

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas to be held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on ***Monday, May 15, 2023 at 7:00 p.m.***

Council Members: David Hill, Mayor, Council Member Place 1  
Chris Wright, Mayor Pro Tem, Council Member Place 3  
Patrick Souter, Council Member Place 2  
Billie Wallace, Council Member Place 4  
Travis Smith, Council Member Place 5

1. Call to Order
2. Invocation
3. Pledge of Allegiance and Texas Pledge of Allegiance
4. ***Public Comments:*** Persons may address the City Council on any issues. This is the appropriate time for citizens to address the Council on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Council may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code. ***Speakers must observe the five (5) minute time limit.***
5. Canvass and accept votes of City Council Election held on May 6, 2023
6. Administer Oath of Office to Council Member Place 4 and Council Member Place 5
7. Organization of City Council
8. ***Consent Agenda***

All matters listed under Item 8, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Manager to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.

- a. Minutes of the City Council meeting of May 1, 2023
- b. Event application for Police Memorial to be held May 16, 2023 at Downtown Waxahachie Pocket Park
- c. Event application for Corpus Christi Procession to be held June 11, 2023
- d. Accept the FY 2022-2023 Impact Fee Revenue and Expenditure Mid-Year Report
- e. Authorize funding from the Tax Increment Reinvestment Zone No. 1 (TIRZ) for Texas Theater renovation expenses
- f. Supplemental appropriation of \$76,810 from the Waxahachie Community Development Corporation (WCDC) for a Business Plan for Mid-Way Regional Airport
- g. Accept the Waxahachie Community Development Corporation Financial Report for year ended September 30, 2022

- h. Resolution to suspend the effective date of proposed gas utility rate increase by SiEnergy
9. **Introduce** Honorary Council Member
10. **Present** Proclamation recognizing May 21-27, 2023 as National Public Works Week
11. **Consider** a request by Anna Carrillo, Carrillo Engineering, for a Plat of the North Grove Center Addition, being 20.01 acres, located at the northeast corner of US Highway 77 and E North Grove Boulevard, situated in the Henri Sange Survey, Abstract 1009, and the Allen W. Brown Survey, Abstract 102, an addition to the City of Waxahachie (Property ID: 191121, 262125, & 262126) – Owner: HIGH FIVE TRUST – BJA (Mark) (SUB-15-2023)
12. **Continue Public Hearing** on a request by Gilberto Escobedo, LGE Investment Homes LLC, for a Replat of Lot 1A of the Martin Addition, to create Lot 1AR & 1BR of the Martin Addition, two (2) residential lots, being 0.192 acres, located at 215 Finley Street (Property ID: 175899) – Owner: LGE INVESTMENT HOMES LLC (SUB-180-2022)
13. **Consider** approval of SUB-180-2022
14. **Receive** Fiscal Year 2023 2nd Quarter Financial Report
15. **Consider** proposed Resolution adopting financial policies for the City of Waxahachie
16. **Consider** approval of a Master Agreement with Westhill Construction, Inc. for miscellaneous asphalt and concrete work
17. **Consider** authorizing a budget amendment for engineering of a 6-inch water line along Patrick Street
18. **Consider** contract approval and authorization of funding from Park Dedication Fees for Pickleball Courts
19. Comments by Mayor, City Council, City Attorney and City Manager
20. Adjourn

**The City Council reserves the right to go into Executive Session as authorized by Section 551.071(2) of the Texas Government Code, for the purpose of seeking confidential legal advice from legal counsel on any agenda item listed herein.** This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4006 or (TDD) 1-800-RELAY TX

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers, Waxahachie, Texas, on Monday, May 1, 2023 at 7:00 p.m.

Council Members Present: David Hill, Mayor, Council Member Place 1  
Chris Wright, Mayor Pro Tem, Council Member Place 3  
Patrick Souter, Council Member Place 2  
Billie Wallace, Council Member Place 4  
Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Robert Brown, City Attorney  
Jami Bonner, Assistant City Secretary

**1. Call to Order**

Mayor David Hill called the meeting to order.

**2. Invocation**

**3. Pledge of Allegiance and Texas Pledge of Allegiance**

Mike Sweet gave the invocation. City Manager Michael Scott led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Pastor Richard Smith, Farley Street Baptist Church, encouraged the City Council and community to participate in the National Day of Prayer on Thursday, May 4<sup>th</sup> and invited everyone to Farley Street Baptist Church's services at Railyard Park.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of April 17, 2023
- b. Minutes of the City Council retreat of April 25, 2023
- c. Event application for Dripstar Day at Lee Penn Park to be held May 28, 2023
- d. Event application for Outside Worship Concert at Railyard Park to be held May 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, 2023
- e. Event application for Shelby Flowers Memorial and Community Event at Lee Penn Park to be held July 4, 2023
- f. Event application for Railyard Nights Summer Concert Series to be held June 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, and July 1<sup>st</sup>
- g. 25<sup>th</sup> Annual Crape Myrtle Festival Fireworks Display to be held July 3, 2023
- h. Approve the purchase of a 2023 F-350 for the Water Distribution Department in the amount of \$80,521

**Action:**

*Council Member Billie Wallace moved to approve items a. through h. on the Consent Agenda. Council Member Travis Smith seconded, All Ayes.*

**6. Introduce Honorary Council Member**

Council Member Patrick Souter introduced Avery Mathis as the Honorary Councilmember for the month of May 2023.

Avery, the daughter of Shawna and Scott Mathis, is in the top 10% of her class and on the AB Honor Roll at Waxahachie High School (WHS). She has danced competitively since the age of ten and is currently on the Elite Scholar Team at Avant Garde Ballet Academy in Ennis. Avery is a second year Varsity member of the Cherokee Charmers Drill Team. She serves a public relations person for the DTC Council of the Charmers and a second-year member of the Cherokee Charmers elite team dance, C.C. & Company. Avery accepts all opportunities offered to her in the community from the Charmers and WHS. She founded the BrAvery Sock Foundation which is an organization that gives happy socks and toys to children in burn hospitals. Avery started the organization at the age of seven after experiencing a burn accident herself. The BrAvery Sock Foundation has collected over 200,000 socks and toys to provide to hospitals all over the nation. Looking forward, Avery is considering attending Penn State or NYU with a focus on pre-med, dance, or both. In Avery's spare time, she likes to read, enjoys the company of her friends, traveling, and shopping.

**7. Recognize Elizabeth Jones for 34 years of service to the Waxahachie Housing Authority**

Council Member Billie Wallace recognized Elizabeth Jones for 34 years of service to the Waxahachie Housing Authority and presented her with an honorary award.

Ms. Jones expressed her gratitude to the community and individuals she worked with over the years and encouraged continued progress at the Waxahachie Housing Authority.

Council Member Souter thanked Ms. Jones for her years of leadership and sharing her knowledge. He recognized Ms. Jones as a caring individual and great advocate for the community.

**8. Present Proclamation recognizing May 2023 as "National Preservation Month"**

Council Member Souter presented a Proclamation to Downtown Development Director Anita Simpson and members of the Heritage Preservation Commission, recognizing May 2023 as "National Preservation Month".

**9. Present Proclamation recognizing May 2023 as "Foster Parent Awareness Month"**

Council Member Wallace presented a Proclamation to Bishop Aaron Blake recognizing May 2023 as "Foster Parent Awareness Month".

**10. Present Proclamation recognizing May 7-13, 2023 as National Travel and Tourism Week**

Mayor Pro Tem Chris Wright presented a Proclamation to Waxahachie Convention & Visitors Bureau Director Laurie Mosley recognizing May 7-13, 2023 as “National Travel and Tourism Week”.

**11. Public Hearing on a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts (ZTA-37-2023)**

Jennifer Pruitt, Senior Director of Planning, presented the case noting the City Council directed the Planning staff to evaluate the Tattoo use process of comparable cities in the Dallas-Fort Worth Metroplex due to several Tattoo use Zoning District change requests. She explained the zoning text amendment is meant to address the following:

- Define the Tattoo or Body Piercing Shop Primary use in more detail
- Define Cosmetic Restorative Tattoo use
- Add language to further define Cosmetic Tattoo (accessory)
- Add a SUP requirement to the Use Charts for Tattoo use and Cosmetic Restorative Tattoo use
- Delete the previous Tattoo or Body Piercing Shop definition

Ms. Pruitt noted the two new definitions as follows:

**Tattoo or Body Piercing Shop Primary** – An establishment operated for the principal purpose of producing an indelible design, mark, or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment. This definition includes the creation or piercing of openings in the body of a person for the purpose of inserting jewelry or other decorations; however, Cosmetic and Restorative Studio (Accessory) or incidental microblading activities are not included under this use.

- a) **Cosmetic and Restorative Studio (Accessory)** – An establishment that provides permanent or semi-permanent pigmentation into the skin for eyebrows, eyeliner, lip liner/color/blend, blush, beauty marks, hair imitation, microblading or restorative tattoo services performed by licensed professionals that have been trained in the field of corrective cosmetics. Restorative tattoo services exclude traditional tattoo services, which are provided solely for artistic purposes. A cosmetic and restorative studio may be an accessory use to a tattoo and body piercing shop, barber, hairdresser, or beauty shop.

**Cosmetic and Restorative Student (Permanent)** – An establishment that provides permanent or semi-permanent pigmentation into the skin for eyebrows, eyeliner, lip liner/color/blend, blush, beauty marks, hair imitation, microblading or restorative tattoo services performed by licensed professionals that have been trained in the field of corrective cosmetics. Restorative tattoo services aim to restore the natural appearance of a certain area of the body or skin, such as areola repigmentation or scar camouflaging. Restorative tattoo services exclude traditional tattoo services,

which are provided solely for artistic purposes. A permanent cosmetic and restorative studio will serve as the primary use and will not be an accessory to another use.

Ms. Pruitt noted based on the details provided in the Staff Report, staff recommends approval of the Zoning Code Text Amendment.

Mayor Hill opened the Public Hearing.

There being no others to speak for or against ZTA-37-2023, Mayor Hill closed the Public Hearing.

**12. Consider proposed Ordinance approving ZTA-37-2023**

**ORDINANCE NO. 3374**

**AN ORDINANCE AUTHORIZING A TEXTUAL AMENDMENT TO THE CITY ZONING ORDINANCE (ORDINANCE NO. 3020), ARTICLE IV (DEFINITIONS AND USE REGULATIONS), SECTION 4.01 (DEFINITIONS) TO SECTION 4.03 (USE CHARTS), PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Action:**

*Council Member Billie Wallace moved to recommend approval of ZTA-37-2023, a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, authorizing the Mayor to sign the associated documents accordingly. Council Member Travis Smith seconded, All Ayes.*

**13. Continue Public Hearing on a request by Tim Jackson, Texas Realty Capture & Surveying LLC for a Replat of Lot 9A, Leo Hightower Lots subdivision, to create Lot 9A-R, Leo Hightower Lots subdivision, 1 residential Lot, being 1.515 acres, located at 153 Lakeshore Drive, (Property ID 230811) – Owner: JEROME BEGNAUD (SUB-57-2022)**

Ms. Pruitt presented the case noting the applicant is requesting to abandon approximately 2,300 square feet of alley right-of-way (ROW) off of Lakeshore Drive and incorporate the abandoned area into the subject property via a replat. She noted the area proposed to be abandoned has never been paved or maintained by the City and the City has no intention of improving the alley or maintaining the area in the future. The subject property fully surrounds the alley area and the property owner has historically maintained the alley area.

Ms. Pruitt explained a portion of the alley area is utilized by neighboring property owners to access existing homes to the south of the subject property. The adjacent homes to the south of the subject property do not currently have frontage onto Lakeshore Drive. Both driveways and utility services lines cross the alley area to reach the homes to the south of the subject property. The adjacent home owners utilize access easements across the subject property in order to access the alley area and Lakeshore Drive. With this replat, the applicant is proposing to create a new access easement and utility easement across a portion of the abandoned alley area in order to preserve the adjacent

property owner's ability to legal access of their property from Lakeshore Drive. The proposed easements cover the existing gravel driveways utilized by the neighboring property owners, not the entire area.

Ms. Pruitt added the applicant is also requesting a Petition for Relief Waiver for ROW dedication. Staff has no concerns with the variance request due to the sole purpose of the replat being to officially incorporate abandoned ROW into the subject property.

Staff recommends approval of the replat request.

Mayor Hill continued the Public Hearing.

There being no others to speak for or against SUB-57-2022, Mayor Hill closed the Public Hearing.

#### **14. Consider approval of SUB-57-2022**

**Action:**

*Council Member Billie Wallace moved to approve SUB-57-2022, a Replat of Lot 9A, Leo Hightower Lots, Lot 1, with the associated variance request, authorizing the Planning & Zoning Commissioner to sign the associated documents accordingly. Mayor Pro Tem Chris Wright seconded, All Ayes.*

#### **15. Public Hearing on a request by Jeffrey Villarreal, Rago Enterprises, LLC, for a Specific Use Permit (SUP) for an Outside Storage use within a Heavy Industrial (HI) zoning district located at 5907 N Interstate 35 E (Property ID: 148302) – Owner: SPUR 10 HOLDINGS, LP (ZDC-149-2022)**

Ms. Pruitt presented the case noting the applicant is requesting approval of a Specific Use Permit (SUP) to allow for an Outside Storage use for Rago Enterprises at 5907 N. Interstate 35E. She noted the site is currently zoned for Heavy Industrial (HI) and has an existing office building and pole sign on the 4.197 acres site. The SUP request is to specifically allow for outside storage of concrete formwork materials which includes aluminum beans, steel beams, metal post shores, metal walls, column forms, and elevated deck forms. A water truck will be utilized to control dust in the event an issue arises on site.

Ms. Pruitt detailed the applicants proposed improvements to the site to include:

- Installing a concrete drive aisle from the I-35 Service Road to the existing office building
- Additional concrete paving to include ten parking spaces and a fire lane
- Removal of existing gravel up to 30' behind the existing wrought iron fence along the frontage road
- The 30' area will be replaced with a landscape buffer including street trees, Crape Myrtles, evergreen shrubs, and mulch to provide a visual screen between the storage area and traffic on I-35
- Extend a new wrought iron fence along the southern property line and the remainder of the eastern property line up to the existing fence line on the I-35 Service Road

(8a)

- The existing red ornamental iron fence and pole sign will be refurbished to a black color to match the new wrought iron fence

Staff recommends approval of the SUP request with the conditions noted below:

- The items allowed to be stored outside will be limited to concrete formwork materials. Outside storage of heavy equipment, trucks, or trailers is prohibited. Only the incidental use of trucks, trailers, and heavy equipment to move the concrete formwork materials on site shall be allowed.
- The applicant shall obtain an updated Certificate of Occupancy (CO) for Rago Enterprises noting the allowance of an Outside Storage use prior to storing concrete formwork materials on-site. The CO shall refer to the ordinance number of the approved SUP.
- The landscaping and pavement improvements identified on the Site Plan/Landscape Plan shall be installed prior to the issuance of any updated Certificate of Occupancy (CO) for Rago Enterprises' Outside Storage use.

Mayor Hill opened the Public Hearing.

Council Member Wallace asked if the applicant understands the conditions of approval.

Jeffrey Villarreal, 129 Harvest Hill Lane, replied that he understands and agrees with conditions.

Mayor Pro Tem Chris Wright inquired about landscape upkeep. Mr. Villarreal replied there will be an irrigation system installed on the property.

There being no others to speak for or against ZDC-149-2022, Mayor Hill closed the Public Hearing.

**16. Consider proposed Ordinance approving ZDC-149-2022**

**ORDINANCE NO. 3375**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A AN OUTSIDE STORAGE (RAGO ENTERPRISES) USE WITHIN A HEAVY INDUSTRIAL (HI) ZONING DISTRICT, LOCATED 5907 N INTERSTATE 35E, BEING PROPERTY ID 148302, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 17 OF BROWN INDUSTRIAL SITE PHASE 1, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Council Member Billie Wallace moved to approve ZDC-149-2022, a Specific Use Permit (SUP) request for an Outside Storage use at 5907 N Interstate 35E, subject to the conditions of the staff report, authorizing the Mayor and City Manager to sign the associated documents accordingly. Council Member Patrick Souter seconded, All Ayes.*

**17. Consider appointments to fill unexpired terms on the Waxahachie Housing Authority Board**



(8a)

**WAXAHACHIE HOUSING AUTHORITY (2-year term)**

Jonathan Bickerstaff, resident member  
(filling unexpired term of Roy Reynolds until September 2024)

Andrew Henderson (filling unexpired term of Ruthie Sutton until September 2023)

**Action:**

*Council Member Patrick Souter moved to approve the appointments to the Waxahachie Housing Authority, to fill unexpired terms, as presented. Council Member Billie Wallace seconded, All Ayes.*

**18. Consider proposed Ordinance revising Development Fees for Building and Community Services, Subdivision and Development, Utility Service, Fire Inspection, and Plan Review**

Shon Brooks, Executive Director of Development Services, presented the proposed revision to development fees noting the increase will bring the City of Waxahachie's development fees in line with those of surrounding communities and allows the City to continue the level of service provided to citizens and developers. Mr. Brooks noted the proposed fees provide emphasis on the increase of development fees while maintaining fees for small project permit types and provides for minimal impact to residents requiring permits.

