

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, July 17, 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. ***Consent Agenda***

All matters listed under Item 5, 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 June 19, 2023
- b. Minutes of the City Council Work Session of June 29, 2023
- c. Event application for Frozen Sing-a-Long Movie to be held July 22, 2023 at Railyard Park
- d. Event application for We Found Waldo Party to be held July 29, 2023 at Railyard Park
- e. Event application for Headphone Disco to be held August 5, 2023 at Railyard Park
- f. Event application for Back to School Bash to be held August 12, 2023 at Railyard Park
- g. Event application for 1st Annual Kickball Tournament to be held September 3, 2023 at Lee Penn Park
- h. Event application for Ellis County Preparedness Fair to be held September 9, 2023
- i. Event application for Hispanic Heritage Event to be held September 23, 2023 at Railyard Park
- j. Proposal from Blue Cross Blue Shield of Texas to provide employee medical, dental and vision insurance for fiscal year 2023-2024
- k. Resolution to deny a rate increase request by Oncor Electric Delivery Company, LLC

1. Supplemental appropriation from the Waxahachie Community Development Corporation (WCDC) unrestricted reserves to fund a portable audio system at the Civic Center
6. **Introduce** Honorary Council Member
7. **Recognition** of the Public Works and Engineering Department for receiving the APWA Environmental Project of the Year (\$2 Million to \$5 Million) for the College Street Drainage Project
8. **Public Hearing** on a request by Steve Meier, Turcotte Development, for a Specific Use Permit (SUP) for a Heavy Equipment Rental and Sales use within a Commercial (C) zoning district located at 2021 Corporate Parkway (Property ID 273978) - Owner: LEDBETTER REAL ESTATE, LTD (ZDC-24-2023)
9. **Consider** proposed Ordinance approving ZDC-24-2023
10. **Public Hearing** on a request by Mahendra Kandepu, Lillian Custom Homes, for an Amendment to Ordinance No. 3105, to allow for a revised site plan and development standards within an approved Planned Development located at the intersection of Vermont Street and Parks School House Road (Property ID: 226116) – Owner: FALCON’S LANDING A SERIES OF EIS DEVELOPMENT II LLC (ZDC-153-2022)
11. **Consider** proposed Ordinance approving ZDC-153-2022
12. **Public Hearing** on a request by Jake Fears, JHF Engineering, for a Specific Use Permit (SUP) for a restaurant with a drive-through use within a General Retail (GR) and Light Industrial-1 (LI-1) zoning district located at 1995 North Highway 77 (Property ID 262424) - Owner: C&C WAXAHACHIE, LLC (ZDC-4-2023)
13. **Consider** proposed Ordinance approving ZDC-4-2023
14. **Consider** Development Agreement for ZDC-4-2023
15. **Public Hearing** on a request by James Dixon, Dixon & Associates, for a Specific Use Permit (SUP) for an Accessory Building (Residential), Greater than or Equal to 700 Square Feet use within the Single-Family Dwelling-2 (SF2) zoning district located at 149 Country Drive (Property ID: 203065) - Owners: NICHOLAS AND MARIA SIERRA (ZDC-48-2023)
16. **Consider** proposed Ordinance approving ZDC-48-2023
17. **Consider** proposed Resolution relinquishing and adjusting any and all of the extraterritorial jurisdiction (ETJ) in accordance with the boundary adjustment agreement between the City of Waxahachie and the City of Red Oak dated June 19, 2023
18. **Consider** proposed Ordinance setting the school speed limit for Waxahachie High School along US 287 and BUS 287

19. ***Convene*** into Executive Session for consultation with City Attorney regarding pending or contemplated litigation as permitted under Section 551.071, Texas Government Code and for consultation with City Attorney on legal issues regarding short-term rentals as permitted under Section 551.071, Texas Government Code
20. ***Reconvene*** and take any necessary action
21. Comments by Mayor, City Council, City Attorney and City Manager
22. 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

City Council
June 19, 2023

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, June 19, 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
Amber Villarreal, 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

Pastor Kevin Tulley, First United Methodist Church Waxahachie, gave the invocation. Mayor David Hill led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Lynda Morgan, 122 Ralston Lake Road, Midlothian, Texas, requested action by the City to improve the safety from Sardis Road to Business Highway 287. She explained the recent death of her friend, Becky Watkins, is a call for action to make safety improvements in this area to prevent further deaths.

Michelle Landis, 510 Saralvo Road, Midlothian, Texas, requested action by the City to improve the safety on Business Highway 287 between IH35E and Highway 287.

Gary Morton, requested action by the City to improve the safety on Business Highway 287 between IH35E and Highway 287.

Michael McCorkle, 171 Willow Run, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals due to issues at 159 Willow Run. Mr. McCorkle cited numerous issues with operating short-term rentals in residential neighborhoods and requested City Council adopt regulations to protect its residents.

Yannig Guiomard, 210 Ash Drive, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

James Parks, 102 Post Oak Lane, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

Dustana Stewart, 111 Oak Tree Drive, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

Kim Wells, 101 Ash Drive, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

Louvain Guiomard, 210 Ash Drive, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

Craig Barrington, 321 Ash Drive, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

Robert Scruggs, 3273 Howard Road, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

Arlene Hahn, 110 Oak Tree Drive, Waxahachie, Texas, requested immediate action from City Council to adopt an Ordinance regulating short term rentals to protect its residents.

