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## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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**AGENDA TOPIC:** Consideration and possible action approving a resolution by 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 multiple patriotic celebrations and a Veterans Day event at the Peace Tree on Fair Oaks Parkway and other provisions; repealing the 2021 Memorandum of Understanding and Subsequent Amendment; providing for an effective date; and authorizing the City Manager to execute the Memorandum

**DATE:** September 4, 2025

**DEPARTMENT:** Administration

**PRESENTED BY:** Carole H. Vanzant, CPM, Assistant City Manager

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#### **INTRODUCTION/BACKGROUND:**

In late 1990, the City Council approved the Fair Oaks Ranch Homeowners Association's (FORHA) request to decorate the live oak tree on 7899 Fair Oaks Parkway with Christmas decorations. During the first lighting ceremony on November 25, 1990, the tree was dedicated as "The Peace Tree" in honor of city military personnel deployed in Operation Desert Storm, the first Gulf War.

Over the years, the valued tradition continued each Thanksgiving weekend to honor the City's military personnel deployed to various conflicts and to reflect the community's hopes for peace. On October 21, 2021, following consideration of a FORHA proposal, the City Council approved a Memorandum of Understanding with FORHA outlining the scope, roles, and responsibilities of each party, and authorized an annual Peace Tree Lighting event to run from Veteran's Day through New Year's Day.

Given the event's strong attendance and positive reception, on March 17, 2022, the City Council approved the First Amendment to the Memorandum of Understanding, following consideration of a FORHA proposal to expand community celebrations. This Amendment authorized patriotic celebrations, including tree lighting and the placement of appropriate decorations around the Peace Tree in observance of:

- Memorial Day
- July 4th
- Patriot Day

To ensure efficiency and continuity with installing and removing celebratory lights, FORHA proposes the use of permanent lighting for a minimum of five years. These lights provide multiple electronic settings, styles, and colors, eliminating the need for Public Works staff and FORHA volunteers to manually change them several times a year. Installation will be performed by a licensed, insured contractor, hired by FORHA and approved by the City. This change offers

significant benefits by saving staff time and reducing risks to FORHA volunteers.

Additionally, the FORHA Peace Tree committee has proposed a design plan (**Exhibit A**) to reduce water needs and minimize maintenance work on landscaping around the Peace Tree. The cost of the landscaping upgrade will be paid by FORHA. At FORHA's August 12, 2025 Board Meeting, the Board approved advancing to the City a proposal to expand FORHA's community celebrations and other provisions.

Substantial changes from the previous MOUs to the proposed MOU include:

- Defined landscape and lighting maintenance/renovation scope and responsibilities:
  - a. FORHA and its volunteers may enter onto the Property.
  - b. FORHA will use third-party licensed contractors for light placement and replacement, landscape renovations, and irrigation maintenance. Contractors will be approved by the City and will meet the standard insurance requirements of the City. Fees for applicable city-issued permits will be waived.
  - c. The City will perform maintenance of the Peace Tree area twice a year no later than April 30 and October 30.
  - d. The City will provide water and electricity.
  - e. FORHA will pay for licensed irrigators to make renovations to conserve water.
- Six additional celebrations, and clarity on allowed decorations and lighting periods of each, including existing celebrations (Memorial Day, 4<sup>th</sup> of July, and Patriots Day):
  - a. Armed Forces Day (3rd Saturday of May)
  - b. D-Day (June 6)
  - c. Flag Day (June 14)
  - d. Purple Heart Day (August 7)
  - e. Constitution Day (September 17)
  - f. Pearl Harbor Day (December 7)
- FORHA's work, decorations, and lights to be considered as a donation to the City.
- The City's standard insurance and indemnity provisions will be used.

Given the multiple changes and additions from previous MOUs, staff recommend the adoption of a new MOU by resolution to ensure proper recordkeeping.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

- Provides patriotic displays to all City residents
- Enhances community engagement and teaches valuable history to new residents
- Continues the treasured 35-year tradition honoring our many military residents
- Solidifies each Parties' commitments and responsibilities
- Aligns with Pillar 5 Operation Excellence; Interlocal Partnerships of the City's Strategic Plan.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

Substantially reduces the cost (rental of lift) and work requirements by public works. FORHA assumes costs of lights, decorations, contractors, etc.

**LEGAL ANALYSIS:**

Resolution approved as to form by legal.

**RECOMMENDATION/PROPOSED MOTION:**

I move to approve a resolution approving a Memorandum of Understanding between the City of Fair Oaks Ranch and the Fair Oaks Ranch Homeowners Association for conducting multiple patriotic celebrations and a Veterans Day event at the Peace Tree on Fair Oaks Parkway and other provisions; and repealing the 2021 Memorandum of Understanding and Subsequent Amendment