

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, APPROVING A FIRST AMENDMENT TO THE 2024 FRANCHISE AGREEMENT WITH FRONTIER TEXAS VENTURES I, LLC FOR THE COLLECTION, HAULING, AND DISPOSAL OF MUNICIPAL SOLID WASTE AND RECYCLABLE MATERIALS IN THE CITY OF FAIR OAKS RANCH; PROVIDING FOR REPEALING AND SEVERABILITY CLAUSES; AND AN EFFECTIVE DATE

WHEREAS, on August 25, 2024, the City entered into a franchise agreement with Frontier Texas Ventures I, LLC, (Frontier Waste) for the collection, hauling, and disposal of municipal solid waste and recyclable materials in the City, and

WHEREAS, the 2024 franchise agreement between the City and Fronier Waste is attached as **Exhibit B**, and

WHEREAS, staff identified confusing contract terms regarding resident scheduling of bulk items and brush pick up, and

WHEREAS, staff and Frontier Waste agree that service to residents can be improved with a modification to the contract language regarding scheduling for bulk items and brush pick up, and

WHEREAS, the proposed contract amendment is attached hereto as **Exhibit A**.

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

- Section 1.** The *First Amendment* to the 2024 Franchise Agreement for the collection, hauling, and disposal of municipal solid waste and recyclable materials as described in Exhibit A is approved. The City Manager is hereby authorized to execute the Amendment with Frontier Texas Ventures I, LLC, attached as Exhibit A, and to execute any and all applicable documents to effectuate this ordinance.
- 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 3rd day of July 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 17th day of July 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