Mayor Hill reported staff is currently drafting an Ordinance regulating short-term rentals. He also explained staff will contact the Texas Department of Transportation (TxDOT) in regards to improving the safety of Business Highway 287.

James Gaertner, Executive Director of Public Works and Engineering, explained TxDOT has completed a feasibility study, but the City has no other information regarding improvements from FM 875 to Highway 287. He noted the City has voiced concerns to TxDOT regarding traffic safety in that area.

5. Consent Agenda

- a. Minutes of the City Council meeting of June 5, 2023
- b. Minutes of the City Council and Planning & Zoning Commission Joint Work Session of June 13, 2023
- c. Event application for Lions Club Build Beds for Kids Project to be held September 9, 2023 at Lions Park
- d. Interlocal Agreement with the City of Arlington for the purchase of various goods and services
- e. City Council liaison appointments to Boards and Commissions
- f. Approve placement of Chris Kyle Statue in the Waxahachie Civic Center

Action:

Billie Wallace moved to approve all items on the Consent Agenda as presented and authorize the City Manager and/or Mayor to execute all documents as necessary. Travis Smith seconded, All Ayes.

6. Introduce Honorary Council Member

Council Member Billie Wallace introduced James Taylor, known to many as J.T., as the Honorary Councilmember for the June 19, 2023 City Council meeting. He has three sisters. J.T. is a graduate of Waxahachie High School and Navarro College. He joined the Waxahachie Police Department in 2008 after a fierce battle with testicular cancer. At a point when many people may have seen that as a reason not to become a police officer, J.T. saw it as a motivating event to follow his dreams. He has served the citizens of Waxahachie as a Patrol Officer, Field Training Officer, SWAT officer, CID Detective, and currently serves in the role of Community Services Officer (CSO). Unlike J.T., some officers become a Community Services Officer and must learn how to go out into the community and make connections and build relationships. J.T. was the unofficial face of the Waxahachie Police Department before he ever became CSO and he has spent his entire career serving others in and out of uniform. To date, he has donated 312 times for a total of 39 gallons of blood and platelets. In 2013, he initiated the Waxahachie PD's Beard Patrol Fundraiser, where officers grow out their beard for a month to raise awareness for testicular cancer and sell shirts and caps to raise money for the Testicular Cancer Foundation.

Council Member Wallace stated in her 30 years of service as a police officer with the Waxahachie Police Department, she had the honor of supervising many great men and women. As a shift commander, the last nineteen years of her career, there were some officers that really touched her heart while working alongside and supervising them. James Taylor was one of them. J.T. lives his life, his career, and his passions in such a way that he brings credit to our city every day. He is the kind of officer you would like to duplicate over and over, but there is only one Officer James Taylor. Council Member Wallace thanked Mr. Taylor for his service to the city and community.

7. Consider a request by William Atkins, for a Replat of Lot 1R-A of the Larkin Products Industrial Tracts, being 12.272 acres, located southeast of 1610 E Main Street, (Property ID: 198960) – Owner: Lobsters LLC (SUB-34-2023)

Jennifer Pruitt, Senior Director of Planning, presented the case noting the applicant requests to replat the subject property into one (1) lot for commercial use. The proposed lot adheres to the property's minimum size and dimension requirements, based on the LI-1 and FD zoning districts.

Ms. Pruitt noted the applicant is seeking a variance to replat the subject property without providing right-of-way (ROW) dedication as required by the Waxahachie Subdivision Ordinance and the 2023 Thoroughfare Plan. The applicant has noted that adjacent properties along E. Main Street are already developed which would hinder the ability of the City to make use of ROW dedicated for E. Main Street with this replat. The applicant also seeks a variance to utilize the existing 10" waterline along E. Main Street to service the property as opposed to extending a 12" waterline to service the property. The City of Waxahachie Subdivision Ordinance and Design Manual requires 12" water lines to be installed to support all new commercial development projects; however, the existing 10" waterline is sufficient to provide service to the anticipated development of the property as a refrigerated warehouse. To offset these variance requests, the applicant proposes to dedicate two new 20' utility easements for future infrastructure improvements in the area. Due to this, staff is supportive of the variance requests. Based on the details provided in the staff report and the present status of the documents subject to the request, staff recommends approval of the plat request and the associated variance requests. The Planning and Zoning Commission recommended approval by a 7-0 vote.

Action:

Billie Wallace moved to approve SUB-34-2023, a Replat of Lot 1R-A of the Larkin Products Industrial Tracts and the associated variance requests, authorizing the Mayor to execute all necessary documents. Travis Smith seconded, All Ayes.

8. Public Hearing on a request by Richard Shinpaugh, Ellis County Bail Bonds, for a Specific Use Permit (SUP) for a Bail Bond Agency use within a Commercial (C) zoning district located at 201 E. Main Street, Suite 109 (Property ID 170540) - Owner: 201 Main Wax, LLC (ZDC-58-2023)

Ms. Pruitt presented the case noting an application for a Specific Use Permit (SUP) for a bail bonds agency, Ellis County Bail Bonds, has been submitted for 201 E. Main Street, Suite 109. The agency was previously located at 309 S. Jackson Street for over 30 years until its lease ended on June 1, 2023, due to a change in ownership of the building. The owner, Richard Shinpaugh, is now requesting approval of an SUP to operate temporarily at a new location, 201 E. Main Street, Suite 109.