**ORDINANCE NO. 3376**

**AN ORDINANCE AMENDING CHAPTER 11 BUILDING AND COMMUNITY SERVICES FEE SCHEDULE OF THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE; AND AMENDING APPENDIX C-SUBDIVISION, CHAPTER VII.- FILING FEES AND PLAT SUBMISSION REQUIREMENTS, SECTION 7.2 SCHEDULE OF FILING FEES; AND ASSOCIATED DEVELOPMENT FEES; AND AMENDING CHAPTER 33 ARTICLE II. - RATES AND CHARGES; AND SETTING AN EFFECTIVE DATE OF MAY 1, 2023.**

**Action:**

*Council Member Billie Wallace moved to approve the ordinance revising development fees as presented and authorize the City Manager and/or Mayor to execute all necessary documents. Council Member Travis Smith seconded, All Ayes.*

**19. Consider authorizing contracts and approving a budget amendment for the engineering and construction of an 8-inch water line along McLane Street**

James Gaertner, Executive Director of Public Works and Utilities, presented the request noting the proposed project includes engineering and construction of approximately 650 linear feet of 8-inch diameter water line, two hydrants, and appurtenances along McLane Street. He noted the new water line will replace a 2-inch water line and will allow for houses to be built along McLane

Street. He explained the State will allow only ten houses to be built with the present 2-inch water line.

Mr. Gaertner clarified for Mayor Pro Tem Wright that the new 8-inch water line will allow houses to be built on existing lots and provide fire protection.

**Action:**

*Council Member Billie Wallace moved to authorize contracts for the engineering and construction of an 8-inch water line along McLane Street and approve a budget amendment from the Water Utility Fund working capital not to exceed \$360,000 and authorize the City Manager to execute any documents necessary to complete the project. Mayor Pro Tem Chris Wright seconded, All Ayes.*

**20. Public Hearing on reauthorizing the guidelines and criteria (policy) for governing Economic Development**

Warren Kettelman, Senior Director of Economic Development, explained that the State requires the City Council to review and revise, if needed, the City's policy for governing economic development incentives every two years. He noted the policy was updated with several changes in 2021 and, after review, does not recommend any changes for the current policy.

Mayor Hill opened the Public Hearing for reauthorizing the guidelines and criteria (policy) for governing Economic Development.

There being no others to speak for or against reauthorizing the guidelines and criteria (policy) for governing Economic Development, Mayor Hill closed the Public Hearing.

**21. Consider proposed Resolution reauthorizing the guidelines and criteria (policy) for governing Economic Development**

**RESOLUTION NO. 1340**

**Action:**

*Council Member Billie Wallace moved to approve a Resolution reauthorizing the guidelines and criteria for governing economic development incentives. Council Member Patrick Souter seconded, All Ayes.*

**22. Convene into Executive Session for deliberation regarding economic development negotiations as permitted under Section 551.087, Texas Government Code and consultation with City Attorney on legal issues regarding employee benefits and contract employees as permitted under Section 551.071, Texas Government Code**

Mayor Hill announced at 7:50 p.m. the City Council would convene into Executive Session for deliberation regarding economic development negotiations as permitted under Section 551.087, Texas Government Code and consultation with City Attorney on legal issues regarding employee benefits and contract employees as permitted under Section 551.071, Texas Government Code.

(8a)

**23. Reconvene and take any necessary action**

The meeting reconvened at 8:13 p.m.

**Action:**

*Council Member Billie Wallace moved to approve the Chapter 380 Economic Development Program Agreement as presented in Executive Session for Project Alamo and authorize the City Manager and/or Mayor to execute all documents as necessary. Council Member Travis Smith seconded, All Ayes.*

**24. Comments by Mayor, City Council, City Attorney and City Manager**

None.

**25. Adjourn**

There being no further business, the meeting adjourned at 8:14 p.m.

Respectfully submitted,

Jami Bonner  
Assistant City Secretary



Date submitted

### Applicant Information

Applicant name: CITY OF ENNIS Police DEPARTMENT / Roger Cole

Are you representing the host organization? Yes ☒ No ☐

Will you be the on-site point of contact during the event? Yes ☒ No ☐

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing address: 11, ENNIS TX 75119

Host organization name: ENNIS Police DEPARTMENT

Alternate contact that will be on-site during the event.

On-site contact name: LT. MIKE McKenna Ellis Co. Cell: \_\_\_\_\_

### About the Event

Event name: NATIONAL Police Memorial Celebration

Date: 5-16-23

Location: POCKET PARK

An event site map is **REQUIRED** to be submitted with your application.

Anticipated attendance: 80

Description of event: memorial service to honor fallen officers  
in the line of duty

|                 | Date(s) | Start Time: | End Time: |
|-----------------|---------|-------------|-----------|
| Event Date      | 5-16-23 | 12:00       | 13:00     |
| Event Set-up    | 5-16-23 | 11:00       | 13:30     |
| Event Breakdown |         |             |           |

How many times has this event been hosted before?

1<sup>st</sup> time ☐ 2 - 4 times ☐ 5 or more times ☒ Location:



**Choose the best description of the event:**

- |                                       |   |
|---------------------------------------|---|
| <input type="radio"/> Festival        | <input type="radio"/> Birthday Party / Picnic                   |
| <input type="radio"/> Movie Screening | <input type="radio"/> Charitable / Fundraising                  |
| <input type="radio"/> Parade          | <input type="radio"/> Community / Neighborhood                  |
| <input type="radio"/> Private Event   | <input type="radio"/> Concert / Live Performance                |
| <input type="radio"/> Run / Walk      | <input checked="" type="radio"/> Other: <u>MEMORIAL SERVICE</u> |

**Event activities include (check all that apply):**

- |  |   |
|--|---|
| <input type="checkbox"/> Amusement rides / Inflatables         | <input type="checkbox"/> Food – sampled, served, or sold                    |
| <input type="checkbox"/> Animals / Petting Zoo                 | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input type="checkbox"/> Announcement / Speeches               | <input type="checkbox"/> Live music   |
| <input type="checkbox"/> Information / Literature Distribution | <input checked="" type="checkbox"/> Street closure                          |
| <input type="checkbox"/> DJ / Recorded Music                   | <input type="checkbox"/> Other:   |

**The event is:**

- |  |  |
|--|--|
| <input type="radio"/> Private                                    | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket             |

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

**Run / Walk:**

Please provide the start time for each distance (if applicable)

1 mile

5K

Other distance

Please indicate your expected attendance:

Number of participants:

- |         |                       |
|---------|-----------------------|
| 1-99    | <input type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+    | <input type="radio"/> |

**Provide route on attached site map.**



### Food / Beverage:

Will the event offer food/beverages? Yes ☐ No ☒

Will event require any food preparation on-site? Yes ☐ No ☒

Will alcohol be served/sold? Yes ☐ No ☒

#### Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events

If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.

### Police / Security Services:

Personnel needs (indicate all that apply) **Request for services is not a guarantee that staff/volunteers will be available.**

Event staff How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Volunteers How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Private security How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

Off duty police How many: \_\_\_\_\_ Date(s) & time(s): \_\_\_\_\_

Have you made arrangements with the police? Yes ☐ No ☐

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: \_\_\_\_\_ Phone number: \_\_\_\_\_

### Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes ☒ No ☐

If yes, please list all streets, intersections, and parking lots that apply: East Franklin,

between South College and South Jackson St.

Street closings to begin on date: 5/11/23 Start time: 6am End time: 12:30pm

Will any businesses be impacted by the proposed road closure? Yes ☐ No ☒

### City Equipment:

Are you requesting the use of City equipment? Yes ☐ No ☒

**Availability is not guaranteed**

**Streets cannot be blocked without prior approval.**

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: \_\_\_\_\_ Barricades How many: \_\_\_\_\_



Other: \_\_\_\_\_

Where should equipment be dropped off & picked up? \_\_\_\_\_

When will the equipment be set-up? \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

When will the equipment be removed? \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

### Temporary Tents & Structures:

Will the event have a tent(s) larger than 10' x 20'? \_\_\_\_\_

Yes ☐

No ☐

List the # of tents & sizes: \_\_\_\_\_

**Indicate locations on attached required site map.**

### Electrical Services:

How will electrical services be supplied? \_\_\_\_\_

Generator ☐

Franchise Utilities ☐

Both ☐

List contractor / supplier: \_\_\_\_\_

Explain services in detail: \_\_\_\_\_

### Insurance

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

### Hold Harmless Clause

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Signature

Date

### Contract Agreement

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Signature

Date

Email completed Special Events Application and site map to  
Jami Bonner at [Jami.Bonner@waxahachie.com](mailto:Jami.Bonner@waxahachie.com).





(98)



(8b)

**Bonner, Jami**

---

**From:** Joe Bill Wiser  
**Sent:** Wednesday, May 10, 2023 11:32 AM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - National Police Memorial Celebration 5-16-23

No comments or concerns.  
Joe Wiser

---

**From:** Bonner, Jami  
**Sent:** Wednesday, May 10, 2023 11:21 AM  
**To:** Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Borders, Amy <aborders@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
**Subject:** Event Application - National Police Memorial Celebration 5-16-23

For your review / comments. Officer Cole is working to secure support letters from affected businesses. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

(8b)

**Bonner, Jami**

---

**From:** Boyd, Ricky  
**Sent:** Wednesday, May 10, 2023 1:15 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - National Police Memorial Celebration 5-16-23

I have no concerns with this request.

***Ricky Boyd, Fire Chief***

**Waxahachie Fire-Rescue**  
**214-463-9335**

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Wednesday, May 10, 2023 11:21 AM  
**To:** Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Borders, Amy <aborders@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
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[www.waxahachie.com](http://www.waxahachie.com)

(8b)

**Bonner, Jami**

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**From:** Gaertner, James  
**Sent:** Wednesday, May 10, 2023 1:58 PM  
**To:** Bonner, Jami; Massey, Matt; Borders, Amy; Simpson, Anita; Mosley, Laurie; Martinez, Gumaro; Griffith, Thomas; Boyd, Ricky; Joe Bill Wiser  
**Cc:** Scott, Michael; Lawrence, Albert; Villarreal, Amber; Crocker, Clarice  
**Subject:** RE: Event Application - National Police Memorial Celebration 5-16-23

I don't have any comments.

**James Gaertner, PE, CFM, CPM**  
**Executive Director of Public Works & Utilities**  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Wednesday, May 10, 2023 11:21 AM  
**To:** Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Borders, Amy <aborders@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>  
**Cc:** Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>  
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(8b)

**Bonner, Jami**

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**From:** Simpson, Anita  
**Sent:** Thursday, May 11, 2023 1:30 PM  
**To:** Bonner, Jami  
**Subject:** RE: Event Application - National Police Memorial Celebration 5-16-23

I don't have any comments, Jami. Wally was working with the organizers and if Chief Boyd and the others got things figured out it's fine with me.

---

**From:** Bonner, Jami  
**Sent:** Thursday, May 11, 2023 1:29 PM  
**To:** Simpson, Anita <asimpson@waxahachie.com>  
**Subject:** FW: Event Application - National Police Memorial Celebration 5-16-23

Hi Anita,

We'd like to include the National Police Memorial Celebration application on Monday's City Council agenda. Please reply with any comments you may have. Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

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**From:** Bonner, Jami <>  
**Sent:** Wednesday, May 10, 2023 11:21 AM  
**To:** Massey, Matt <mmassey@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Borders, Amy <aborders@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>  
**Cc:** Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Amber Villarreal <avillarreal@waxahachie.com>; Clarice Crocker <ccrocker@waxahachie.com>  
**Subject:** Event Application - National Police Memorial Celebration 5-16-23

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Jami Bonner  
Assistant City Secretary  
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[www.waxahachie.com](http://www.waxahachie.com)

(8c)



City of Waxahachie  
City Secretary's Office

Special Event Application

Date submitted 4/26/23

### Applicant Information

Applicant name: The Rev. James Yamauchi

Are you representing the host organization?

Yes ☒

No ☐

Will you be the on-site point of contact during the event?

Yes ☐

No ☒

Phone: \_\_\_\_\_

Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing address: 609 Kaufman Street, Waxahachie, TX 75165

Host organization name: St. Joseph Catholic Church

Alternate contact that will be on-site during the event.

On-site contact name: John Peter Yamauchi

Cell: \_\_\_\_\_

### About the Event

Event name: Corpus Christi Procession

Date: Sunday, June 11, 2023

Location: Streets around St. Joseph Catholic Church

*An event site map is **REQUIRED** to be submitted with your application.*

Anticipated attendance: 400

Description of event: The Body of Jesus Christ will be carried through the streets.

**Those in attendance will watch from the sides or follow along, praying.**

|                 | Date(s) | Start Time: | End Time: |
|-----------------|---------|-------------|-----------|
| Event Date      | June 11 | 1:00 PM     | 2:30 PM   |
| Event Set-up    |         |             |           |
| Event Breakdown |         |             |           |

**How many times has this event been hosted before?**

1<sup>st</sup> time ☐

2 - 4 times ☒

5 or more times ☐

Location: St. Joseph parish property

(8c)



City of Waxahachie  
City Secretary's Office

Special Event Application

**Choose the best description of the event:**

- |   |  |
|---|--|
| <input type="radio"/> Festival          | <input type="radio"/> Birthday Party / Picnic    |
| <input type="radio"/> Movie Screening   | <input type="radio"/> Charitable / Fundraising   |
| <input checked="" type="radio"/> Parade | <input type="radio"/> Community / Neighborhood   |
| <input type="radio"/> Private Event     | <input type="radio"/> Concert / Live Performance |
| <input type="radio"/> Run / Walk        | <input type="radio"/> Other:                     |

**Event activities include (check all that apply):**

- |  |   |
|--|---|
| <input type="checkbox"/> Amusement rides / Inflatables         | <input type="checkbox"/> Food – sampled, served, or sold                    |
| <input type="checkbox"/> Animals / Petting Zoo                 | <input type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches    | <input type="checkbox"/> Live music   |
| <input type="checkbox"/> Information / Literature Distribution | <input checked="" type="checkbox"/> Street closure                          |
| <input type="checkbox"/> DJ / Recorded Music                   | <input type="checkbox"/> Other:   |

**The event is:**

- |  |  |
|--|--|
| <input type="radio"/> Private                                    | <input checked="" type="radio"/> Free & open to the general public |
| <input type="radio"/> Entry by participation or registration fee | <input type="radio"/> Entry by admission fee or ticket             |

Admission information, if applicable:

Include entry or participant fees, ticket prices, donations, and / or fees based on activity.

**Run / Walk:**

Please provide the start time for each distance (if applicable)

\_\_\_\_\_ 1 mile \_\_\_\_\_ 5K \_\_\_\_\_ Other distance

Please indicate your expected attendance: \_\_\_\_\_

Number of participants:

- |         |                       |
|---------|-----------------------|
| 1-99    | <input type="radio"/> |
| 100-199 | <input type="radio"/> |
| 200-299 | <input type="radio"/> |
| 300+    | <input type="radio"/> |

*Provide route on attached site map.*

(8c)



City of Waxahachie  
City Secretary's Office

Special Event Application

### Food / Beverage:

Will the event offer food/beverages? Yes ☐ No ☒  
Will event require any food preparation on-site? Yes ☐ No ☒  
Will alcohol be served/sold? Yes ☐ No ☒

#### **Code of Ordinances Ch. 4 Sec. 4-7 Alcohol at approved festivals and events**

*If alcohol is served/sold, a licensed peace officer(s) must be onsite throughout the event's operation and outside the perimeter to provide security. Events require one officer with an additional officer per 100 guests. Ex.: <100 attendees would require one officer, 100<200 attendees would require two officers, 200<300 attendees would require three officers, etc.*

### Police / Security Services:

Personnel needs (indicate all that apply) Request for services is not a guarantee that staff/volunteers will be available.

