officers Duties

- 4.1 The Chairperson shall preside over all posted meetings and perform all Committee duties as required by Chapter 551, Texas Government Code (also known as the Texas Open Meetings Act) and other applicable laws as advised by staff; ~~Chapter 211, Texas Local Government Code, and Chapter 551, Texas Government Code.~~
- 4.2 The Vice-Chairperson shall assume all duties of the Chairperson in the absence of the Chairperson.
- 4.3 The Chairperson shall present Committee recommendations to the City Council. The Chairperson may designate a committee member or the staff liaison to present recommendations.

### 5.0 Purpose and Duties of the Committee

- 5.1 The purpose and duties of the Transportation Safety Advisory Committee is to:
- Improve the city's quality of life through a citizen-government partnership that promotes transportation safety.
  - ~~Review transportation (vehicles, bicycles, pedestrians, etc.) safety issues submitted to the Committee either by citizens or by city staff.~~
  - ~~Provide recommendations to the City Council with respect to means of transportation involving city-owned roadways, walks, paths, etc. including, but not limited to, the following:~~
  - Review transportation (vehicles, bicycles, pedestrian movements, etc.) safety issues related to public transportation infrastructure properly submitted to the Committee either by Fair Oaks Ranch citizens or by the City, and after due consideration and affirmative Committee vote, recommend action for City Council consideration, if applicable.

Examples include:

- Changes to traffic patterns

- Poor sight distance at intersections
  - Crosswalks
  - No Parking zones
  - Yield and stop signs
  - Speed limit increases and decreases
  - Hike and bike lanes; and/or,
  - Speed limiting devices.
- Direct citizen requests regarding private roadways, walks, and paths within the city to the appropriate organization (e.g. Country Club, FORHA, gated community HOA, etc.).
  - Advise the City Council and provide recommendations regarding the overall planning and programming of transportation safety improvements.
  - Additional duties, as directed by the City Council, may include, but are not necessarily limited to, the following:
    - Develop materials needed for promotion of transportation safety.
    - Create and review annually a transportation safety plan for the City.
    - Review proposed transportation safety ordinances and make recommendations to the City Council.
    - ~~All other duties as the City Council may direct.~~

## 6.0 Meeting Rules of Order

- 6.1 The Committee shall follow and abide by the current edition of the Roberts Rules of Orders on file in the City Secretary's office.
- 6.2 The Chairperson shall rule on all points of order.
- 6.3 The Committee may overrule the Chairperson on points of order by a two-thirds (2/3) vote of members present.

## 7.0 Quorum

- 7.1 A quorum shall consist of ~~three (3)~~ four (4) members. ~~Alternate members shall be considered as a voting member for purposes of a quorum when regular members are not present.~~
- 7.2 ~~No matters may be handled~~ Committee agenda items may not be acted upon without the presence of a quorum.
- 7.3 ~~All votes shall be~~ An affirmative vote is required by a majority of members present at a meeting to act upon Committee matters except as otherwise stated in these rules or applicable statute.

## 8.0 Agendas

- 8.1 Meeting agendas shall be prepared by the City Secretary's office for each meeting. A copy of the agenda, at the minimum, shall be posted at the meeting location as required by law for a period of seventy-two (72) hours prior to the meeting.
- 8.2 ~~All meetings~~ The Chairperson shall follow, as closely as possible, the posted agenda taking the items in the posted numerical order. ~~Agendas may be amended by the Chairperson as to order of items, during the called meeting, but not as to content.~~

The Chairperson may take items out of order to accommodate the needs of the Committee, staff, and meeting participants.

- 8.3 Committee members can suggest agenda items to be placed on a future agenda which fall under the scope of TSAC. Committee's duties and with sufficient notice for staff availability, if warranted. Timing of placement of the item is dependent on availability of staff should staff work be required.
- 8.4 ~~No request or application shall be considered beyond the next regular meeting. Once an item has been heard and finally acted upon by the Committee, it cannot be reheard for a period of 365 days from the day the Committee heard the item, unless new pertinent safety information is provided either by the requester who initially brought the issue forward or by staff.~~
- 8.5 City staff may make a recommendation on agenda items and may present findings or information as needed or requested by the Committee or City Manager

## 9.0 Meeting Minutes

- 9.1 Minutes, ~~paper, and voice recordings,~~ of all regular and special meetings shall be ~~kept in~~ maintained by the City Secretary's office and are subject to amendment and ratification by the Committee at a regular meeting.
- 9.2 The minutes of the Committee's proceeding shall be record minutes showing the overall vote, or if a member is absent or fails to vote, shall reflect that fact.
- 9.3 The Chairperson or Vice-Chairperson, in the absence of the Chairperson, will sign the approved minutes.