Ms. Pruitt explained Mr. Shinpaugh has plans to build a new two-story building at the northwest corner of Jackson Street and Jefferson Street to serve as the permanent location for Ellis County Bail Bonds. Mr. Shinpaugh is expected to submit an SUP for his bail bond office at this new location in the coming months. The conditions of the SUP limit its use for a maximum of two years from its approval date since the bail bonds agency will have a new permanent location in the near future. The remaining conditions of the SUP regulate the hours of operation, signage, and allow only "Ellis County Bail Bonds" managed by "Richard Shinpaugh" to operate a bail bond agency at 201 E. Main Street, Suite 109. The SUP cannot be transferred to another bail bond agency or business owner for Ellis County Bail Bonds, and it will expire two years from its approval date.

Additionally, if the SUP is granted, the bail bond agency will only be permitted at the proposed location for a maximum of two years. Staff recommends approval of the Specific Use Permit since the bail bond agency will remain compatible and in harmony with surrounding land uses.

Ms. Pruitt reported staff received five letters of opposition and two letters of support.

Based on the details provided in the staff report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP request with the conditions listed below:

1. A bail bond agency is limited to suite 109 at 201 E. Main Street as shown in Exhibit A. A bail bond agency shall not be permitted anywhere else in the multi-tenant building at 201 E. Main Street.
2. Permission to operate a bail bond agency use is only granted to "Ellis County Bail Bonds" managed and operated by "Richard Shinpaugh." Approval to operate a bail bond agency use at 201 E. Main Street, Suite 109 will not transfer to another bail bond agency business or owner for "Ellis County Bail Bonds."
3. "Ellis County Bail Bonds" may conduct business at 201 E. Main Street, Suite 109 for a period not to exceed two (2) years from the approval of this Ordinance. After two (2) years,

the property owner in coordination with Richard Shinpaugh, shall request approval of another specific use permit to reestablish the use.

4. The hours of operation for "Ellis County Bail Bonds" are limited to Monday through Sunday 8:00 am to 9:00 pm.
5. Exterior building signage shall require approval by the Heritage Preservation Commission and a building permit from the Building and Community Services Department.

The Planning and Zoning Commission recommended approval by a 7-0 vote.

Mayor Hill opened the Public Hearing.

There being no others to speak for or against ZDC-58-2023, Mayor Hill closed the Public Hearing.

9. Consider proposed Ordinance approving ZDC-58-2023

ORDINANCE NO. 3378

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A BAIL BOND AGENCY USE (ELLIS COUNTY BAIL BONDS) WITHIN A COMMERCIAL DISTRICT (C) AT 201 E. MAIN STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.28 ACRES KNOWN AS PROPERTY ID 170540, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Billie Wallace moved to approve the Ordinance for ZDC-58-2023, a Specific Use Permit (SUP) for a Bail Bond Agency use (Ellis County Bail Bonds), subject to the conditions of the staff report, and authorizing the City Manager and/or Mayor to execute all documents accordingly. Travis Smith seconded, All Ayes.

10. Consider proposed Resolution approving the terms and conditions of a boundary and an Interlocal Agreement for the relinquishing of extraterritorial jurisdiction ('ETJ') by the City of Waxahachie to the City of Red Oak

City Manager Michael Scott requested approval of a Resolution establishing the terms and conditions of a boundary and an Interlocal Agreement for the relinquishing of extraterritorial jurisdiction (ETJ) by the City of Waxahachie to the City of Red Oak. He explained the request was initiated by the City of Red Oak to allow for the cohesive development of an anticipated residential development that would span into both jurisdictions. This action would allow for that development to be reviewed, constructed, inspected and served by a single jurisdiction. City staff has reviewed this request and given the size and distance from City services, has no objection to relinquishing approximately 65 acres to the City of Red Oak. The relinquishment of this ETJ would have no significant impact in the foreseeable future to the City of Waxahachie's growth patterns or fiscal outlook. The Resolution approving the actual relinquishment of jurisdiction and adjusting boundaries will be presented at the July 17th City Council meeting.

RESOLUTION NO. 1344

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A BOUNDARY AND INTERLOCAL AGREEMENT BETWEEN THE CITY OF WAXAHACHIE AND THE CITY OF RED OAK RELINQUISHING A PORTION OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION AS SET FORTH IN EXHIBIT A; AND ESTABLISH A NEW EXTRATERRITORIAL JURISDICTIONAL BOUNDARY; AUTHORIZING ITS EXECUTION BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

Action:

Billie Wallace moved to approve the proposed Resolution establishing the terms and conditions of a boundary and interlocal agreement for the relinquishing of a portion of ETJ between the Cities of Waxahachie and Red Oak, and authorize the City Manager and/or Mayor to execute all necessary documents. Chris Wright seconded, the vote was as follows: Ayes: David Hill, Chris Wright, Patrick Souter, and Billie Wallace. Noes: Travis Smith.

The motion carried.