Event staff How many: 0 Date(s) & time(s): \_\_\_\_\_  
Volunteers How many: 0 Date(s) & time(s): \_\_\_\_\_  
Private security How many: 0 Date(s) & time(s): \_\_\_\_\_

Company name: \_\_\_\_\_

Contact name and number: \_\_\_\_\_

Off duty police How many: 0 Date(s) & time(s): \_\_\_\_\_

Have you made arrangements with the police? Yes ☐ No ☒

If no, you will be provided the information on how to make arrangements.

If yes, please provide following information for the person that you made the arrangements with:

Contact name: \_\_\_\_\_

Phone number: \_\_\_\_\_

### Street Closures:

Does the event propose closing, blocking, or using City streets and/or parking lots? Yes ☒ No ☐

If yes, please list all streets, intersections, and parking lots that apply: \_\_\_\_\_

Kaufman St between the church and Parks, Parks Ave from Kaufman to College, College St from Parks to Marvin, Marvin Ave from College to the church

Street closings to begin on date: June 11 Start time: 1:00 PM End time: 2:30 PM

Will any businesses be impacted by the proposed road closure? Yes ☐ No ☒

### City Equipment:

Are you requesting the use of City equipment? Yes ☐ No ☒

***Availability is not guaranteed***

**Streets cannot be blocked without prior approval.**

If yes, indicate the type of equipment and how many will be used (estimated):

Traffic Cones How many: \_\_\_\_\_ Barricades How many: \_\_\_\_\_

(8c)



City of Waxahachie  
City Secretary's Office

Special Event Application

Other: \_\_\_\_\_

Where should equipment be dropped off & picked up? \_\_\_\_\_

When will the equipment be set-up? \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

When will the equipment be removed? \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

**Temporary Tents & Structures:**

Will the event have a tent(s) larger than 10' x 20'?

Yes ☐

No ☒

List the # of tents & sizes: \_\_\_\_\_

*Indicate locations on attached required site map.*

**Electrical Services:**

How will electrical services be supplied? \_\_\_\_\_

Generator ☐

Franchise Utilities ☐

Both ☐

List contractor / supplier: \_\_\_\_\_

Explain services in detail: \_\_\_\_\_

**Insurance**

All events taking place on City of Waxahachie property must provide a certificate of liability insurance and endorsement page. The City of Waxahachie must be listed as an "Additional Insured" in the amount of \$1 million on both pages. Please list the date of the event and location on this certificate and submit at least one month before the event. The City of Waxahachie reserves the right to increase the insurance limits based on the nature and degree of risks to the public.

If you have questions regarding City insurance coverage, please inquire with City of Waxahachie staff after submitting your event application.

**Hold Harmless Clause**

Applicant / organization shall assume all risks incident to or in connection with the approved activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the approved activity or the conduct of applicant's operation. Applicant hereby expressly agrees to defend and save the City, it's officers, agents, employees and representatives harmless from any penalties for violation of any law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages or injuries directly or indirectly out of or in connection with the approved activities or conduct of its operation or resulting from the negligence or intentional acts or omissions of applicant or its officers, agents, and employees. Due to Covid-19, I also understand approval of my event is subject to the then current necessary precautions resulting from Covid case trends as well as any change in accordance with federal, state or local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, it's officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Reverend James H. Jaramachi  
Signature

5/1/23  
Date

**Final Agreement**

Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Reverend James H. Jaramachi  
Signature

5/1/23  
Date

Email completed Special Events Application and site map to Jami Bonner at [Jami.Bonner@waxahachie.com](mailto:Jami.Bonner@waxahachie.com).





(8c)

**Bonner, Jami**

---

**From:** Gaertner, James  
**Sent:** Tuesday, May 2, 2023 3:54 PM  
**To:** Bonner, Jami; Massey, Matt; Joe Bill Wiser; Boyd, Ricky  
**Cc:** Scott, Michael; Lawrence, Albert; Crocker, Clarice; Villarreal, Amber  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

I don't have issues with this request.

They need to get TxDOT approval since East Marvin is a TxDOT street (FM 878).

Sincerely,

**James Gaertner, PE, CFM, CPM**  
**Executive Director of Public Works & Utilities**  
Office: 469-309-4301  
[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

---

**From:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Sent:** Tuesday, May 2, 2023 8:41 AM  
**To:** Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>  
**Cc:** Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>  
**Subject:** Event Application Corpus Christi Procession 6-11-23

For your review / comments. Thank you.

Jami Bonner  
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[www.waxahachie.com](http://www.waxahachie.com)

(8c)

**Bonner, Jami**

---

**From:** Bonner, Jami  
**Sent:** Wednesday, May 3, 2023 4:52 PM  
**To:** John Peter Yamauchi  
**Subject:** RE: Corpus Christi Procession - St. Joseph Catholic Church

Good afternoon,

I wanted to give you a heads up... East Marvin is a TxDOT street (FM 878) and will require TxDOT approval to close. Below you will find contact information for TxDOT.

Juan Peredes  
[juan.paredes@txdot.gov](mailto:juan.paredes@txdot.gov)

Michael Anthony  
[Michael.Anthony@txdot.gov](mailto:Michael.Anthony@txdot.gov)

City staff is still processing the application, but I hope to have it on the May 15<sup>th</sup> City Council agenda for consideration.

Thank you.

Jami Bonner  
Assistant City Secretary  
City of Waxahachie  
Direct (469) 309-4005 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168  
[www.waxahachie.com](http://www.waxahachie.com)

**From:** John Peter Yamauchi <jpyamauchi@gmail.com>  
**Sent:** Monday, May 1, 2023 8:24 PM  
**To:** Bonner, Jami <jami.bonner@waxahachie.com>  
**Subject:** Corpus Christi Procession - St. Joseph Catholic Church

Hello Jami,

Attached is the permit application and route map for St. Joseph Catholic Church's Corpus Christi Procession. The date is Sunday, June 11. The procession will take about an hour and travel through some of the streets near the church.

Please let me know if you need anything else from us and what the next steps are for this process.

God bless,

John Peter Yamauchi  
Director of Special Projects  
St. Joseph Catholic Church, Waxahachie

(8c)

**Bonner, Jami**

---

**From:** Boyd, Ricky  
**Sent:** Monday, May 8, 2023 4:14 PM  
**To:** Bonner, Jami; Joe Bill Wiser  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

That's a large area of streets to close, especially of Marvin. However, if they get TXDOT approval for Marvin, we can make it work.

*Ricky Boyd, Fire Chief*

Waxahachie Fire-Rescue  
214-463-9335

---

**From:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>  
**Sent:** Monday, May 8, 2023 4:03 PM  
**To:** Joe Bill Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

Good afternoon Chief Boyd and Chief Wiser,

Do you have any comments in regards to the attached application?

---

**From:** Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>  
**Sent:** Tuesday, May 2, 2023 3:54 PM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Joe Bill Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>  
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I don't have issues with this request.

They need to get TxDOT approval since East Marvin is a TxDOT street (FM 878).

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**Executive Director of Public Works & Utilities**  
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(8c)

**Bonner, Jami**

---

**From:** Joe Bill Wiser  
**Sent:** Monday, May 8, 2023 4:15 PM  
**To:** Bonner, Jami; Boyd, Ricky  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

I noticed they want to block the roadways listed. This includes several major thoroughfares such as E Marvin and N College. I think a better option might be to have an officer lead the "procession" and possibly have an engine from FD bring up the rear. Treat this much like the MLK Parade that we have in January each year.

---

**From:** Bonner, Jami  
**Sent:** Monday, May 8, 2023 4:03 PM  
**To:** Joe Bill Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>  
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**Cc:** Scott, Michael <[mscott@waxahachie.com](mailto:mscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>  
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[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)

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**From:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>  
**Sent:** Tuesday, May 2, 2023 8:41 AM  
**To:** Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Joe Bill Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>  
**Cc:** Scott, Michael <[mscott@waxahachie.com](mailto:mscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>  
**Subject:** Event Application Corpus Christi Procession 6-11-23

For your review / comments. Thank you.

(8c)

**Bonner, Jami**

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**From:** Boyd, Ricky  
**Sent:** Monday, May 8, 2023 4:16 PM  
**To:** Joe Bill Wiser; Bonner, Jami  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

Yes, I agree with Chief Wiser's recommendation.

*Ricky Boyd, Fire Chief*

Waxahachie Fire-Rescue  
214-463-9335

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**From:** Joe Bill Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>  
**Sent:** Monday, May 8, 2023 4:15 PM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

I noticed they want to block the roadways listed. This includes several major thoroughfares such as E Marvin and N College. I think a better option might be to have an officer lead the "procession" and possibly have an engine from FD bring up the rear. Treat this much like the MLK Parade that we have in January each year.

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**From:** Bonner, Jami  
**Sent:** Monday, May 8, 2023 4:03 PM  
**To:** Joe Bill Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

Good afternoon Chief Boyd and Chief Wiser,

Do you have any comments in regards to the attached application?

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**From:** Gaertner, James <[jgaertner@waxahachie.com](mailto:jgaertner@waxahachie.com)>  
**Sent:** Tuesday, May 2, 2023 3:54 PM  
**To:** Bonner, Jami <[jami.bonner@waxahachie.com](mailto:jami.bonner@waxahachie.com)>; Massey, Matt <[mmassey@waxahachie.com](mailto:mmassey@waxahachie.com)>; Joe Bill Wiser <[JWiser@waxahachiepd.org](mailto:JWiser@waxahachiepd.org)>; Boyd, Ricky <[RBoyd@waxahachiefire.org](mailto:RBoyd@waxahachiefire.org)>  
**Cc:** Scott, Michael <[mscott@waxahachie.com](mailto:mscott@waxahachie.com)>; Lawrence, Albert <[alawrence@waxahachie.com](mailto:alawrence@waxahachie.com)>; Crocker, Clarice <[ccrocker@waxahachie.com](mailto:ccrocker@waxahachie.com)>; Villarreal, Amber <[avillarreal@waxahachie.com](mailto:avillarreal@waxahachie.com)>  
**Subject:** RE: Event Application Corpus Christi Procession 6-11-23

I don't have issues with this request.

They need to get TxDOT approval since East Marvin is a TxDOT street (FM 878).

Sincerely,

**James Gaertner, PE, CFM, CPM**  
**Executive Director of Public Works & Utilities**  
Office: 469-309-4301

(8d)



## Memorandum

To: City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: May 15, 2023

Re: FY 2022-2023 Impact Fee Revenue and Expenditure Activity Mid-Year Report

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### RECOMMENDED MOTION

*"I move to approve the Impact Fee Revenue and Expenditure Activity Mid-Year Report 2022-2023 as recommended by the Impact Fee Capital Improvement Advisory Committee (IFCIAC)."*

On May 10, 2023, city staff presented the Mid-Year 2022-2023 Impact Fee Revenue and Expenditure Activity Report to the Impact Fee Capital Improvement Advisory Committee (IFCIAC). The activity summary detailed impact fee revenue and expenditures from October 1, 2022, to March 31, 2023, and the IFCIAC Committee voted 10-0 to recommend accepting and approval of the Mid-Year report.

On December 16, 2022, city staff presented the FY 2021-2022 Impact Fee Revenue and Expenditure Activity Report to City Council and action was taken to accept the recommendation of the Impact Fee Advisory Committee to increase the Water, Wastewater, and Roadway Impact Fees to the maximum calculated rates allowed, starting April 1, 2023.

On December 13, 2022, city staff presented the FY 2021-2022 Impact Fee Revenue and Expenditure Activity Report to the Impact Fee Capital Improvement Advisory Committee (IFCIAC). The activity summary detailed impact fee revenue and expenditures from October 1, 2021, to September 30, 2022, and an impact fee analysis to support the staff recommendation for increasing the Water, Wastewater, and Roadway Impact fees.

(8d)

Impact fees are authorized under Chapter 395 of the Texas Local Government Code and empower municipalities to levy a charge or assessment against new development to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to new development.

### **Impact Fee Revenues and Expenditures**

Below illustrates the revenues and expenditures for water, sewer, and roadway impact fees from October 1, 2022, to March 31, 2023, with a brief explanation of the associated spending from each project.

### **Water Impact Fees**

| <b>Current Fiscal Year</b> | <b>(Through 03/31/2023)</b> |
|----------------------------|-----------------------------|
| Beginning Balance          | \$4,178,990.41              |
| Revenues                   | \$650,593.05                |
| Expenses                   | <b>\$1,386,547.00</b>       |
| Ending Balance             | \$3,4243,036.46             |

### **Water Impact Fee Expenditure Summary FY 22-23**

Below is a summary of the projects which have been funded, or partially funded through the use of water impact fees during the FY 22-23 budget year:

#### **BNSF Railroad 18" Water Transmission Line Project Phase 1 and Phase 2 (Engineering design only)**

This project replaced approximately 6,600 linear feet of an existing 10-inch AC water line with an 18" water transmission line and approximately 700 linear feet of a 24" water transmission line. The new pipeline is part of a more extensive series of water infrastructure improvements that will help facilitate water through the 791 Service Area. Construction oversight-related expenditures in the amount of \$11,180.33 were recorded through March 31, 2023. This project is complete with savings in the amount of \$67,891.67.

#### **Water Line - Fire Station No.4(Engineering Design only)**

Staff entered into a civil engineering services agreement to design a new 12" water line extension, approximately 780 linear feet, along the I-35 frontage road south of Brookside Road and to the southeast corner of the Waxahachie Fire Station #4 Site to serve the new Fire Station #4 and future development needs. This project is partially funded with \$15,000.00 of Water Impact Fee funds. There were no expenditures recorded through March 31, 2023.



*JP Tyler - Sunbelt Oversize Participation 16" Water Line*

Staff entered into a participation agreement with Sunbelt Rentals to oversize an existing 12" water line with a 16" water line along the West side of the I-35E service for 2,725.07-linear feet. The developer received reimbursement in the amount of \$261,615.00.

*Distribution Line: Lofland Road/Ovilla Road Phase 1(Construction only)*

This project is the first phase to install approximately 8,900 linear feet of 24" diameter water transmission line. The limits are from Cardinal Road east of the BNSF Railroad west to Ovilla Rd at the Marshall Rd intersection. The project budget is partially funded with \$2,942,332.15 of Water Impact Fees. Expenditures in the amount of \$1,387,701.65 were recorded through March 31, 2023.

*Distribution Line: Lofland/Ovilla Road Phase 2(Engineering Design Only)*

Staff entered into a service agreement for engineering design and construction oversight services to construct approximately 5800 linear feet of 20" and 24" diameter water transmission line that shall be installed along Ovilla Road from Marshall Road to the south side of HWY 287 bypass. This project is funded with \$672,575.00 of water impact fees that were transferred to the Water Capital Project Fund. Expenditures in the amount of \$103,870.16 were recorded through March 31, 2023.

*Howard Road WTP High Service Pump No.5(Engineering and Construction)*

This project includes the engineering design and construction oversight services of a new pump and motor configuration. This is a necessary system upgrade to fortify the existing infrastructure to provide additional treated water pumping capacity into the water distribution system to meet current and future demands from the Howard Road Water Treatment Plant. This project is fully funded with \$718,128.00 of water impact fees that were transferred to the Water Capital Project Fund. Expenditures in the amount of \$24,610.91 were recorded through March 31, 2023.

*Water Distribution System Master Plan Update - FY23*

Staff has entered into a professional services agreement to update the Water Distribution System Master Plan. The master plan process will include updating land use assumptions, water demand and flow projections, hydraulic water models, and recommended Capital Improvements Plan. The current master plan was last updated and adopted in FY2016. With the anticipated / current growth the City is experiencing, as well as recent legislative changes to annexation laws that directly impact our (CCN) service area, staff believe an update is warranted. The project is funded with \$305,500.00 from water impact fee funds. Expenditures in the amount of \$40,390.75 were recorded through March 31, 2023.

I-35 Water Main Lofland to Butcher (Construction only)

Water Impact fees in the amount of \$132,250.00 were transferred from the Water Impact Fee fund to the Water Capital Improvement Fund to supplement the cost of the construction of 4,230 linear feet of 18" water line along the east right of way of I-35 from the existing 18" water line at Butcher Road to the 18" water line on the south side of Lofland Road at the Owens Corning facility. Expenditures in the amount of \$52,410.54 were recorded through March 31, 2023.

Debt Service

The City issues debt for financing long-term infrastructure capital improvements. Infrastructure includes those basic physical structures the government provides to support basic services, including improvements and new components to the City's utility system. Utility-related bond projects are largely financed by a portion of monthly water fees paid by the City's utility customers. Additionally, water impact fees may be used to support and partially offset the required annual debt service for these bond funds. In FY 2021-2022, water impact fees contributed \$99,000.00 toward the City's water debt service.

