

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FAIR OAKS RANCH AND THE FAIR OAKS RANCH HOMEOWNERS ASSOCIATION FOR CONDUCTING ANNUAL FORHA CELEBRATIONS AND A VETERANS DAY EVENT AT THE PEACE TREE ON FAIR OAKS PARKWAY; REPEALING THE 2021 MEMORANDUM OF UNDERSTANDING AND SUBSEQUENT AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM

WHEREAS, on March 3, 1989, the Fair Oaks Ranch Homeowners Association, Inc. ("FORHA") granted, sold and conveyed real properties known as lots 1061 and 1062, Fair Oaks Ranch, Bexar County, Texas, Unit AA to the City of Fair Oaks Ranch; and

WHEREAS, in late 1990, the City Council approved FORHA's request to decorate the live oak tree at 7899 Fair Oaks Parkway with Christmas decorations; and

WHEREAS, at the first FORHA lighting of the tree on November 25, 1990, as noted by a plaque located at the base of the tree, the tree was declared "The Peace Tree" in honor of city military personnel deployed to the first gulf war, Desert Storm; and

WHEREAS, through the years, the tradition continued in honor of the city's deployed military personnel to various wars, and to recognize the desire for our Country to be at peace; and

WHEREAS, on October 21, 2021, the City Council approved a Memorandum of Understanding with FORHA memorializing November 11 as the FORHA Veterans Day Peace Tree Lighting event; and

WHEREAS, on March 17, 2022, the City Council approved the First Amendment to the Memorandum of Understanding to include Memorial Day, 4th of July, and Patriot Day as annual FORHA celebrations; and

WHEREAS, FORHA has expressed a desire to expand their annual community celebrations at the Peace Tree; and

WHEREAS, the City Council finds establishing a new Memorandum of Understanding authorizing annual FORHA celebrations and a Veterans Day event, and solidifying each party's scopes and roles is warranted.

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

Section 1. The Memorandum of Understanding between the City of Fair Oaks Ranch and the Fair Oaks Ranch Homeowners Association for conducting Annual FORHA celebrations and a Veterans Day event at the Peace Tree on Fair Oaks Parkway is approved as set forth in the attached "**Exhibit A.**"

Section 2. The 2021 Memorandum of Understanding and the 2022 First Amendment between the City of Fair Oaks Ranch and the Fair Oaks Ranch Homeowners Association are hereby repealed.

- 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 City 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 4th day of September 2025.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Amanda Valdez, TRMC
Deputy City Secretary

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