11. Consider proposed Ordinance adopting vacant structure regulations in designated areas

John Hamilton, on behalf of Waxahachie Partnership, Inc., explained one of the Community Transformation Strategies adopted by the Waxahachie Partnership, Inc. (WPI) Board was to develop incentives and initiatives for vacant and underutilized downtown buildings. As part of the transformation strategy, the board developed a vacant building ordinance to help with tracking and monitoring of vacant properties. The goal of this ordinance is to identify vacant buildings and encourage building owners to take advantage of the downtown building rehabilitation incentive program. This ordinance provides requirements for vacant commercial buildings, structures, and property located in the City's Downtown Historic District Overlay. The ordinance will also provide a process for monitoring vacant buildings and returning them to active service. The preservation and revitalization of vacant buildings have the potential to generate significant economic benefits for the city by enabling their utilization and creating additional economic impacts. The City and Historic Waxahachie offer monetary incentives to assist with improvements.

Council Member Patrick Souter explained he has worked on this Ordinance as a member of Historic Waxahachie and City Council liaison. He reiterated the goal of the Ordinance is to save vacant buildings and protect the Downtown area. There are monetary incentives and resources for owners to improve their buildings.

ORDINANCE NO. 3379

AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF WAXAHACHIE BY ADDING TO THE CODE ARTICLE XV, "VACANT STRUCTURE REGULATIONS IN DESIGNATED AREAS," TO PROVIDE REQUIREMENTS FOR VACANT COMMERCIAL BUILDINGS,

STRUCTURES, AND PROPERTY LOCATED IN THE CITY'S DOWNTOWN HISTORIC DISTRICT OVERLAY; PROVIDING FOR REGISTRATION; PROVIDING FOR DESIGNATION OF A PROPERTY MANAGER OR AGENT; PROVIDING FOR A STANDARD OF CARE; PROVIDING FOR A REGISTRATION FEE; PROVIDING FOR WAIVERS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Action:

Patrick Souter moved to approve adopt the vacant structure regulations in designated areas ordinance as presented and authorize the City Manager to execute all necessary documents, including those revisions proposed by the Waxahachie Fire Department. Billie Wallace seconded, All Ayes.

12. Consider the purchase of a new ladder truck and all necessary equipment to replace the current Fire Truck 3

Fire Chief Ricky Boyd noted, as previously discussed at the Council Work Session on April 25, 2023, current Truck 3, a 2014 Pierce 105' Ladder Truck, needs to be replaced with a 2027 Pierce 105' Ladder Truck. The industry standard for the service life of a truck is 15 years in front-line service and 10 years in reserve. Current build times for a ladder truck is three (3) years from the date the order is placed. If we order the new ladder truck in July 2023 as requested, it will arrive in the fall of 2026. At that time, current Truck 3 will be 13 years old.

If this request is approved, current Truck 3 would then enter into reserve status as Extra Truck 2 (XT-2). While it has served the City well, XT-2 is a 1997 model. The manufacturer has discontinued making proprietary parts. Thus, if a major component of the aerial ladder brakes, it will no longer be able to function as needed and intended. Furthermore, the National Fire Protection Association (NFPA) does not recommend keeping an emergency apparatus in service more than 25 years, even in reserve status.

During the June 5, 2023 Council Meeting, the Council approved to issue certificates of obligation in the amount of \$37.4 million, which includes \$1,735,000 needed for this request. If we place the order in July, we will avoid a 2-3% increase in August (\$35,000-55,000). We would then have until mid-September when the COs are funded to pay for the truck and take advantage of the prepaid discount of \$107,212.

Action:

Patrick Souter moved to approve the purchase of a new ladder truck and all necessary equipment in the amount of \$1,735,000 to replace the current Fire Truck 3 and authorize the City Manager to execute all necessary documents. Chris Wright seconded, All Ayes.

13. Convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code

Mayor Hill announced at 8:13 p.m. the City Council would convene into Executive Session for deliberation regarding real property as permitted under Section 551.072, Texas Government Code.

14. Reconvene and take any necessary action

The meeting reconvened at 8:21 p.m.

Action:

Billie Wallace moved to approve the purchase of the properties located at 308 and 309 Smokey Lane for the purchase price of \$175,000 plus associated closing costs and approve a supplemental appropriation from the General Fund Unrestricted Reserve to fund all costs associated with the purchase and authorize the City Manager to execute all documents as necessary to facilitate the purchase. Chris Wright seconded, All Ayes.

15. Comments by Mayor, City Council, City Attorney and City Manager

Council Member Travis Smith asked for the City to observe Juneteenth moving forward.

Council Member Billie Wallace thanked James Taylor for his service to the City and stated it was an honor to have him participate as an Honorary Council Member.

City Manager Michael Scott announced the groundbreaking for Waxahachie ISD Elementary School #10 will be held June 20, 2023 at 7:30 a.m. on Saratoga Drive in Saddlebrook neighborhood.

Mayor Pro Tem Chris Wright explained Council Members, staff, and the City Attorney are actively working on an Ordinance regulating short-term rentals.

Council Member Patrick Souter thanked the Waxahachie Branch of the NAACP for their celebration event on June 17th. He reiterated staff and City Council are working on an Ordinance to regulate short-term rentals. Mr. Souter explained Item 5f on the consent agenda approved a request from the Heroes Services Coalition, Inc., a local veteran's group, to place, as an exhibition, a Chris Kyle life-size statue in the Waxahachie Civic Center. He noted there is a hold harmless agreement that protects the City and the Waxahachie Community Development Corporation (WCDC) from any liability or responsibility associated with housing the statue and there is no financial responsibility from the City or WCDC.

Mayor David Hill recognized Assistant Police Chief Marcus Brown on his recent graduation from the FBI National Academy. Mayor Hill also recognized the Building and Community Services Department for exceeding their goals and performance measures for permitting and inspections.