**Anticipated FY 23-24 Water Impact Fee Expenditures**Cardinal Rd Oversized Participation -24" Waterline

Staff has entered into a participation agreement with Cardinal Road Self-Storage LTD. The City will oversize an existing 12" water line with a 24" water line that shall be installed along Cardinal Road for approximately 310 linear feet along the northern Cardinal Road right-of-way. This 24" diameter line is consistent with the City's current Water Distribution System Master Plan. The developer will be reimbursed with funds from the Water Impact Fee Fund for \$129,812.61.

Saddle Brook Estates Phase III 16" Oversize Water Line Participation

Possible participation with 287 Waxahachie, LP. The City would oversize approximately 1,160 linear feet of 16" diameter water line within the Saddlebrook Estates development. This line is consistent with the City's current Water Distribution System Master Plan. The developer will be reimbursed with funds from the Water Impact Fee Fund for approximately \$130,000.00.

FM 878 at 287 Bypass 16" Oversize Participation

The City would oversize approximately 4,253 linear feet of 16" diameter water line from Cleaver Street to 287 Bypass. This line is consistent with the City's current Water Distribution System Master Plan. The developer will be reimbursed with funds from the Water Impact Fee Fund for approximately \$1,152,700.

**Sewer Impact Fees**

| <b>Current Fiscal Year</b> | <b>(Through 03/31/2023)</b> |
|----------------------------|-----------------------------|
| Beginning Balance          | \$3,968,360.70              |
| Revenues                   | \$602,040.86                |
| Expenses                   | <b>\$1,298,334.60</b>       |
| Ending Balance             | \$3,272,066.96              |

**Sewer Impact Fee Expenditure Summary FY 22-23**

Below is a summary of the projects which have been funded, or partially funded through the use of sewer impact fees during the FY 22-23 budget year:

**Wastewater Treatment Plant Improvements Project**

In October 2019, City Council awarded BAR Construction a contract of \$12,875,550.00 for improvements in the Wastewater Treatment Plant. This project is funded by impact fees in the amount of \$1,414,198, with the rest of the project being funded through Certificate of Obligation Bonds. In accordance with IRS Rules governing bonds, the City will spend the bonds funds first. Expenditures in the amount of \$5,342.00 were recorded through March 31, 2023.

**Jefferson Lift Station Capacity Expansion**

A change order to the Wastewater Treatment Plant Improvements Project of approximately \$5.373 million was approved by City Council on April 4, 2022. While funding for this change order utilizes mainly Local Coronavirus Relief Funding, it also includes \$853,931.00 of wastewater impact fee funds. The new construction completion date is anticipated to be August 1, 2023. In accordance with IRS Rules governing bonds, the City will spend the bonds funds first. The impact fees associated with this project were fully expended in this current fiscal year. Expenditures in the amount of \$806,424.39 were recorded through March 31, 2023.

**Wastewater Collection System Master Plan Update – FY23**

Staff has entered into a professional service agreement to update the Wastewater Collection System Master Plan. The master plan process will include updating land use assumptions, wastewater demand and wastewater flow projections, wastewater hydraulic models, and providing Capital Improvements Plan. The current master plan was last updated and adopted in FY2016. With the anticipated current growth, the City is experiencing, as well as recent legislative changes to annexation laws that directly impact our (CCN) service area, staff believes an update is warranted. The project is funded with \$344,500.00 from the wastewater impact fee fund that has been transferred into the Wastewater Capital Project Fund. Expenditures in the amount of \$101,603.50 were recorded through March 31, 2023.

**Wastewater Treatment Plant Master Plan Update**

The current master plan was adopted in FY2017. With the anticipated / current growth the City is experiencing, as well as recent legislative changes to annexation laws that directly impact our (CCN) service area, staff believe an update is warranted. The project is funded with \$276,000.00 from the Wastewater Impact Fee Fund. Expenditures in the amount of \$39,077.50 were recorded through March 31, 2023.

**Grove Creek Parallel Gravity Trunk Sewer Phase IV (Construction only)**

Staff entered into a service agreement for engineering design and construction oversight services to construct approximately 18,675 linear feet of 27" sanitary trunk sewer and approximately 645 five-foot diameter sanitary sewer manholes parallel to the existing Grove Creek Trunk Sewer from south of Butcher Road at Highland Village south to the Grove Creek Lift Station. The parallel sewer is expected to be situated mainly inside an existing 30-foot-wide Sanitary Sewer Easement. This project is partially funded with \$3,052,565.00 of Wastewater Impact Fees that were transferred to the Wastewater Capital Projects Fund. Expenditures in the amount of \$15,509.08 were recorded through March 31, 2023.

**Debt Service** – The City issues debt for financing long-term infrastructure capital improvements. Infrastructure includes those basic physical structures provided by the government to support basic services, including improvements and new components to the City's utility system. Utility-related bond projects are largely financed by a portion of monthly sewer fees paid by the City's utility customers. Additionally, wastewater impact fees may be used to support and partially offset the required annual debt service for these bond funds. In FY 2021-2022, wastewater impact fees contributed \$1,227,880.00 toward the City's wastewater debt service.

**Anticipated FY 23-24 Sewer Impact Fee Expenditures****Pine Meadows Oversized Wastewater Line Participation Project**

Staff anticipates entering into a participation agreement with the Pine Meadows Phase II developer. The Developer will oversize an existing 12" sewer line along Cantrell Street with a 15" sewer line. The developer will be reimbursed with funds from the Wastewater Impact Fee Fund for \$75,000.00.

(8d)

### **Roadway Impact Fees**

Below is a table illustrating the revenues and expenditures for roadway impact fees from September 30, 2022, to March 31, 2023:

| <b>Service Area</b>   | <b>FY 2023 Start<br/>(09/30/2022)</b> | <b>Revenues</b> | <b>Expense</b>      | <b>March 2023 End<br/>(03/31/2023)</b> |
|-----------------------|---------------------------------------|-----------------|---------------------|--|
| <b>Service Area 1</b> | \$507,955.89                          | ----            | ----                | \$518,567.34                           |
| <b>Service Area 2</b> | \$3,656,707.70                        | \$418,651.65    | ----                | \$4,160,495.65                         |
| <b>Service Area 3</b> | \$759,810.47                          | \$65,018.64     | ----                | \$842,060.20                           |
| <b>Service Area 4</b> | \$2,158,049.30                        | ----            | <b>\$215,833.75</b> | \$1,982,789.41                         |
| <b>Service Area 5</b> | \$2,597,991.27                        | \$90,426.18     | ----                | \$2,744,579.84                         |
| <b>Service Area 6</b> | \$1,979,648.59                        | \$111,435.81    | ----                | \$2,134,768.20                         |
| <b>Service Area 7</b> | \$1,613,465.59                        | \$3,947.60      | ----                | \$1,651,201.76                         |
| <b>Interest</b>       | ----                                  | \$287,187.46    | ----                | ----                                   |
| <b>Total</b>          | \$13,273,628.81                       | \$976,667.34    | <b>\$215,833.75</b> | \$14,034,462.40                        |

### **Roadway Impact Fee Expenditure FY 22-23**

Below is a summary of the projects which have been funded, or partially funded through the use of Roadway impact fees during the FY 22-23 budget year:

#### **Farley Street Service Area 4**

BGE Engineering firm is preparing the Farley Street concept plan. The limits of the Farley Street concept plan are from Richmond St. to Hwy 287. Based on available funding, the concept plan will determine alignments and cost estimates for this project and possible construction phases. The 30% Plans and opinion of cost are currently under review. The next step is determining the phase for 100% Plans and Construction. Expenditures in the amount of \$135,265.00 were recorded in the 2021-2022 fiscal year.

### **Anticipated FY 23-24 Roadway Impact Fee Expenditures**

Potential future projects for Roadways include:

#### **Left turn lane of Northgate onto Highway 77 Service Area 4**

Anticipated to start Engineering in mid-2023 and begin construction in early 2024. Negotiating contracts with the engineering firm.

(8d)

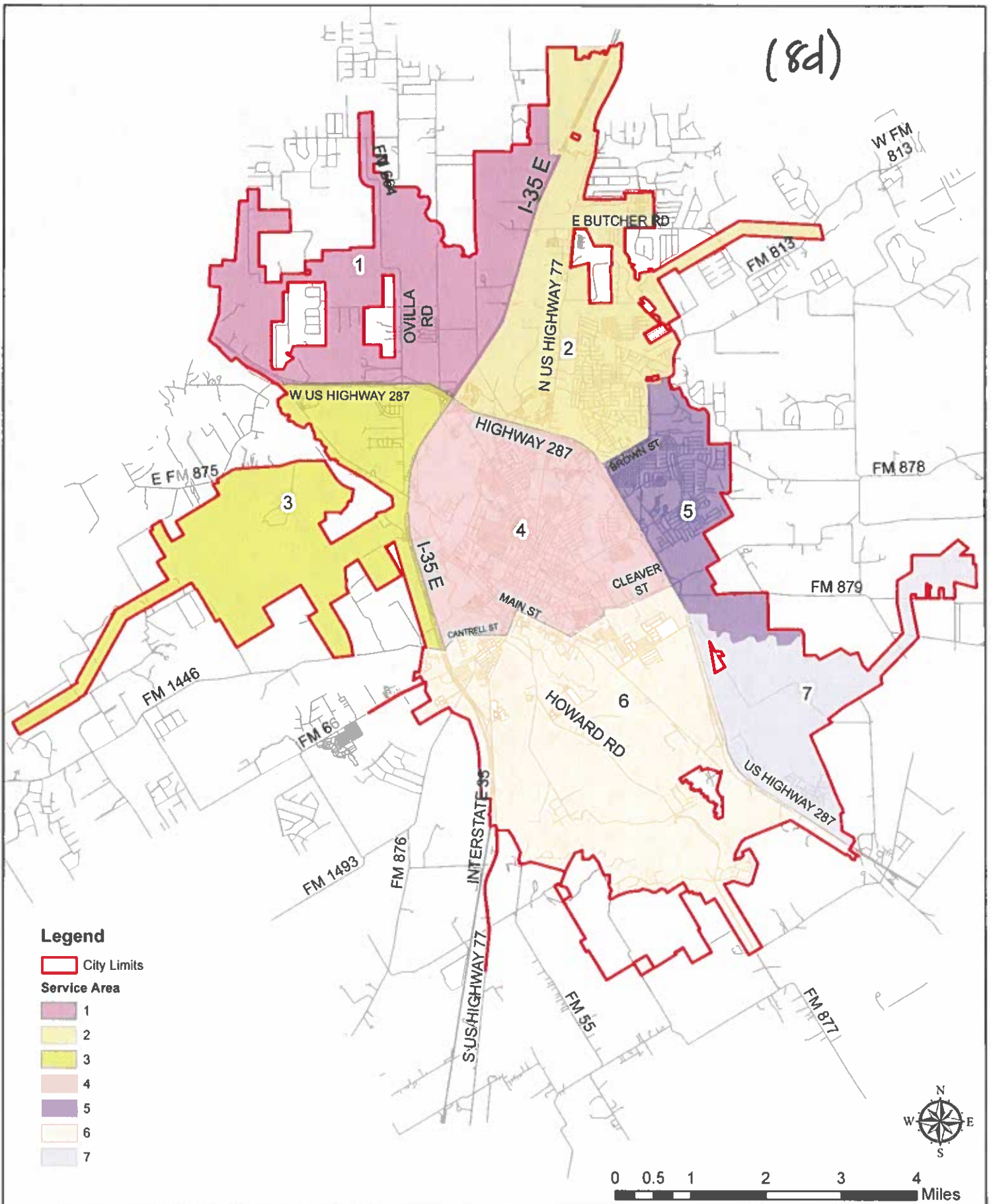
Concept Plan for Broadhead Road Service Area 5

Anticipated to start the concept plan in 2024 from April Lane to North of Youngblood Rd. The concept plan will determine alignments and cost estimates for future construction phases.

**Next Steps**

The projects noted above will continue to be monitored by staff. Staff intends to provide its next Impact report to the Advisory Committee in the Fall of 2023, covering revenues and expenses for the entire FY22-23 budget year.

(8d)



# Roadway Impact Fee Service Area Map

As of 12/16/2022

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the City of Wauahatche for the sole purpose of geographic reference. No warranty is made by the City of Wauahatche regarding specific accuracy or completeness.



(8e)

## Memorandum

To: City Council

From: Anita Simpson, Downtown Development Director

Thru: Michael Scott, City Manager

Date: May 15, 2023

Re: Consider Authorizing Funding from the TIRZ for Texas Theater  
Renovation Expenses

---

**Recommended Motion:** "I move to approve funding in the amount of \$208,383.00 from the Tax Increment Reinvestment Zone No. 1 Fund for reimbursement of expenses related to the rehabilitation of the Texas Theater."

**Item Description:** At their meeting on May 10, 2023, Jon Garrett presented the TIRZ board a comprehensive list of expenses related to the rehabilitation of the Texas Theater and requested reimbursement for some infrastructure, code, and life/safety-related expenses. The amount being reimbursed is a small portion of the overall expenses for the purchase and rehabilitation of the building. The TIRZ board voted unanimously to fund this request.

**Item Summary:** There were many challenges related to the rehabilitation of the Texas Theater. All systems, including electrical, mechanical, and plumbing are now up to code. Though privately owned, the Texas Theater is a "community" building and will be available to local groups for their programs. Mr. Garrett stated that he took care to have all work performed at the highest level to ensure the preservation and use of the theater for many more years.

**Fiscal Impact:** The TIRZ fund has a sufficient fund balance to cover this expense.



(8f)



## Memorandum

To: Honorable Mayor and City Council

From: Richard Abernethy, Director of Administrative Services

Thru: Michael Scott, City Manager *MS*

Date: May 15, 2023

Re: Consider a supplemental appropriation of \$76,810 for a Business Plan for Mid-Way Regional Airport

---

**Motion:** "I move to approve a supplemental appropriation from the WDCD unrestricted reserve fund in the amount of \$76,810 for a Business Plan for Mid-Way Regional Airport and authorize the Mid-Way Regional Airport Board and or City Manager to execute all documents as necessary."

**Item Description:** Consider the authorization of funding from the WDCD unrestricted reserve fund balance in the amount of \$76,810 to fund half the cost of a Business Plan for the Mid-Way Regional Airport. The City of Midlothian will fund the other half of the cost. On May 9, 2023 this request was presented to Waxahachie Community Development Corporation Board and it was approved unanimously.

**Item Summary:** The Mid-Way Regional Airport is updating its Airport Master Plan and will develop a business plan alongside it. The business plan will develop a strategy to target new industries to the airport as well as update minimum standards, rules and regulations, rates and charges, lease agreement policies and business operation processes. The aim is to develop business at the airport and ensure it operates under best practices.

The Airport Master Plan is being funded by FAA grants, but the business plan is not eligible for grant funding. In September 2022, both cities approved the

Master Plan and were briefed on funding a business plan once a consultant was selected.

In March 2023, the airport advertised a request for qualifications for a business plan and received two proposals. KSA Engineers was recommended by the airport selection committee. The Mid-Way Regional Airport Board approved the contract with KSA on May 11, 2023. The airport is requesting for both the City of Waxahachie and City of Midlothian to split the cost of the project, which is \$153,620.

**Fiscal Impact:** The WCDC unrestricted reserve fund balance has sufficient capacity to fund the \$76,810 for half the costs associated with the business plan project. The specific line item subject to increase is 530-199-53200 Professional Services.



## Memorandum

To: Honorable Mayor and City Council

From: Richard B. Abernethy, Director of Administrative Services

Thru: Michael Scott, City Manager

Date: May 15, 2023

Re: Consider Resolution to Approve the Suspension of the Effective Date of Proposed Gas Utility Rate Increase by SiEnergy, LP

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**Recommended Motion:** "I move to approve a resolution to suspend the effective date of the proposed gas utility rate increase by SiEnergy, LP"

**Item Description:** Consider resolution to approve the suspension of the effective date of a proposed gas utility rate increase by SiEnergy, LP.

**Item Summary:** On May 5, 2023, Si Energy, LP (SiEnergy), filed a Statement of Intent seeking to increase gas utility rates within the incorporated areas served by SiEnergy in North, Central, and South Texas. The City of Waxahachie is one of the affected municipalities by this proposal.

In the filing, SiEnergy is seeking an increase of \$9.69 million increase on a systemwide basis, which results in \$2.67 million revenue increase in the incorporated areas or a 47.3% increase over current adjusted revenues, excluding gas costs. SiEnergy has proposed an effective date of June 9, 2023.