## 10.0 Regular Meetings

- 10.1 The Committee shall meet quarterly or more frequently at the Fair Oaks Ranch Municipal Complex or another location when properly posted, as required by law, for a period of seventy-two (72) hours. All meetings shall be open to the public.
- 10.2 Dates and time of the regular and special meetings shall be set by the Committee, in coordination with the City Manager or his/her designee. Under special circumstances the Committee may cancel or reschedule a meeting date and/or time.
- 10.3 Any Committee member missing two (2) consecutive regularly scheduled meetings without a valid excuse, provided to the Chairperson, which includes illness, death in the family, scheduled family vacation, or emergency shall be subject to dismissal by the Council from the Committee. The Chairperson has the responsibility of reporting any committee member's proposed dismissal to the City Council for their consideration.
- ~~10.4 City staff may make a recommendation on agenda items and may present findings or information as needed or requested by the Committee or City Manager.~~

## 11.0 Special Meetings

- 11.1 When needed and in coordination with the City Manager, special meetings may be called by the Chairperson, at the request of two (2) or more members, or by a majority of the Committee at any previous meeting.
- 11.2 Special meetings must be posted in accordance with the Texas Open Meetings Act.

## 12.0 Addressing the Committee

- ~~12.1. Persons desiring to address the Committee may sign, The Committee shall hear from persons who signed in prior to the start of a meeting, on a form provided by the City Secretary's office.~~
- ~~12.2. Persons who desire to address the Committee will be called to the podium by The Chairperson will call the person who desires to address the Committee to the podium at the appropriate time and will follow the guidelines below:~~
- A. Ask the speaker to state their name, whether they are a citizen of the City of Fair Oaks Ranch, address and/or whether they are representing a person or an organization.
  - B. Ensure the speaker is courteous in language and deportment and can be heard clearly.
  - C. Address all applicable statements and questions of the speaker. ~~to the Chairperson.~~
  - D. Limit speaker comments to 5 minutes.
  - E. Allow Committee members to question or ask/provide clarification from the speaker regarding specific statements made by the speaker.
  - F. Allow Committee members to question or ask clarification from staff.
- ~~12.3. The Chairperson may interrupt a speaker to redirect or terminate remarks when they are not relevant to the matter before the Committee, or when the Chairperson determines the remarks to be out of order.~~
- ~~12.4. The Committee shall not deliberate on any item that is not on the agenda, and for such an item, members of the Committee may either: (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) if applicable, propose that the item be placed on a future agenda.~~
- ~~12.5. Committee members may question or ask/provide clarification from the speaker regarding specific statements made by the speaker.~~

## 13.0 Staff Responsibilities

- ~~13.1 The City Manager or designee shall be responsible for providing the Committee with the necessary professional, technical, and clerical services, among which, shall be the following:~~
- A. Prepare and ~~submit~~ post agenda packets, staff reports, and any special projects;
  - B. To the extent necessary, introduce and factually explain items on the agenda;
  - C. Review applicable Transportation Code provisions and other regulations to ensure intent of the submittals are appropriate;
  - D. Coordinate the services of all staff including public information requests for and on behalf of the Committee;
  - E. Have custody and maintain all Committee records; and,
  - F. Attend to all official Committee correspondence and communications.

#### **14.0 Written Request Required**

**14.1** Every submittal for Committee review and recommendation shall be made in writing on a city application form provided by the City Secretary's office. The request shall be complete in all respects before being accepted by the City Secretary office.

#### **15.0 Conflict of Interest Rules**

**15.1** Any member who concludes that they may have a conflict of interest on a matter defined in Local Government Code Chapter 171 shall file an affidavit stating the nature and extent of the conflict of interest with the City Secretary and shall abstain from further participation (e.g., voting on or discussing) in the matter at hand.

#### **16.0 Motions**

**16.1** A motion may be made by any member present at the meeting.

**16.2** A motion to recommend approval requiring City Council action shall require a majority favorable vote of the members present. Failure of the Committee to secure a majority concurring vote to recommend approval ~~at said next regular meeting~~ shall be recorded in the minutes as a denial of the proposal under this rule.

#### **17.0 Miscellaneous**

**17.1** ~~All members of the Committee are encouraged to obtain as much information on all requests as possible, including inspection of affected properties, from the City Manager or designee.~~

All members of the Committee are encouraged to review the agenda packet and if desired, inspect the affected properties, in advance of the meeting. Contact the City Manager or designee when additional information is sought.

#### **18.0 Records**

**18.1** In accordance with the City's adopted records retention schedule, applicable original Committee records shall be retained as a part of the permanent record.

**18.2** Official records and citizen requests filed for Committee action in regular or special meetings shall be on file in the City Secretary's office and by appointment, shall be open to public inspection during customary working hours.

#### **19.0 Amendments**

**19.1** This document may be amended, in whole or in part, by a majority vote of the members of the City Council ~~present at a scheduled City Council meeting~~.