16. Adjourn

There being no further business, the meeting adjourned at 8:29 p.m.

Respectfully submitted,

Amber Villarreal
City Secretary

A Work Session of the Mayor and City Council of the City of Waxahachie, Texas was held at the Waxahachie Civic Center, Ballroom 1, 2000 Civic Center Lane, on Thursday, June 29, 2023 at 8:30 a.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
Amber Villarreal, City Secretary
Jami Bonner, Assistant City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Discuss potential short-term rental ordinance

City Manager Michael Scott reviewed the goal for the Work Session is to receive Council direction on how to proceed with potentially regulating short-term rentals

City Attorney Robert Brown presented an overview of legal matters regarding Short Term Rentals (STR). He stated the debate around STRs revolves around two concepts – the rights of a property owner and the rights of the neighbors. The State does not provide any clear guidance on how to regulate STRs; however, several cities are navigating the process to support safe neighborhoods and curb STRs in single-family neighborhoods. Mr. Brown noted the main approaches to regulating STRs include:

- No regulations on STRs which may not address community concerns.
- Registration and traditional enforcement. Property owners that operate a STR would be required to register. Hotel occupancy taxes could be collected. Code enforcement and police response could be utilized to address problematic STR properties. This approach is relatively low cost and can be implemented quickly using existing resources.
- Evidence based local restrictions. Develop evidence-based ordinance to restrict STRs to certain portions of residential areas. This approach has high comparative costs, may require external consultants, extensive data collection, and a lengthy implementation period.
- Total ban of STRs. Completely bans STR uses in the community or in all single-family residential district. This approach may infringe on STR owner property rights and is unlikely to result in total compliance and risk of litigation.

Mr. Brown noted that many homeowner associations (HOA) are revising their rules and guidelines to ban STRs in their neighborhoods; however, this may not address current by operating STRs as it may be difficult to implement retroactively.

Shon Brooks, Executive Director of Development Services, introduced discussion topics to assist staff with direction.

What are short term rentals?

- Short-Term Rental (STR) is the rental of any residence of residential structure, or a portion of a residence or residential structure for a period of less than thirty consecutive days.
- STRs do not include non-residential units, a residential structure or portion of a residential structure that is not designed or intended for habitation purposes, a bed and breakfast as defined in Article IV of Appendix A (requires a Specific Use Permit), or a hotel.

Where are short term rentals?

- House
- Room in an occupied house
- Entire floor in an occupied house
- Multifamily unit
- Accessory dwelling unit
- Garage apartment
- Recreational vehicle

After further discussion, Council directed staff and Mr. Brown to prepare and present the following potential solutions:

- A short-term moratorium ordinance to immediately address citizen complaints at operating STRs while a long-term registration solution is being prepared.
- An ordinance to implement a short-term rental permit/license procedure requiring annual registration, inspection, local property management, and a system to monitor and record complaints. The ordinance may also include designated locations where STRs may operate.

City Manager Michael Scott noted the importance of citizens notifying the Waxahachie Police Department of disturbances that violate the City's noise and disorderly conduct ordinances.

3. Discuss City of Waxahachie Fiscal Year 2023-2024 Budget

Finance Director Chad Tustison presented the draft budget noting the certified tax roll and sales tax numbers are still pending. He explained the total preliminary working rate is calculated at .0611 (\$.02 decrease) which is made up of general fund (maintenance and operations), debt service, and the library. He noted Waxahachie has the lowest tax rate in relation to comparable cities and the City of Waxahachie tax exemptions equate to over \$900,000 in property tax relief and an additional \$1,000,000 foregone from the tax ceiling.

Mr. Tustison and Mr. Scott reviewed the following budget highlights for FY24:

- Base budget development
- Employee compensation: public safety pay plans, salary market adjustments
- One-time Capital outlay and equipment replacements
- Workforce needs including six firefighters, police records coordinator, buyer, Public Works director, utility maintenance technician, plan operator, and maintenance worker (Waxahachie Community Development Commission)

- Property tax rate and debt management
- FY24 working budget (General Fund, Water & Wastewater, and Restricted Funds)
- FY24 General Fund by function
- Preliminary net taxable values
- Tax rate by component (General Fund Maintenance & Operations, Debt Service, & Library)
- Sales tax allocation and projections
- Revenue summary (Current property tax, sales tax, franchise fees, licenses & permits, service charges, fines, miscellaneous, transfers in)
- Inflation and budget impact
- General fund requests (Replacement requests, Capital requests, Operating requests)
- Water budget (Additional debt service, budget requests, proposed budget)
- Wastewater budget (Additional debt service, budget requests, proposed budget)
- WCDC budget
- Sokoll water fund
- Airport fund
- Hotel tax fund
- Cemetery fund

Capital Improvement Plan (CIP) and Debt Service

- FY24 CIP Summary
- Streets projects
- Parks and Public Safety
- Water projects
- Wastewater projects

Council Member Chris Wright asked how many employees would benefit from certification pay. Mr. Scott responded it would depend on the scope of implementing certification pay. He noted he is working with the Human Resource Department to consider various certification pay plans and the compensation study will make recommendations.

Council Member Billie Wallace acknowledged implementing certification pay is a costly item, but she encouraged City staff to work on a solution to recommend to City Council for consideration.