The resolution would suspend their effective date by 90 days to allow time for the City's legal and consulting team to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates

**Fiscal Impact:** The City of Waxahachie is a member of these coalition of cities impacted by this rate increase and there are no additional costs associated with hiring of legal services or consultants to conduct the review on behalf of the City. All legal expenses associated with this request must be paid by SiEnergy.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION BY THE CITY OF WAXAHACHIE, TEXAS AUTHORIZING AND APPROVING MEMBERSHIP IN THE CITIES SERVED BY SIENERGY (CITIES) FOR THE PURPOSE OF PROTECTING THE INTEREST OF THE CITY AND ITS CITIZENS WITH RESPECT TO SIENERGY MATTERS; FURTHER SUSPENDING THE JUNE 9, 2023 EFFECTIVE DATE OF THE STATEMENT OF INTENT OF SIENERGY, LP TO INCREASE RATES WITHIN INCORPORATED AREAS OF NORTH, CENTRAL, AND SOUTH TEXAS; TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY SIENERGY; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.**

**WHEREAS**, on or about May 5, 2023, SiEnergy, LP (SiEnergy or Company) filed with the City of Waxahachie (City) and the other affected North, Central, and South Texas municipalities a Statement of Intent seeking to increase gas utility rates within the incorporated areas of the North, Central, and South Texas to be effective June 9, 2023; and

**WHEREAS**, the City is a regulatory authority with an interest in the rates and charges of SiEnergy; and

**WHEREAS**, the Cities Served by SiEnergy (Cities) is a coalition of similarly situated cities served by SiEnergy, LP (SiEnergy) that have joined together to efficiently and cost effectively review and respond to gas issues affecting rates charged in SiEnergy's service area; and

**WHEREAS**, the City is a member of the Cities Served by SiEnergy (Cities) (such participating cities are referred to herein as Cities), a coalition of similarly situated cities served by SiEnergy that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in SiEnergy's service area; and

**WHEREAS**, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

**WHEREAS**, the City retains its rights as a city with original jurisdiction including the right to suspend the application; and

**WHEREAS**, the City's consultants and attorneys recommend that the City suspend the application for further review.

**WHEREAS**, SiEnergy has filed an application with the Railroad Commission that could become the docket into which appeals of city action on the SiEnergy filing are consolidated;

**WHEREAS**, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

**SECTION 1.** That the findings and recitations set out in the preamble of this Resolution are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

**SECTION 2.** That the June 9, 2023, effective date of the request to increase rates submitted by SiEnergy on or about May 5, 2023, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

**SECTION 3.** That the City is a member of the Cities Served by SiEnergy (Cities) municipalities in this proceeding and, subject to the right to terminate employment at any time, hereby authorizes the hiring of Jamie L. Mauldin of the law firm of Lloyd Gosselink Rochelle and Townsend, P.C., and Karl J. Nalepa of the consulting firm of ReSolved Energy Consulting, L.L.C., as well as any additional consultants deemed necessary, to review the Company's filing, negotiate with the Company, make recommendations regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of city action.

**SECTION 4.** That the City shall work with Cities in the review and evaluation of whether the proposed rates are appropriate, fair, just, and reasonable; and intervene as a necessary party in the Railroad Commission of Texas' consideration of the SiEnergy rate filing as it affects the customers in the unincorporated areas of North, Central and South Texas.

**SECTION 5.** That the City's reasonable rate case expenses shall be reimbursed in full by SiEnergy.

**SECTION 6.** That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

**SECTION 7.** That a copy of this Resolution shall be sent to June M. Dively, SiEnergy, LP at 3 Lakeway Centre CT, Suite 110, Lakeway, Texas 78734 and to Jamie L. Mauldin at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

**SECTION 8.** That this Resolution shall be and become effective from and after its adoption.

(8h)

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
CITY ATTORNEY

I, \_\_\_\_\_, Secretary of the City Council of the City of Waxahachie, Texas, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City Council of the City of Waxahachie, Texas, at its regular meeting held of the \_\_\_\_ day of \_\_\_\_\_, 2023, as the same appears in the records of this office.

**IN TESTIMONY WHEREOF**, I subscribe my name hereto officially under the corporate seal of the City of Waxahachie this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Secretary for the City Council  
of the City of Waxahachie, Texas

# ***PROCLAMATION***

**WHEREAS**, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Waxahachie, Texas; and

**WHEREAS**, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

**WHEREAS**, the year 2023 marks the 63<sup>rd</sup> annual National Public Works Week sponsored by the American Public Works Association;

**NOW, THEREFORE**, be it resolved that I, Mayor David Hill, along with the entire City Council, do hereby recognize May 21–27, 2023 as

## ***“NATIONAL PUBLIC WORKS WEEK”***

and urge all citizens to join with the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

Proclaimed this 15<sup>th</sup> day of May 2023.

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MAYOR

ATTEST:

---

CITY SECRETARY

(11)

# Planning & Zoning Department

## Plat Staff Report

Case: SUB-15-2023



### MEETING DATE(S)

Planning & Zoning Commission:

May 10, 2023

City Council:

May 15, 2023

### CAPTION

**Consider** the request by Anna Carrillo, Carrillo Engineering, for a **Plat** of the North Grove Center Addition, being 20.01 acres, located at the northeast corner of US Highway 77 and E North Grove Boulevard, situated in the Henri Sange Survey, Abstract 1009, and the Allen W. Brown Survey, Abstract 102, an addition to the City of Waxahachie (Property ID: 191121, 262125, & 262126) – Owner: High Five Trust – BJA (Mark) (SUB-15-2023) Staff: Zack King

### RECOMMENDED MOTION

*"I move to approve SUB-15-2023, a Plat of the North Grove Center Addition and the associated variance request, authorizing the City Manager and or Mayor to execute all documents accordingly."*

### ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on May 10, 2023, the Commission voted **7-0** to recommend approval of case number SUB-15-2023, with the associated variance request.

### APPLICANT REQUEST

The applicant requests to plat the subject property into ten (10) lots for commercial use.

### CASE INFORMATION

**Applicant:**

Anna Carrillo, Carrillo Engineering

**Property Owner(s):**

High Five Trust – BJA (Mark)

**Site Acreage:**

20.01 acres

**Number of Lots:**

10 lots

**Number of Dwelling Units:**

0 units

**Park Land Dedication:**

The cash in lieu of park land dedication is \$12,006.00 (20.01 acres at \$600.00 per acre.)

**Adequate Public Facilities:**

Adequate public facilities are available to the subject property via the extension of City water and wastewater infrastructure.

### SUBJECT PROPERTY

**General Location:**

The northeast corner of US Highway 77 and E North Grove Boulevard

**Parcel ID Number(s):**

191121, 262125, & 262126

**Current Zoning:**

Planned Development-General Retail (PD-GR)



**Existing Use:**

The subject property is currently undeveloped.

**Platting History:**

The subject property is a portion of the Henri Sange Survey, Abstract 1009, and the Allen W. Brown Survey, Abstract 102.

**Site Aerial:****PLANNING ANALYSIS**

The applicant proposes to plat the subject property into ten (10) lots for commercial use as part of the North Grove Center Planned Development (Ord. 3365). The proposed lots are in conformance with the zoning for the property, as well as the 2023 Waxahachie Thoroughfare Plan. With this plat, the applicant is proposing a variable-width Public Access Easement to allow for connectivity between all lots.

**VARIANCE REQUEST – LOT FRONTAGE**

The applicant is seeking a variance from Section 3.6(b) of the Waxahachie Subdivision Ordinance; which requires each proposed lot to front onto a dedicated, improved public street. The applicant is seeking this variance to allow proposed Lot 1 & Lot 10 to have no frontage on a dedicated, improved public street. The location of Lot 1 & Lot 10 on the proposed plat does conform with the concept plan for the development approved with Ordinance 3365. Lot 10 is proposed to front onto the Public Access Easement as opposed to a dedicated, improved public street. Lot 1 is proposed to serve only as a storm water detention lot and is required to be owned and maintained in perpetuity by the owner of Lot 9. Due to this, it will be possible to access the proposed Lot 1 through the internal drives of Lot 9. Considering all proposed lots will have reasonable access, staff is supportive of this variance request.

**RECOMMENDATION**

Based on the details provided in this Staff Report and the present status of the documents subject to the request, staff recommends approval of the Plat with the associated variance request.

**ATTACHED EXHIBITS**

1. Plat

**APPLICANT REQUIREMENTS**

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
  - a. If comments were not satisfied, then the applicant will be notified to make corrections.
  - b. If all comments were satisfied, then the applicant shall provide five signed, hard-copy plats.

**CITY REQUIREMENTS FOR PLAT RECORDING AND FILING**

A plat shall not be filed with the Ellis County Clerk until:

1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has been conducted as required by the City's Subdivision ordinance.

**STAFF CONTACT INFORMATION**

*Prepared by:*

Zack King  
Senior Planner  
[zking@waxahachie.com](mailto:zking@waxahachie.com)

*Reviewed by:*

Jennifer Pruitt, AICP, LEED-AP, CNU-A  
Senior Director of Planning  
[jennifer.pruitt@waxahachie.com](mailto:jennifer.pruitt@waxahachie.com)



**BEARING BASE**  
THE BEARINGS SHOWN HEREON ARE TEXAS STATE PLANE GRID BEARINGS (NAD83 NORTH CENTRAL ZONE 4202) ESTABLISHED USING THE GLOBAL POSITIONING SYSTEM SATELLITES, AND LOCAL CONTINUOUSLY OPERATING REFERENCE STATIONS

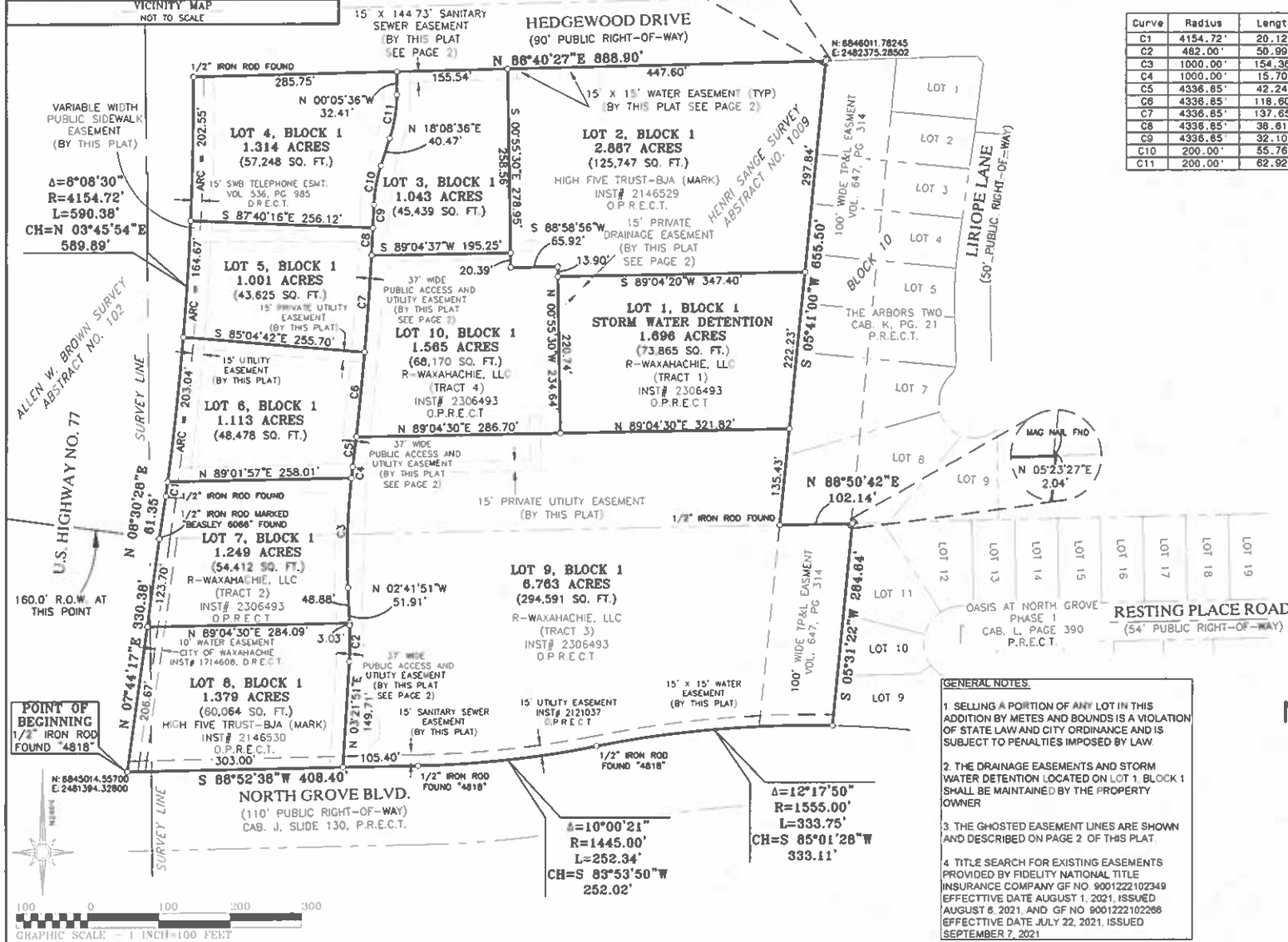
**EASEMENT NOTE**  
ALL GHOSTED EASEMENTS ARE SHOWN ON PAGE 2 OF THIS PLAT

**FLOOD NOTE:**  
NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOOD HAZARD ZONE, ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAP FOR ELLIS COUNTY, TEXAS, AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 48139C0190F, MAP REVISED JUNE 3, 2013

**ENGINEER:**  
CARRILLO ENGINEERING  
9001 AIRPORT Fwy, STE. 700  
NORTH RICHLAND HILLS, TX 76180  
PHONE: (817) 697-4996  
EMAIL: anna.camillo@camilloeng.com

**CONTACT:** Anna L. Camillo

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TOPOGRAPHIC MAPPING  
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FIRM CERTIFICATION# 1019000  
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| Curve | Radius   | Length  | Delta     | Chord   | Chord Bear.   |
|-------|----------|---------|-----------|---------|---------------|
| C1    | 4154.72' | 20.12'  | 0°16'38"  | 20.12'  | N 87°41'50" E |
| C2    | 462.00'  | 50.99'  | 6°03'42"  | 50.97'  | N 00°20'00" E |
| C3    | 1000.00' | 154.38' | 8°50'39"  | 154.21' | N 01°43'29" E |
| C4    | 1000.00' | 15.70'  | 0°53'58"  | 15.70'  | N 06°35'48" E |
| C5    | 4336.85' | 42.24'  | 0°33'29"  | 42.24'  | N 06°46'03" E |
| C6    | 4336.85' | 118.60' | 1°34'01"  | 118.60' | N 05°42'18" E |
| C7    | 4336.85' | 137.65' | 1°49'07"  | 137.64' | N 04°00'44" E |
| C8    | 4336.85' | 38.61'  | 0°30'36"  | 38.61'  | N 02°50'53" E |
| C9    | 4336.85' | 32.10'  | 0°25'27"  | 32.10'  | N 02°22'51" E |
| C10   | 200.00'  | 55.76'  | 15°58'28" | 55.58'  | N 10°09'22" E |
| C11   | 200.00'  | 62.92'  | 18°01'28" | 62.66'  | N 09°07'53" E |

**City Approval of Plat**

Approved by:  
Planning and Zoning Commission  
City of Waxahachie

Chairperson \_\_\_\_\_ Date: \_\_\_\_\_

Attest: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by:  
City Council  
City of Waxahachie

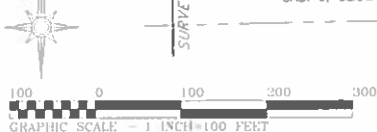
Mayor \_\_\_\_\_ Date: \_\_\_\_\_

Ast. \_\_\_\_\_ Date: \_\_\_\_\_

**PLAT**  
**NORTH GROVE CENTER**  
**ADDITION**  
LOTS 1-10, BLOCK 1  
20.010 ACRES OF LAND LOCATED IN THE  
HENRI SANGE SURVEY, ABSTRACT NUMBER 1009 AND  
ALLEN W. BROWN SURVEY, ABSTRACT NUMBER 102  
CITY OF WAXAHACHIE  
ELLIS COUNTY, TEXAS  
10 COMMERCIAL LOTS  
PREPARED: FEBRUARY 2023

**GENERAL NOTES:**

1. SELLING A PORTION OF ANY LOT IN THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF STATE LAW AND CITY ORDINANCE AND IS SUBJECT TO PENALTIES IMPOSED BY LAW.
2. THE DRAINAGE EASEMENTS AND STORM WATER DETENTION LOCATED ON LOT 1, BLOCK 1 SHALL BE MAINTAINED BY THE PROPERTY OWNER.
3. THE GHOSTED EASEMENT LINES ARE SHOWN AND DESCRIBED ON PAGE 2 OF THIS PLAT.
4. TITLE SEARCH FOR EXISTING EASEMENTS PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY GF NO. 9001222102349 EFFECTIVE DATE AUGUST 1, 2021, ISSUED AUGUST 8, 2021, AND GF NO. 9001222102266 EFFECTIVE DATE JULY 22, 2021, ISSUED SEPTEMBER 7, 2021.



