

## **A RESOLUTION**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS AMENDING RESOLUTION NO. 2023-46 TO AFFIRM THE STATUS OF DONATIONS RECEIVED FOR THE DIETZ ELKHORN SIDEWALK PROJECT AND DIRECT THE DONATION FROM SA FRONT GATE, LLC AND ITS AFFILIATES TO BE DEPOSITED INTO THE TREE MITIGATION FUND FOR TREE MITIGATION PURPOSES; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on November 16, 2023, the City Council of the City of Fair Oaks Ranch approved Resolution 2023-46 authorizing the acceptance of monetary donations for the design and construction of the Dietz Elkhorn Sidewalk Project; and

**WHEREAS**, the resolution authorized acceptance of a \$42,000 donation from SA Front Gate, LLC, Elkhorn Ridge Development SA, LLC, and Elkhorn Ridge SA, LLC, including \$22,000 intended as a donation-in-lieu of planting trees, along with two additional \$10,000 donations from ROW at Dietz Elkhorn, LLC and Vantage at Fair Oaks, LLC respectively; and

**WHEREAS**, the City received the \$42,000 donation from SA Front Gate and its affiliates, but the City did not receive donations from ROW at Dietz Elkhorn, LLC and Vantage at Fair Oaks, LLC; and

**WHEREAS**, the City Council on March 6, 2025 removed the Dietz Elkhorn Road Sidewalk from the Capital Improvements Plan; and

**WHEREAS**, SA Front Gate, LLC has indicated that their donation of \$42,000 may be redirected to alternate roadway, drainage, or tree mitigation projects; and

**WHEREAS**, the City Council desires to amend the original resolution to clarify the receipt of funds and to direct the \$42,000 donation be placed into the Tree Mitigation Fund.

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

- Section 1.** The City Council hereby amends Resolution 2023-46 to affirm the \$42,000 donation from SA Front Gate, LLC and its affiliates and directs the donation be deposited into the Tree Mitigation Fund for tree mitigation purposes.
- 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 4<sup>th</sup> day of September 2025.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Amanda Valdez, TRMC  
Deputy City Secretary

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