Council Member Travis Smith inquired about the market study salary adjustment and how the recommended increase was concluded. Mr. Scott replied that the market study includes a comparative analysis of 31 cities and recommends increases by position, not across the board. Deputy City Manager Albert Lawrence noted the market salary adjustments will allow the City to be competitive and attract potential employees to Waxahachie. Human Resources Director Lindsey Mearns mentioned the City currently has 21 open positions.

Council Member Wright inquired about Chromebooks in the budget for City Council and P&Z Commission members. Mr. Scott replied that the iPads administered to members are aging and are no longer updating properly. The Chromebooks would replace the iPads for members that are interested in receiving their agenda packets digitally.

Council Member Wright inquired about the Inspection Lieutenant budget request on the “not funded” list. Fire Chief Ricky Boyd replied the goal of the position would be to inspect mid and high hazard occupancy every year and the low hazards every other year. He noted the number of planning reviews have increased 74% over the past five years.

Council Member Wallace asked if the Inspection Lieutenant is required to be a lieutenant position and asked for the mileage on the two Tahoes to be replaced. Chief Boyd replied the position does not have to be a lieutenant, but after consideration and discussion with City Management, lieutenant would be the best option. He noted the cost listed in the budget includes salary, benefits, training, and first year costs such as furniture, computer, etc. Chief Boyd stated the 2015 Tahoe has about 40,000 miles and the 2014 Tahoe has about 80,000 miles. Mr. Scott noted that staff looked at the Tahoes closely and believe they can be utilized another year.

Council Member Wright requested City staff to research the cost of adding lights to parks.

Mayor Hill asked City staff to research the cost of Wi-Fi music speakers for Downtown and an emergency generator for the Civic Center. Emergency Management Coordinator Thomas Griffith noted he has submitted two grant requests for Civic Center and Senior Center emergency generators, but is unsure when he will receive a response.

Council Member Wright inquired about a possible modular office for the Attendant Station at the Convenience Station. Parks Director Kyle Cooper replied there is a shade structure currently in place, but a more permanent solution will be considered as the Water Treatment Plant expansion is planned.

City Council discussed adding the following items to the proposed budget noting the importance to maintain a balanced budget:

- Inspection Lieutenant (\$210,521)

Mr. Tustison presented the budget timeline and next steps:

- August 1st: City Council budget update, if needed
- August 7th: Consider property tax rate and authorize bond issuance
- August: Public notices & hold public hearings
- September 5th: Budget and tax rate adoption

4. Comments by Mayor, City Council, City Attorney and City Manager

Mayor David Hill thanked City Departments for their efforts to prepare the proposed budget.

City Manager Michael Scott expressed gratitude to Chad Tustison and the Finance Department for their commitment to being fiduciarily responsible.

5. Adjourn

There being no further business, the meeting adjourned at 12:54 p.m.

Respectfully submitted,

(5b)

City Council
June 29, 2023
Page 5

Jami Bonner
Assistant City Secretary

(56)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 7/11/23

Applicant Information

Applicant name: Danielle Guinn

Are you representing the host organization?

Yes ☒

No ☐

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

Yes ☒

No ☐

Phone: 469-309-4051

Cell: _____

Email: danielle.guinn@waxahachie.com

Mailing address: 2000 Civic Center Lane, Waxahachie, TX 75165

Host organization name: City of Waxahachie - Convention & Visitors Bureau

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

On-site contact name: _____

Cell: _____

About the Event

Event name: Frozen Sing-a-Long Movie Experience

Date: Saturday, July 22, 2023

Location: Railyard Park

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

Anticipated attendance: 300 - 400

Description of event: Sing-a-long movie, giveaways, costume contest, DJ emcee, inflatable snowglobe, snow cone truck, food truck, face painter

	Date(s)	Start Time:	End Time:
Event Date	7/22/23	8:00pm	11:00pm
Event Set-up	7/22/23	4:00pm	-
Event Breakdown	7/22/23	-	12:00am

How many times has this event been hosted before?

1st 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 checked="" 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 type="radio"/> Other: |

Event activities include (check all that apply):

- | | |
|-------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Amusement rides / Inflatables | <input checked="" type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input checked="" 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 checked="" 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.



(54)

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: 2 Date(s) & time(s): 7/22 4pm - 12am
Volunteers How many: TBD Date(s) & time(s): TBD
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: _____

College Street in front of Railyard Park

Street closings to begin on date: 7/22 Start time: 6:00pm End time: 12:00am

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: 6



Other: _____

Where should equipment be dropped off & picked up? _____

When will the equipment be set-up? _____

Date: 7/22

Time: 6pm

When will the equipment be removed? _____

Date: 7/22

Time: 12am

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: _____

Stage Power & Ground Power

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, its 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, its officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

Signature

07/11/23

Date

Contract Agreement

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

Signature

07/11/23

Date

Email completed Special Events Application and site map to
Jami Bonner at Jami.Bonner@waxahachie.com.

RAILYARD PARK

MOVIE
SCREEN & DJ

FACE
PAINTER

INFLATABLE
SNOWMAN SNOW
MACHINE

GIANT INFLATABLE
SNOW GLOBE

COOLING STATION
ELLIS COUNTY
EMERGENCY
MANAGEMENT

RAILYARD PARK
PROMO TENT

TIKIZ SNOW CONES

FLAVOR AFTER
FLAVOR

PORT A POTTIES

RAILYARD PARK
ON-SITE CONTACT
DANIELLE GUINN
214-463-7815

RAILYARD PARK
455 S. COLLEGE STREET
WAXAHACHIE, TX 75165

COLLEGE STREET



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 7/11/23

Applicant Information

Applicant name: Danielle Guinn

Are you representing the host organization?