PAGE 2 OF THIS PLAT IS TO PROVIDE THE  
DIMENSIONS ON THE EASEMENT TO BE  
DEDICATED BY THIS PLAT.

**CARRILLO ENGINEERING**  
9001 AIRPORT FWY, STE. 700  
NORTH RICHLAND HILLS, TX 76180  
PHONE: (817) 697-4996  
EMAIL: [anna.carrillo@carrilloeng.com](mailto:anna.carrillo@carrilloeng.com)

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FIRM CERTIFICATION# 1019000  
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| 18 PRIVATE ORAIME EASEMENT TABLE         |               |          | 15 PRIVATE UTILITY EASEMENT TABLE |               |               |
|--|---------------|----------|-----------------------------------|---------------|---------------|
| Course                                   | Bearing       | Distance | Course                            | Bearing       | Distance      |
| L1                                       | S 45°00'30" E | 23.19'   | L31                               | N 00°53'30" W | 80.85'        |
| L2                                       | N 89°04'37" E | 228.47'  | L32                               | N 89°00'30" E | 15.00'        |
| L3                                       | S 45°00'00" E | 101.15'  | L33                               | S 30°53'50" E | 75.95'        |
| L4                                       | S 45°00'18" W | 13.00'   |                                   |               |               |
| L5                                       | N 45°00'30" W | 94.58'   |                                   |               |               |
| L6                                       | S 89°04'37" W | 228.47'  |                                   |               |               |
| L7                                       | N 45°00'30" W | 25.00'   |                                   |               |               |
| L8                                       | N 45°00'30" W | 25.00'   |                                   |               |               |
| L9                                       | WEST          | 218.19'  |                                   |               |               |
| L10                                      | S 89°04'18" W | 19.36'   |                                   |               |               |
| L11                                      | N 80°40'55" W | 15.50'   |                                   |               |               |
| PUBLIC ACCESS AND UTILITY EASEMENT TABLE |               |          |                                   |               |               |
| Course                                   | Bearing       | Distance | Course                            | Bearing       | Distance      |
| L12                                      | S 89°05'44" E | 32.88'   | L34                               | S 16°08'38" W | 25.51'        |
| L13                                      | S 16°08'38" W | 25.51'   | L35                               | S 08°03'33" W | 98.89'        |
| L14                                      | S 08°03'33" W | 98.89'   | L36                               | N 89°04'34" E | 148.38'       |
| L15                                      | N 89°04'34" E | 148.38'  | L37                               | S 08°03'29" E | 24.00'        |
| L16                                      | S 08°03'29" E | 24.00'   | L38                               | N 89°04'34" W | 133.63'       |
| L17                                      | N 89°04'34" W | 133.63'  | L39                               | S 05°11'58" W | 232.55'       |
| L18                                      | S 05°11'58" W | 232.55'  | L40                               | S 81°55'02" W | 205.41'       |
| L19                                      | S 81°55'02" W | 205.41'  | L41                               | S 02°41'51" E | 51.91'        |
| L20                                      | S 02°41'51" E | 51.91'   | L42                               | S 89°21'51" W | 95.54'        |
| L21                                      | S 89°21'51" W | 95.54'   | L43                               | S 11°21'45" W | 28.56'        |
| L22                                      | S 11°21'45" W | 28.56'   | L44                               | N 00°53'30" E | 80.85'        |
| L23                                      | N 00°53'30" E | 80.85'   | L45                               | N 03°21'51" E | 151.18'       |
| L24                                      | N 03°21'51" E | 151.18'  | L46                               | N 02°41'51" W | 51.91'        |
| L25                                      | N 02°41'51" W | 51.91'   | L47                               | S 89°01'52" W | 210.00'       |
| L26                                      | S 89°01'52" W | 210.00'  | L48                               | N 89°01'55" E | 20.00'        |
| L27                                      | N 89°01'55" E | 20.00'   | L49                               | N 04°22'20" E | 339.04'       |
| L28                                      | N 04°22'20" E | 339.04'  | L50                               | N 08°00'36" E | 49.47'        |
| L29                                      | N 08°00'36" E | 49.47'   | L51                               | N 00°05'28" W | 31.54'        |
| L30                                      | N 00°05'28" W | 31.54'   |                                   |               |               |
| Course                                   | Radius        | Length   | Chord                             | Bearing       | Chord Bear.   |
| C1                                       | 218.50'       | 86.73'   | 180°1'28"                         | 88.45'        | S 09°07'53" W |
| C2                                       | 27.50'        | 38.78'   | 78°36'48"                         | 34.11'        | S 52°36'00" E |
| C3                                       | 27.50'        | 41.06'   | 83°39'18"                         | 37.35'        | S 48°18'25" W |
| C4                                       | 50.50'        | 52.95'   | 8°43'43"                          | 52.93'        | S 60°20'00" W |
| C5                                       | 27.50'        | 44.18'   | 92°00'00"                         | 39.56'        | S 42°38'12" E |
| C6                                       | 28.50'        | 35.47'   | 72°54'54"                         | 35.15'        | S 50°28'02" W |
| C7                                       | 863.50'       | 49.04'   | 0°03'42"                          | 49.01'        | N 00°20'00" E |
| C8                                       | 106.15'       | 106.15'  | 55°56'14"                         | 106.09'       | N 00°17'18" E |
| C9                                       | 27.50'        | 45.23'   | 94°16'28"                         | 44.80'        | S 43°50'50" W |
| C10                                      | 36.50'        | 56.85'   | 82°27'23"                         | 52.02'        | N 47°48'13" E |
| C11                                      | 218.50'       | 80.92'   | 15°56'28"                         | 80.72'        | N 10°09'22" W |
| C12                                      | 181.50'       | 51.16'   | 14°50'28"                         | 54.82'        | N 08°07'43" E |

E

LOTS 1-10, BLOCK 1

20.010 ACRES OF LAND LOCATED IN THE  
HENRI SANGE SURVEY, ABSTRACT NUMBER 1009 AND  
ALLEN W. BROWN SURVEY, ABSTRACT NUMBER 102  
CITY OF WAXAHACHIE  
ELLIS COUNTY, TEXAS

10 COMMERCIAL LOTS  
PREPARED: FEBRUARY 2023

PAGE 2 OF 3  
CASE#SUB-15-2023

(DANNY) CARRILLO\WAX-HEDGEWOOD\WAX-HEDGEWOOD-PLAT.dwg

SIN FIN 

STATE OF TEXAS §  
COUNTY OF ELLIS §

OWNER'S CERTIFICATE

WHEREAS, HIGH FIVE TRUST - BJA (MARK) AND R-WAXAHACHIE, LLC, ARE THE OWNERS OF A TRACT OF LAND SITUATED IN THE ALLEN BROWN SURVEY, ABSTRACT NO. 102, AND THE HENRI SANGE SURVEY, ABSTRACT NO. 1009, ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

LEGAL DESCRIPTION

BEING 20.010 ACRES OF LAND SITUATED IN THE ALLEN BROWN SURVEY, ABSTRACT NO. 102, AND THE HENRI SANGE SURVEY, ABSTRACT NO. 1009, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND CONVEYED TO HIGH FIVE TRUST - BJA (MARK), BY THE DEEDS RECORDED IN INSTRUMENT NOS. 2146529 AND 2146530, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, SAID 20.010 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING AT A 1/2" IRON ROD MARKED "4818" FOUND AT THE SOUTHWEST CORNER OF SAID HIGH FIVE TRUST - BJA (MARK) TRACTS AND SAID POINT LYING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF NORTH GROVE BOULEVARD (A 110 FOOT WIDE PUBLIC RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF US HIGHWAY NO. 77 (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY),

THENCE ALONG THE WEST BOUNDARY LINE OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID US HIGHWAY NO. 77, AS FOLLOWS

1. N 07° 44' 17" E 330.38 FEET, TO A 1/2" IRON ROD MARKED "BEASLEY 6066" FOUND AT THE NORTHEAST CORNER OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146530) AND THE SOUTHWEST CORNER OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146529),

2. N 06° 30' 28" E 61.35 FEET, TO A 1/2" IRON ROD FOUND AT THE BEGINNING OF A CURVE OF THE LEFT,

3. NORTHEASTERLY 590.38 FEET, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 4154.72 FEET, A CENTRAL ANGLE OF 08° 08' 30", AND A CHORD BEARING N 05° 45' 54" E 589.89 FEET, TO A 1/2" IRON ROD FOUND AT THE END OF SAID CURVE, SAID 1/2" IRON ROD ALSO BEING THE NORTHWEST CORNER OF AFORESAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146529) AND THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF HEDGEWOOD DRIVE (A 90 FOOT WIDE PUBLIC RIGHT-OF-WAY) WITH THE EAST RIGHT-OF-WAY LINE OF AFORESAID US HIGHWAY NO. 77,

THENCE N 88° 40' 27" E 888.90 FEET, ALONG THE NORTH BOUNDARY LINE OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146529) AND THE SOUTH RIGHT-OF-WAY LINE OF SAID HEDGEWOOD DRIVE, TO A POINT FROM WHICH A 1/2" IRON ROD MARKED "4818" FOUND FOR REFERENCE BEARS S 09° 21' 40" W 1.05 FEET AT THE NORTHEAST CORNER OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146529) AND THE NORTHWEST CORNER OF BLOCK 10, THE ARBORS TWO, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET K, SLIDE 21, OF THE PLAT RECORDS OF ELLIS COUNTY, TEXAS, SAID POINT ALSO LYING IN THE WEST LINE OF AN EXISTING 100 FOOT WIDE TP & L EASEMENT, BY THE DEED RECORDED IN VOLUME 647, PAGE 314, OF THE DEED RECORDS OF ELLIS COUNTY, TEXAS,

THENCE S 05° 41' 01" W 655.51 FEET, TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST CORNER OF SAID BLOCK 10, THE ARBORS TWO AND THE SOUTHEAST CORNER OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146529), AND SAID POINT LYING IN THE NORTH LINE OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146530),

THENCE N 88° 50' 42" E 102.14 FEET, TO A POINT FROM WHICH A 1/2" IRON ROD FOUND FOR REFERENCE BEARS N 05° 23' 27" E 2.04 FEET AT THE NORTHWEST CORNER OF BLOCK 1, OASIS AT NORTH GROVE, PHASE 1, AN ADDITION TO THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET L, PAGE 390, OF THE PLAT RECORDS OF ELLIS COUNTY, TEXAS, AND SAID POINT LYING AT THE NORTHEAST CORNER OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146530), AND POINT ALSO LYING IN THE EAST LINE OF SAID EXISTING 100 FOOT WIDE TP & L EASEMENT,

THENCE S 05° 31' 22" W 284.64 FEET, TO A POINT AT THE SOUTHWEST CORNER OF SAID BLOCK 1, OASIS AT NORTH GROVE, PHASE 1, AND THE SOUTHEAST CORNER OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146530), AND SAID POINT ALSO LYING IN THE NORTH RIGHT-OF-WAY LINE OF AFORESAID NORTH GROVE BOULEVARD, AND SAID POINT ALSO LYING AT THE BEGINNING OF A CURVE TO THE LEFT,

THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID HIGH FIVE TRUST - BJA (MARK) TRACT (2146530) AND THE NORTH RIGHT-OF-WAY LINE OF SAID NORTH GROVE BOULEVARD, AS FOLLOWS

1. SOUTHWESTERLY 333.75 FEET, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1555.00 FEET, A CENTRAL ANGLE OF 12° 17' 50", AND A CHORD BEARING S 88° 01' 28" W 333.11 FEET, TO A 1/2" IRON ROD MARKED "4818" FOUND AT THE END OF SAID CURVE AND THE BEGINNING OF A CURVE OF THE RIGHT,

2. SOUTHWESTERLY 252.34 FEET, ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1445.00 FEET, A CENTRAL ANGLE OF 10° 00' 21", AND A CHORD BEARING S 83° 53' 50" W 252.02 FEET, TO A 1/2" IRON ROD MARKED "4818" FOUND AT THE END OF SAID CURVE,

3. S 88° 52' 38" W 408.40 FEET, TO THE POINT OF BEGINNING CONTAINING 20.010 ACRES (871,637 SQUARE FEET) OF LAND

STATE OF TEXAS §  
COUNTY OF ELLIS §

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS

THAT HIGH FIVE TRUST - BJA (MARK) ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS LOTS 1 - 10, BLOCK 1, NORTH GROVE CENTER ADDITION, TO THE CITY OF WAXAHACHIE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHIE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHIE'S USE THEREOF. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHIE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHIE, TEXAS

WITNESS, OUR HANDS, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2023

HIGH FIVE TRUST - BJA (MARK)

R-WAXAHACHIE, LLC

MARK ALLSUP, TRUSTEE

ROBERT HORTON, MANAGER

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MARK ALLSUP, TRUSTEE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES ON \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF TARRANT §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ROBERT HORTON, MANAGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES ON \_\_\_\_\_

SURVEYOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS

THAT, CHRIS L. BLEVINS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHIE

CHRIS L. BLEVINS  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 5792



ENGINEER  
CARRILLO ENGINEERING  
9001 AIRPORT FWY, STE. 700  
NORTH RICHLAND HILLS, TX 76180  
PHONE: (817) 697-4996  
EMAIL: anna.carrillo@camiloeng.com

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PLAT  
NORTH GROVE CENTER  
ADDITION

LOTS 1-10, BLOCK 1

20.010 ACRES OF LAND LOCATED IN THE  
HENRI SANGE SURVEY, ABSTRACT NUMBER 1009 AND  
ALLEN W. BROWN SURVEY, ABSTRACT NUMBER 102  
CITY OF WAXAHACHIE  
ELLIS COUNTY, TEXAS

10 COMMERCIAL LOTS  
PREPARED FEBRUARY 2023

PAGE 3 OF 3  
CASE#SUB-15-2023

(DANNY) CARRILLO\WAX-HEDGEWOOD\WAX-HEDGEWOOD-PLAT.dwg

SIN FIN #

(12+13)



## Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager *MS*

Date: May 15, 2023

Re: SUB-180-2022- Martin Addition, Lots 1RA and 1RB – Replat

---

On April 6, 2023, the applicant requested to withdraw case no. SUB-180-2022 from the May 15, 2023 City Council meeting agenda.





## Memorandum

To: Honorable Mayor and City Council  
From: Chad Tustison, Finance Director  
Thru: Michael Scott, City Manager  
Date: May 12, 2023  
Re: Fiscal Year 2023 2nd Quarter Financial Report

---

I am pleased to present the Second Quarter Financial Report for Fiscal Year 2023, covering the period of October 2022 through March 2023. This report highlights the General Fund, Water and Wastewater funds, Waxahachie Community Development Corporation (WCDC) Fund, Hotel/Motel Fund and the Tax Increment Refinance Zone (TIRZ) Fund. This report compares actual revenue collections and expenses incurred during the year to the approved budget.