Yes ☒

No ☐

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

Yes ☒

No ☐

Phone: 469-309-4051

Cell: _____

Email: danielle.guinn@waxahachie.com

Mailing address: 2000 Civic Center Lane, Waxahachie, TX 75165

Host organization name: City of Waxahachie - Convention & Visitors Bureau

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

On-site contact name: _____

Cell: _____

About the Event

Event name: We Found Waldo Party

Date: Saturday, July 29, 2023

Location: Railyard Park

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

Anticipated attendance: 50 -75

Description of event: Children's dance party to celebrate Find Waldo Local Program participation in July with O'Brien's Bookshop.

	Date(s)	Start Time:	End Time:
Event Date	07/29/23	11:00am	1:00pm
Event Set-up	7/29/23	10:00am	-
Event Breakdown	7/29/23	-	2:00pm

How many times has this event been hosted before?

1st time ☒ 2 - 4 times ☐ 5 or more times ☐ Location: _____

(5a)



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 type="radio"/> Parade | <input checked="" 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 checked="" 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 checked="" 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: 2 Date(s) & time(s): 07/29 at 10am & at 1pm

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: _____

College Street in front of Railyard Park

Street closings to begin on date: 07/29 Start time: 10:00am End time: 2:00pm

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: 6

(5a)



City of Waxahachie
City Secretary's Office

Special Event Application

Other: Poly-Carts

Where should equipment be dropped off & picked up? Railyard Park

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:

DJ Music

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, its 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, its officers, agents, employees, and representatives arising out of or in connection with the revocation or cancellation of an event permit.

[Signature]
Signature

07/11/23

Date

Contract Agreement

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

[Signature]
Signature

07/11/23

Date

Email completed Special Events Application and site map to
Jami Bonner at Jami.Bonner@waxahachie.com.

RAILYARD PARK

DJ

SPLASH PAD TO REMAIN ON

CORNHOLE
YARD GAMES

FACE
PAINTER

PHOTO
BACKDROP

BOOKMOBILE

TIKIZ SNOW CONES

SEASONED
STREET FOOD

RAILYARD PARK
PROMO TENT

PORT A POTTIES

RAILYARD PARK
ON-SITE CONTACT
DANIELLE GUINN
214-463-7815

RAILYARD PARK
455 S. COLLEGE STREET
WAXAHACHIE, TX 75165

COLLEGE STREET



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 7/11/23

Applicant Information

Applicant name: Danielle Guinn

Are you representing the host organization?

Yes ☒

No ☐

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

Yes ☒

No ☐

Phone: 469-309-4051

Cell: _____

Email: danielle.guinn@waxahachie.com

Mailing address: 2000 Civic Center Lane, Waxahachie, TX 75165

Host organization name: City of Waxahachie - Convention & Visitors Bureau

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

On-site contact name: _____

Cell: _____

About the Event

Event name: Headphone Disco

Date: Saturday, August 5, 2023

Location: Railyard Park

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

Anticipated attendance: 200

Description of event: Silent Disco with Headphone Disco

	Date(s)	Start Time:	End Time:
Event Date	08/05/23	8:00pm	10:00pm
Event Set-up	08/05/23	5:00pm	-
Event Breakdown	08/05/23	-	11:00pm

How many times has this event been hosted before?

1st time ☐

2 – 4 times ☒

5 or more times ☐

Location: _____

(5e)



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 type="radio"/> Parade | <input type="radio"/> Community / Neighborhood |
| <input type="radio"/> Private Event | <input checked="" 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 checked="" 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 checked="" 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.



(5e)

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: 2 Date(s) & time(s): 8/5/23 5pm - 11pm
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: _____

College Street in front of Railyard Park

Street closings to begin on date: 8/5 Start time: 7:00pm End time: 10:30pm

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: 6

(5e)



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: _____

DJ setups & large inflatable (non-interactive) headphones

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

07/11/23

Date

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

Signature

07/11/23

Date

Email completed Special Events Application and site map to
Jami Bonner at Jami.Bonner@waxahachie.com.

RAILYARD PARK

DJ'S & LARGE
INFLATABLE
HEADPHONES

HEADPHONE
DISTRIBUTION
TENT

PORT A POTTIES

TBD

TBD

RAILYARD PARK
ON-SITE CONTACT
DANIELLE GUINN
214-463-7815

RAILYARD PARK
455 S. COLLEGE STREET
WAXAHACHIE, TX 75165



(5f)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 6/23/23

Applicant Information

Applicant name: Sandy King

Are you representing the host organization?

Yes ☒

No ☐

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

Yes ☒

No ☐

Phone: 972-923-4631

Cell: _____

Email: _____

Mailing address: 411 N. Gibson Street, Waxahachie, TX 75165

Host organization name: WISD Community Outreach

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

On-site contact name: Ami Trull

Cell: _____

About the Event

Event name: Back to School Bash

Date: Saturday, August 12, 2023

Location: Railyard Park

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

Anticipated attendance: 1,500

Description of event: "Fair" event to help get WISD students excited to go back to school

	Date(s)	Start Time:	End Time:
Event Date	8/12/23	7:30pm	9:30pm
Event Set-up	8/12/23	4:30pm	-
Event Breakdown	8/12/23	-	10:30pm

How many times has this event been hosted before?