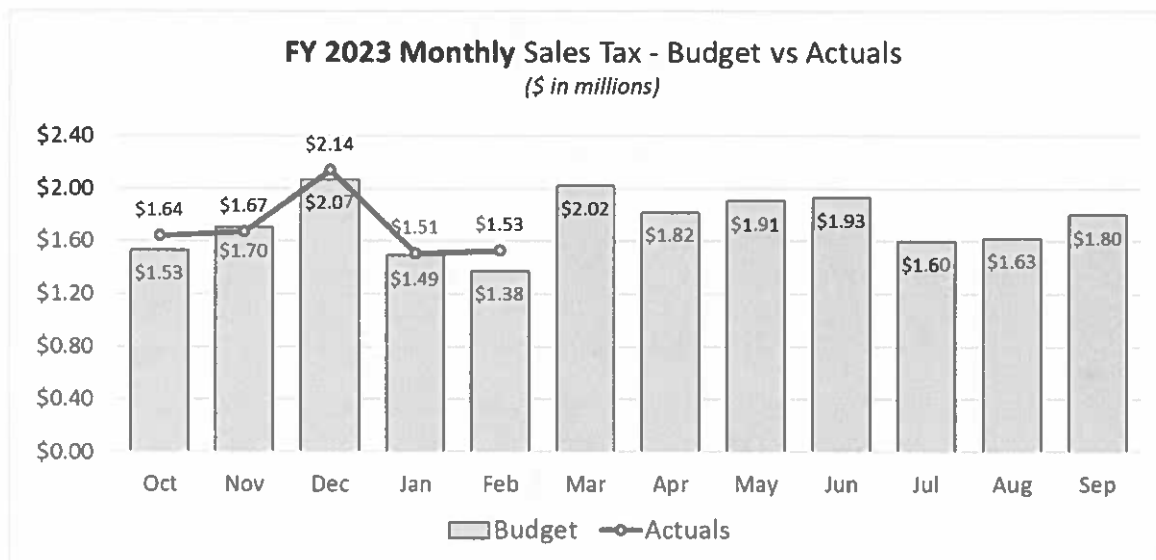
### General Fund

- The City's General Fund accounts for activities commonly associated with municipal government such as police and fire protection, parks and recreation, routine street maintenance, and library services. This fund is supported by property tax, sales tax, user fees, permits and other miscellaneous revenues. Overall, revenues have performed better than anticipated and expenses are within budget.
- **Property tax collections** account for approximately 39% of the City's revenue. Through the second quarter, property taxes in the City's

General Fund amount to \$21.8 million and are in line with prior year collections.

- **Sales tax** is the second largest revenue source, accounting for 37% of the City's General Fund. Of the 8.25 cents for every dollar of taxable sales, the state of Texas collects 6.25 cents, while 1.5 cents are distributed to the City's General Fund, and 0.5 cents goes to the WCDC fund.

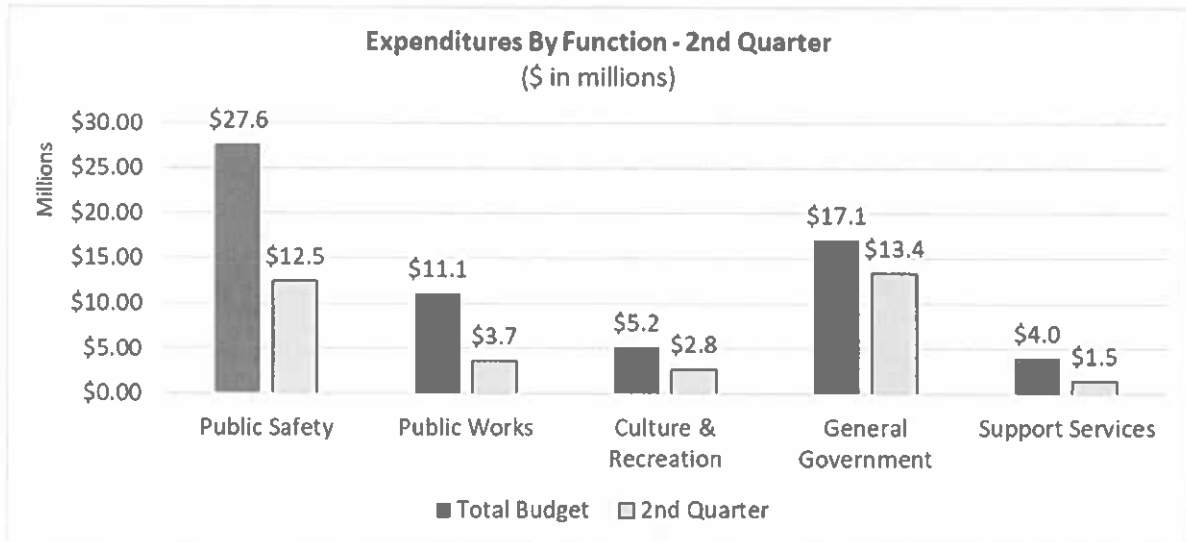
Through the first five months, collections in the General Fund total \$8.5 million and represent an increase of 8.6% over the prior year. Compared to the budget, sales tax collections are up \$322,000, or 3.9% more than budgeted. Due to the timing and release of sales tax data from the State Comptroller's Office, sales tax information for March is not available for this report.



- Other major revenue sources include Franchise Fees, Licenses and Permits, Charges for Service, Miscellaneous revenue and Transfers In. Franchise fees are collected from local utility companies to pay for the use of the City's right-of-way. Although the report shows only 35% of franchise fees collected for halfway through the year, this is expected since the majority of the utility companies make payments following the close of the prior quarter. Building permits are down from the prior year due to a slowdown in the housing market and development in general. Miscellaneous revenue is trending higher mainly as a result of interest income from higher yields on the City's invested funds.



- **Expenditures** in the General Fund for the 2<sup>nd</sup> Quarter total \$33.9 million, or 52% of the budget. The following chart compares the budget for each City function to the actual expenditures through the first quarter.



- In the area of Public Works, spending is lagging slightly as the City ramps up and begins work on the street and sidewalk projects included in the budget. As the year progresses and contracts are authorized and executed, these funds are anticipated to be spent at the budgeted levels.
- In the area of General Government, the higher actual expenditures during the first quarter can be mainly attributed to the transfer of funds for the renovation of City Hall. The funds for this project were transferred to the Capital Projects Fund in the first quarter.

### Other Funds

- The water and wastewater funds account for all revenues and expenditures associated with the operation and maintenance of the City's water distribution and wastewater treatment activities. For the water and wastewater funds, revenue is in line with the budget. Expenses are lower than budget for both funds due to the timing of the annual debt service payments. Principal and interest payments occur in the second and fourth quarters of the fiscal year and will be reflected in those financial reports. Interest payments are scheduled to occur in the

second and fourth quarters of the fiscal year and principal payments in the fourth quarter.

- The WCDC fund accounts for revenues and expenses associated with the Waxahachie Community Development Corporation in operating the Civic Center and Sports Complex, promoting economic development, and implementing quality of life improvements throughout the community. This fund is mainly funded by ½ cent sales tax and user fees. Overall, revenues and expenses are within budget. Similar to the General Fund, sales tax is up nearly 8.6% over last year, or \$107,000, over the budget.
- The Hotel/Motel Tax Fund receives the proceeds from a 7% hotel occupancy tax available to be used to promote tourism and the convention and hotel industry. The City uses the fund to operate the Convention and Visitor's Bureau and various smaller non-city organizations that promote the arts and historic tourism and preservation. Due to strong room occupancy rates, revenues from hotel/motel taxes are coming in above budget. Expenditures are lagging slightly due to the timing of the annual transfer to the Arts Council, which represents 25% of hotel revenue collections. This transfer occurs in the third and fourth quarters of the fiscal year.

(14)



# CITY OF WAXAHACHIE QUARTERLY FINANCIAL REPORT

FISCAL YEAR 2023 - 2ND QUARTER

(Oct, 2022 - Mar 31, 2023)

## GENERAL FUND SUMMARY

|                                 | ACTUALS<br>FY 2022  | BUDGET<br>FY 2023   | 2ND QUARTER<br>FY 2023 | QTR ACTUAL AS %<br>OF BUDGET |
|---------------------------------|---------------------|---------------------|------------------------|------------------------------|
| <b>REVENUES</b>                 |                     |                     |                        |                              |
| Property Tax                    | \$21,178,911        | \$22,412,200        | \$21,762,357           | 97%                          |
| Sales Tax                       | 20,645,710          | 20,895,000          | 8,509,909              | 41%                          |
| Franchise Fees                  | 4,756,576           | 4,753,762           | 1,659,643              | 35%                          |
| Licenses & Permits              | 1,871,245           | 2,193,810           | 660,798                | 30%                          |
| Charges for Service             | 2,600,229           | 2,517,427           | 986,443                | 39%                          |
| Miscellaneous                   | 1,363,723           | 623,204             | 1,049,526              | 168%                         |
| Transfers In                    | 3,506,799           | 3,822,867           | 1,736,758              | 45%                          |
| <b>Total Revenues</b>           | <b>\$55,923,193</b> | <b>\$57,218,270</b> | <b>\$36,365,434</b>    | <b>64%</b>                   |
| <b>EXPENDITURES BY FUNCTION</b> |                     |                     |                        |                              |
| Public Safety                   | \$26,661,127        | \$27,624,577        | \$12,500,447           | 45%                          |
| Public Works                    | 11,111,447          | 11,129,343          | 3,698,289              | 33%                          |
| Culture & Recreation            | 4,772,864           | 5,176,581           | 2,751,672              | 53%                          |
| General Government              | 19,445,804          | 17,100,870          | 13,404,683             | 78%                          |
| Support Services                | 2,798,931           | 3,992,603           | 1,527,120              | 38%                          |
| <b>Total Expenditures</b>       | <b>\$64,790,174</b> | <b>\$65,023,974</b> | <b>\$33,882,210</b>    | <b>52%</b>                   |

\* Quarterly actual figures are preliminary and unaudited

\* Budget figures includes budget amendments since October 1, 2022 and prior-year encumbrances

(14)



# CITY OF WAXAHACHIE QUARTERLY FINANCIAL REPORT

## FISCAL YEAR 2023 - 2ND QUARTER

(Oct, 2022 - Mar 31, 2023)

### OTHER FUNDS SUMMARY

|   | ACTUALS<br>FY 2022 | BUDGET<br>FY 2023 | 2ND QUARTER<br>FY 2023 | QTR ACTUAL AS %<br>OF BUDGET |
|---|--------------------|-------------------|------------------------|------------------------------|
| <b>WATER FUND</b>                                   |                    |                   |                        |                              |
| Revenues  | \$20,830,312       | \$18,066,237      | \$8,521,193            | 47%                          |
| Expenses  | 15,577,520         | 19,425,033        | 6,960,436              | 36%                          |
| <b>WASTEWATER FUND</b>                              |                    |                   |                        |                              |
| Revenues  | \$15,823,733       | \$12,760,046      | \$5,910,206            | 46%                          |
| Expenses  | 10,264,791         | 12,956,596        | 4,679,903              | 36%                          |
| <b>WAXAHACHIE COMMUNITY DEVELOPMENT FUND (WCDC)</b> |                    |                   |                        |                              |
| Revenues  | \$7,747,979        | \$7,669,700       | \$3,414,431            | 45%                          |
| Expenses  | 6,898,065          | 6,749,250         | 3,619,707              | 54%                          |
| <b>HOTEL / MOTEL FUND</b>                           |                    |                   |                        |                              |
| Revenues  | \$1,081,168        | \$978,000         | \$531,829              | 54%                          |
| Expenses  | 930,094            | 963,461           | 383,431                | 40%                          |
| <b>TAX INCREMENT FINANCE ZONE FUND (TIRZ 1)</b>     |                    |                   |                        |                              |
| Revenues  | \$835,321          |                   | \$777,885              | -                            |
| Expenses  | 328,817            |                   | 68,597                 | -                            |

\* Quarterly actual figures are preliminary and unaudited

\* Budget figures includes budget amendments since October 1, 2021 and prior-year encumbrances

(14)

**BUDGET AMENDMENTS***(Oct 2022 - Mar 2023)*

| FUND            | DESCRIPTION   | AMOUNT      |
|-----------------|---|-------------|
| General Fund    | Insurance reimbursement for Shade Cover - Penn Park | \$16,236    |
| General Fund    | Fire - Battalion 1 replacement due to engine        | \$68,778    |
| General Fund    | Insurance reimbursement for stolen park equipment   | \$5,089     |
| General Fund    | Erosion of NE side of Brookside Road bridge         | \$63,618    |
| General Fund    | Charles Beatty Municipal Services Building Project  | \$642,300   |
| General Fund    | City Hall Renovation Project                        | \$3,250,000 |
| General Fund    | May 6th Election services                           | \$4,250     |
| WCDC            | Phase 1 nature trail in Lion Park addition          | \$40,000    |
| WCDC            | Lions Park Land Acquisition                         | \$308,809   |
| Mid-Way Airport | Runway & Taxie way repair & stripping               | \$69,201    |

*\* Budget amendments approved by City Council during the period of October 1, 2022 to March 31, 2023.*



## Memorandum

To: Honorable Mayor and City Council  
From: Chad Tustison, Senior Director of Finance  
Thru: Michael Scott, City Manager  
Date: May 15, 2023  
Re: Consider proposed Resolution formally adopting financial policies for the City of Waxahachie

---

**Recommended Motion:** "I move to approve the proposed Resolution formally adopting financial policies for the City of Waxahachie as presented."

**Item Description:** The City currently adheres to an informal set of policies and standards to ensure that the City follows best practices in the administration of the City's finances. This action would formalize those policies.

**Item Summary:** Financial policies provide baseline standards and guidelines for financial decision making and set the strategic intent for financial management. They are central to a strategic, long-term approach to the practice of strong stewardship over city funds. According to the Government Finance Officers Association, formal written policies help cities:

- Institutionalize good financial management practices
- Clarify strategic intent for financial management
- Define boundaries
- Support good bond ratings
- Promote long-term strategic thinking
- Manage risks to financial condition
- Comply with established public management best practices

The City currently maintains an internal set of financial policies. For the last two years, staff has included these financial policies in the annual budget document. These policies, as outlined in the attached document, provide basic standards and best

practices on various financial topics including the Annual Budget, Reserve Policies, Capital Expenditures, Debt Management, and Financial Reporting.

Since the approval of the FY 2023 Budget, the financial policy document has been updated to include a section on Debt Management. This section provides standards around the issuance of debt, use of an independent financial advisor and bond counsel, bond ratings, capital planning, and federal reporting guidelines.

Upon approval by the City Council, it is the intent of City staff to bring forward any changes to the policies as needed throughout the year, or as part of the annual budget adoption process.

**Fiscal Impact:** The formal approval of City Financial Policies is a best practice that will provide for clear standards and guidelines to be used in the administration of the City's finances.

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING FINANCIAL POLICIES FOR THE CITY OF WAXAHACHIE, TEXAS; RE-AFFIRMING AND EXPANDING PREVIOUS POLICIES; REPEALING PRIOR RESOLUTIONS; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, it is the responsibility of local government to ensure that public funds are managed in a prudent and financially sound manner; and

**WHEREAS**, financial policies provide guidelines for managing risk and assisting the City in complying with established public management best practices, while ensuring compliance with federal, state and local laws and reporting requirements; and

**WHEREAS**, the Government Finance Officers Association (GFOA), through various proclamations and best practice statements, has promoted the adoption of formal financial policies to institutionalize good financial management practices, clarify strategic intent for financial management, define boundaries, support good bond ratings, promote long-term strategic thinking, manage risks to financial condition, and comply with established public management best practices; and

**WHEREAS**, the City Council affirms the importance of formally adopting such policies to ensure that the City follow best practices and industry standards in the administration of the City's finances; and

**WHEREAS**, upon approval by the City Council, any change to the policy may be amended by City Council approval as needed throughout the year, or as part of the annual budget adoption process.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:**

The City Council hereby approves the City of Waxahachie Financial Policies, which are attached as Exhibit A, and any prior resolutions of the City Council in Conflict with the provisions contained in this resolution are hereby repealed and revoked.

This resolution shall take immediately from and after its passage, and it is duly resolved.

**APPROVED AND ADOPTED ON THIS 15<sup>TH</sup> DAY OF MAY, 2023.**

\_\_\_\_\_  
David Hill, Mayor

ATTEST:

\_\_\_\_\_  
Amber Villarreal, City Secretary



EXHIBIT A:  
**CITY OF WAXAHACHIE FINANCIAL POLICIES**

*The purpose of these policies is to provide the standards and guidelines by which City Council and City Staff will use to administer the City's finances.*

**I. ANNUAL BUDGET**

1. The City Council shall adopt a structurally balanced budget for the ensuing fiscal year pursuant to the prevailing state and local law. A structurally balanced budget is defined as recurring revenues funding recurring expenditures and adherence to fund balance policies. The total estimated expenditures of the general fund and debt service fund shall not exceed the total estimated resources of each fund (prospective income plus cash on hand). Deferrals, short-term loans, or one-time sources will be avoided as budget balancing techniques. One-time revenues may be used to finance non-recurring expenditures.
2. The City Council may amend the budget once adopted, but shall not delete or decrease appropriations required for debt service and shall not authorize expenditures in excess of the total of estimated income plus funds available from prior years.
3. A five-year operating plan and capital plan expenditure plan shall be prepared and reviewed in conjunction with the annual budget process.
4. The City will follow all applicable state laws regarding the presentation and approval of the annual budget. This includes, but is not limited to:
  - a. Posting of the proposed budget on the City's Website; making the budget available at the City Secretary's Office; publishing notices of the budget and tax rate hearings in the newspaper; holding required public hearings; approving ordinances to approve the budget and tax rate
5. The City will follow all applicable local and state laws regarding the calculation and approval of Ad Valorem Tax rate. This includes, but is not limited to:
  - a. Utilizing forms prescribed by the State Comptroller's Office for the calculation of the truth-in-taxation voter approval rate and no-new-revenue rate; utilizing certified property tax rolls provided by the Ellis Central Appraisal District; posting of certain forms on the City's website; publishing notices of the tax rate hearing in the newspaper; holding a public hearing; considering and voting on ordinances to approve the tax rate and ratify the revenue increase in the budget.
  - b. In determining the City's debt service portion of the tax rate from year to year, the City shall consider any applicable constitutional and state law requirements in addition to taking into consideration: the amount of ad valorem tax debt coming due; future capital needs to be financed through debt; opportunities to retire or refinance prior issued bonds; and minimizing overall tax rate volatility.
6. The General Fund Transfer from the Utility Fund will incorporate a Franchise Fee, Payment in Lieu of Taxes, and reimbursement of General Fund expenses in support of the Utility Fund. Payment in Lieu of Taxes (PILOT) will equal the value of the Utility Fund's assets multiplied by

the City's tax rate. General Fund expenses in support of the Utility Fund will be calculated each year using a cost allocation model.

7. The City will seek to implement best practices related to the production of the annual budget document, including guidelines set forth by the Government Finance Officers Association (GFOA).
8. The adopted budget shall be monitored and reviewed throughout the year and a report shall be presented to the City Council on a quarterly basis.
9. **Use of Fund Balance/Working Capital:** Fund Balance/Working Capital can be used for emergencies, non-recurring expenses, or major capital purchases that cannot be accommodated through current year savings. Use of Fund Balance for recurring expenses should only be used if current year recurring revenue can cover the increase. Any use of fund balance should be accompanied by a supplemental appropriation formally approved by the City Council. Should such uses reduce balances below the level established as the objective for that fund, restoration recommendations will accompany the request/decision to utilize said balances.
10. **Avoidance of Operating Deficits:** The City shall take immediate corrective actions if at any time during the fiscal year expenditure and revenue re-estimates are such that an operating deficit is projected at year-end.

Corrective actions are listed below, and will be considered individually on a case by case basis:

- a. Reduce capital transfers for pay-as-you-go capital projects.
- b. Deferral of capital purchases and capital maintenance
- c. Reduce non-personnel operating expenditures
- d. Hiring freezes
- e. Freeze compensation adjustments
- f. Evaluate increased fees
- g. Furlough employees
- h. Emergency use of reserves

## II. RESERVE POLICIES

1. The City will maintain the General Fund unassigned fund balance at a level sufficient to provide for emergency expenditures and unanticipated revenue shortfalls. The City will maintain a fund balance at a minimum reserve level of three months, or 25%, of operating revenues.
2. The City will maintain the Enterprise Fund (Water/Sewer Fund) working capital balance at a level sufficient to provide for emergency expenditures and unanticipated revenue shortfalls. The targeted reserve level will be a minimum of 90 days of budgeted operations and maintenance expenditures, excluding major one-time purchases. This amount is in addition to amounts that have been set aside or are being accumulated for Capital Expenditures.
3. The City will maintain the Waxahachie Community Development Fund (WCDC) fund balance at a level sufficient to provide for emergency expenditures and unanticipated revenue shortfalls. The City will maintain a fund balance at a minimum reserve level of three months, or 25%, of operating revenues.

4. The City will set a debt service rate necessary to collect a full year's debt service payment on all outstanding and proposed debt. The General Debt Service fund will maintain a minimum reserve equivalent to three months of recurring debt service payments.
5. Other funds will be treated on a case-by-case basis, but will typically have a reserve sufficient to cover unanticipated revenue loss or emergency expenditures.
6. The right is reserved by the City Council to change the minimum reserve levels, as outlined in these policies, by resolution or budget adoption. Any use of fund balance below the reserve levels must be accompanied by a plan to replenish them within two fiscal years.

### III. CAPITAL EXPENDITURES

Capital expenditures may be classified into two categories. The first category consists of routine capital expenditures included within departmental operating budgets. The second category is comprised of major capital improvements funded through debt issuances and operating funds.

1. Routine Capital Expenditures - Funded through Operating Budgets
  - a. Routine capital expenditures are included in departmental operating budgets to fund the purchase of new assets or the replacement/upgrade of existing assets. This category can include purchases of vehicles, equipment, machinery, information technology hardware & software, office equipment, furniture, building renovation and construction, and rehabilitation of minor water/wastewater lines.
  - b. Capital expenditures shall be for the purchase of new or replacement equipment that exceed \$20,000 and have a useful life of greater than one year.
2. Capital Improvement Program (CIP)
  - a. The CIP funds large capital projects with proceeds from bond issuances; operating funds; and water, waste water, and roadway impact fees. Annual debt service payments for General Fund type projects are paid from revenues generated through ad valorem taxes and other applicable resources while debt service payments for water and wastewater capital improvements are paid through user fees received in the water and waste water funds.
  - b. As part of the budget process, the City will review and update a five-year Capital Improvement Program to identify and plan for future capital improvements needed throughout the City. As part of the review process, potential capital projects will be carefully considered by City Staff and presented to the City Council. The timing and viability of each project considers current resources, availability of future revenues, growth of the City, projected property values and tax rates, water and sewer rates, and the City's capacity to deliver the projects in a timely manner.
  - c. Budgets for major capital projects are project-based rather than fiscal-year based since capital projects routinely extend beyond one fiscal year and budget appropriations remain in effect until the project is completed. The upcoming or initial year of funding in the CIP is approved by the City Council as part of the annual budget process, and can be updated throughout the year through a budget amendment approved by the City

Council. For future years, the CIP is strictly a statement of intent, not an appropriation of funding for projects contained therein.

- d. Upon completion of each project, the finance department and operating department will work together to classify the project as closed. Any excess funds remaining in the capital project are either re-appropriated with City Council authorization to another eligible project (existing or new), or transferred to the fund from which the initial funding was authorized.

#### **IV. DEBT MANAGEMENT**

The City may issue debt for the purpose of financing short and long-term infrastructure and capital improvements. Infrastructure includes those basic physical structures provided by government to support a community's basic human needs, economic activity, safety, and quality of life.

1. The City shall retain an independent financial advisor for advice on the structuring of new debt, financial analysis of various options, the rating review process, marketing debt issues, marketability of City obligations, sale and post-sale services, review of the official statement, and other services as necessary.
2. The City shall retain bond counsel for legal and procedural advice on all debt issues. Bond counsel shall advise the City Council in all matters pertaining to its bond ordinance(s) and/or resolution(s). No action shall be taken with respect to new obligations until a written instrument has been prepared by the bond attorneys certifying the legality of the proposal.
11. The preparation of the Official Statement is the responsibility of the financial advisor in concert with the City staff. Information for the Official Statement is gathered from departments/divisions throughout the City. The City will take all appropriate steps to comply with the federal disclosure rules (i.e., Securities and Exchange Commission Rule 15C2-12). The City will provide annual and event disclosure to information repositories throughout the term of securities for the benefit of the primary and secondary municipal market.
12. The City will seek to maintain and improve its current bond rating so its borrowing costs are reduced to a minimum and its access to credit is preserved. In conjunction with the financial advisor, the City shall maintain a line of communication with the rating agencies (Moody's, Standard & Poor's, and Fitch), informing them of major financial events in the City as they occur. When necessary, a personal meeting with representatives of the rating agencies will be scheduled when a major capital improvement program is initiated, or to discuss economical and/or financial developments which might impact credit ratings.
13. The City will generally match the term of long-term debt issued to the estimated useful life of the projects financed. Current operations will not be financed with long-term debt. Debt incurred to finance capital improvements will be repaid within the useful life of the project.
14. The City will seek all possible federal and state reimbursement for mandated projects and/or programs. The City will pursue a balanced relationship between issuing debt and pay-as-you-go financing.

15. An updated Capital Improvement Plan will be presented to the City Council for approval on an annual basis. This plan will be used as a basis for the long-range financial planning process.
16. High priority will be assigned to the replacement of capital improvements when they have deteriorated to the point that they are hazardous, incur high maintenance costs, negatively affect property values, or no longer serve their intended purposes.
17. Short-term obligations may be issued to finance projects or portions of projects for which the City ultimately intends to issue long-term debt; i.e., it will be used, when appropriate, to provide interim financing which will eventually be refunded with the proceeds of long-term obligations.
18. Long-term certificates of obligation and general obligation bonds shall be issued to finance significant and desirable capital improvements. The City will comply with all rules and provisions as set for the under the Constitution and State laws.
19. The City shall monitor the municipal bond market for opportunities to obtain interest savings by refunding outstanding debt or retiring outstanding bonds.
20. A resolution of intent to issue bonds authorizing staff to proceed with preparations shall be presented for the consideration of the City Council when the capital budget is presented or as soon thereafter as reasonably possible.
21. The City shall utilize comprehensive financial analysis and modeling in the City's ad valorem Debt Management Plan, and incorporate numerous variables such as sensitivity to interest rates, changes in assessed values, current ad valorem tax collection rates, self-supporting debt, and fund balances.
22. The City will actively monitor its investment practices to ensure maximum returns on its invested bond funds while complying with Federal arbitrage guidelines. Specific investment strategies for the investment of bond proceeds are provided in the City's investment policy.
23. The City will follow a policy of full compliance with all arbitrage rebate requirements of the federal tax code and Internal Revenue Service regulations, and will perform (internally or by contract consultants) arbitrage rebate calculations for each issue subject to rebate on an annual basis. All necessary rebates will be filed and paid when due.

## **V. FINANCIAL REPORTING**

1. An annual audit will be performed by an independent public accounting firm and the results of the audit will be summarized in the Annual Financial Report. This report will be presented to Council upon completion and will be available for public viewing.
2. The Finance Department will present quarterly financial reports at City Council meetings.
3. The budget will be prepared in accordance with GASB (Governmental Accounting Standards Board) and GFOA (Government Finance Officers Association) guidelines. Copies of the budget will be available for public viewing at City Hall and on the City's website.



## Memorandum

To: Honorable Mayor and City Council

From: James Gaertner, Executive Director of Public Works & Utilities

Thru: Michael Scott, City Manager

Date: May 15, 2023

Re: Consider Approval of a Master Agreement with Westhill Construction, Inc. for Miscellaneous Asphalt and Concrete Work

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**Recommended Motion:** "I move to authorize a master agreement with Westhill Construction, Inc. for miscellaneous asphalt and concrete work at various locations throughout the City via an interlocal agreement with the City of Fort Worth."

**Item Description:** This item seeks authorization of a master agreement with Westhill Construction, Inc. for miscellaneous asphalt and concrete work at various locations throughout the City such as:

- Utility cut street repairs
- Street installation and repairs
- Curb, gutter and ramp installation and repairs
- Sidewalk installation and repairs
- Park trails and pathways
- Parking lots

**Item Summary:** The City of Fort Worth competitively bid and awarded a one year contract with Westhill Construction, Inc. on February 8, 2022 for their miscellaneous asphalt and concrete work. The City of Fort Worth has the option to exercise up to three yearly renewals under the same terms, conditions and unit prices. To date, the City of Fort Worth has exercised one renewal.

By utilizing the interlocal cooperative purchase agreement currently in place with the City of Fort Worth, the City of Waxahachie will be able to leverage its buying power. Since the City of Fort Worth has larger scale needs and budget, we can obtain better unit pricing and achieve more cost savings than bidding the work out ourselves.

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The master agreement is necessary to support multiple departments' asphalt and concrete needs throughout the City of Waxahachie. The goal is to maintain a reasonable repair schedule, minimize public disruptions, and ensure repairs do not adversely impact the quality of life of the residents of the City.

**Fiscal Impact:** This master agreement will be on a unit price basis and expenditures under the agreement will exceed \$50,000. Approval of this agreement does not obligate the City to expend funds, but it does provide fixed unit pricing for asphalt and concrete work for a defined period of time. Expenditures under this agreement will not exceed the annual budgeted funds for each department.



## Memorandum

To: Honorable Mayor and City Council  
From: James Gaertner, Executive Director of Public Works & Utilities  
Thru: Michael Scott, City Manager  
Date: May 15, 2023  
Re: Consider Authorizing a Budget Amendment for Engineering of a 6-inch Water Line along Patrick Street

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**Recommended Motion:** "I move to authorize a budget amendment to transfer project savings of \$3,735 from the BNSF Railroad 18" Water Line Phase I & II Project into the 2022 Water & Sewer Rehab Project and authorize the City Manager to execute any documents necessary to complete the amendment."

**Item Description:** Due to water aesthetics issues along Patrick Street, it is proposed to replace the 6-inch cast iron water line with a 6-inch PVC water line. Patrick Street water line engineering will be added to the 2022 Water & Sewer Rehab Project.

**Item Summary:** The proposed Patrick Street Water Line replacement is approximately 830 linear feet of a new 6-inch PVC water line. This proposed water line is replacing an aging 6-inch cast iron water line that runs from the Waxahachie Housing Authority to Textile Street. The requested budget amendment is necessary to supplement the engineering cost.

**Fiscal Impact:** The total engineering cost for the Patrick St water line is \$32,120. The 2022 Water & Sewer Rehab project has engineering savings in the amount \$28,385, which will be used to fund the majority of the additional engineering for Patrick Street. The BNSF Railroad 18" Water Line Phase I & II Project construction is complete and city staff is requesting a budget amendment to transfer \$3,735 to the 2022 Water & Sewer Rehab Project. Funding for Construction of the 2022 Water & Sewer Rehab Project will be funded from the 2023 Bonds and Water Operating Funds.





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## Memorandum

To: Honorable Mayor and City Council  
From: Kyle Cooper, Senior Director of Parks & Recreation  
Thru: Michael Scott, City Manager  
Date: May 9, 2023  
Re: Consider Contract Approval and Authorization of Funding from Park Dedication Fees for Pickleball Courts

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**Recommended Motion:** "I move to approve contracts with CourTex Construction Inc. for the pickleball court conversion project and with Bob Owens Electric Company for electrical services associated with the project, as well as, authorize funding not to exceed \$64,633 from the Park Dedication Fee Fund and authorize the City Manager to execute all necessary documents."

**Item Description:** Please consider the authorization of \$64,633 funding from the Park Dedication Fee Fund for the renovation of the Salvation Army's unused tennis courts, which will be converted into three Pickleball courts. Additionally, please consider the approval of the related contracts with CourTex Construction Inc., and Bob Owens Electrical Co. for the project.

**Item Summary:** In January, the Parks Department presented various options to augment the inventory of park and recreation amenities by introducing Pickleball courts. During the council retreat, the direction provided by the council was to present pricing for the conversion of an unused tennis court at the Salvation Army into three Pickleball courts. It was determined that this option would be ideal to gauge the community's interest in Pickleball and cost significantly less than a design-build Pickleball facility.

Staff solicited and received the following proposals for the pickleball court conversion project:

- CourTex Construction Inc - \$48,500,
- The Playground Shade and Surfacing Depot - \$53,321

- T-bar Fencing and Tennis Courts - \$60,000

CourtTex Construction Inc. submitted the lowest proposal. The project scope includes resurfacing the existing tennis court, as well as, providing three nets, six pole lights, 6-ft tall windscreens surrounding the court, and two additional entry gates.

As part of the installation of the light poles, it was determined that a separate electrical contractor will be required to wire and connect them to a new electrical service. Staff solicited and received the following proposals:

- Bob Owens Electric Co. - \$10,258
- Estes Electric - \$13,264
- Southcreek Electrical (contractor not able to provide proposal by deadline)

Bob Owens Electric Co. submitted the lowest proposal for the required electrical work. The total cost of the project is \$58,758; however, staff is requesting an additional 10% contingency of \$5,875 to account for any unforeseen expenditures, bringing the total funding request to \$64,633.

**Fiscal Impact:** Staff is requesting a supplemental appropriation from the Park Dedication Fee Fund unrestricted reserve to the Park Dedication Fee account 227-000-57400 Improvements Other Than Bldgs., in the amount of \$64,633. The Park Dedication Fee Fund has sufficient capacity to fund the pickleball courts conversion project.