1st time ☐

2 - 4 times ☒

5 or more times ☐

Location: _____

(5f)



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 type="radio"/> Parade | <input checked="" 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 checked="" type="checkbox"/> Amusement rides / Inflatables | <input checked="" 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 checked="" type="checkbox"/> Information / Literature Distribution | <input checked="" type="checkbox"/> Street closure |
| <input checked="" type="checkbox"/> DJ / Recorded Music | <input checked="" type="checkbox"/> Other: Use of MKT Park Basketball Courts |

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.

N/A

Run / Walk:

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

N/A 1 mile N/A 5K N/A Other distance

Please indicate your expected attendance:

N/A

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.



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: 2 Date(s) & time(s): 8/12/23 (3:30pm - 10:30pm)
 Volunteers How many: N/A Date(s) & time(s): N/A
 Private security How many: N/A Date(s) & time(s): N/A
 Company name: N/A

Contact name and number: N/A

Off duty police How many: N/A Date(s) & time(s): N/A

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: N/A Phone number: N/A

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:

College Street (in front of Railyard Park), MKT Park/Parking Lot, Crosswalk traffic control on Rogers near MKT or closure of Rogers

Street closings to begin on date: 8/12/23 Start time: 6:00pm End time: 10:00pm

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: # needed for traffic control/closures Barricades How many: # needed for traffic control/closures

(5f)



City of Waxahachie
City Secretary's Office

Special Event Application

Other: (10) Railyard Park Poly-Carts

Where should equipment be dropped off & picked up? Coordinate work orders with Danielle Guinn

When will the equipment be set-up?

Date: 8/12/23

Time: Various

When will the equipment be removed?

Date: 8/12/23

Time: Various

Temporary Tents & Structures:

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

Yes ☒

No ☐

List the # of tents & sizes: (1) 20' x 20'

Indicate locations on attached required site map.

Electrical Services:

How will electrical services be supplied?

Generator ☐

Franchise Utilities ☒

Both ☐

List contractor / supplier:

Railyard Park

Explain services in detail:

Stage Power, Pole Power, Ground Power for Inflatables

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, its 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 of local orders. Furthermore, by signing this application, applicant hereby agrees to waive any and all claims that applicant may have against the City, its 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.

Villarreal, Amber

From: Guinn, Danielle
Sent: Thursday, July 6, 2023 10:19 AM
To: Villarreal, Amber
Cc: Bonner, Jami
Subject: Back to School Bash Event Application
Attachments: 2023 Back To School Bash - Event Application & Site Map.pdf

Good Morning Amber,

Attached you will find the revised application & site map for the Back to School Bash on August 12, 2023.

Items to note based on voiced concerns:

- Due to the construction near the creek, the football team & QB club have been moved to the top of the park near the street level. We have not stationed any booths or groups near the construction area.
- The WISD team will be reaching out to the business that was previously Luckie's Towing to discuss an arrangement for using their parking lot for bus parking.
- As mentioned in the application, we would like to close the MKT parking lot and basketball courts for the 2 hours of the event (possibly a little bit before and after the event for setup and teardown) but do not want to interfere with traffic on Rogers Street. Therefore, we proposed traffic control by police officers at the crossing between Railyard Park and MKT Park for safety.
- As the event is now an evening event, we have scratched the dunk tank and will instead be renting an inflatable blacklight axe throw (plush axes). We will make sure to arrange the Axe Throw with its back opposite the street so that in the case of overthrows, they would go into the grass and not the street. The baseball and softball coaches will be manning and running this activity. Photo of axe throw included on site map.

If you have any questions or need any additional clarification, please let me know!

Danielle Guinn

Cultural Arts & Programming Manager

Waxahachie Convention & Visitors Bureau

danielle.guinn@waxahachie.com

Office: 469-309-4051

Cell: 214-463-7815

www.visitwaxahachie.com

www.facebook.com/railyardparkwaxahachie

WISD BACK TO SCHOOL BASH

AUGUST 12, 2023

730PM TO 930PM



WHS SOFTBALL & BASEBALL TEAMS

WHS GIRLS & BOYS BASKETBALL (ON COURTS)

WAXAHACHIE POLICE & FIRE DEPARTMENTS

ICE CREAM

ELLIS COUNTY SHERIFF'S DEPARTMENT

FOOD TRUCK

FOOD TRUCK

ALTUS ER AMBULANCE

WISD BOOKMOBILE

20' x 20' Food Tent

RESTROOMS

BOUNCE HOUSE

BOUNCE HOUSE

WHS CREEK FACE PAINTING

WHS FOOTBALL TEAM

WHS QB CLUB

RYP CORNHOLE BOARDS

1
2

4
5

6
7

8
9

12
13
14
15

10
11

WHS SOCCER MINI-FIELD

WHS GOLF PUTTING GREEN

WHS TENNIS TEAM

WHS CHARMERS

WHS SWIM TEAM

WHS BAND & BOOSTERS

DJ MADNESS ENTERTAINMENT

DROP-OFF & PARKING:
Downtown South Lot on
corner of Rogers & Cantrell

UNDER CONSTRUCTION

(51)



(59)

Date submitted _____

Applicant Information

Applicant name: Emmitt Dowdy

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: 1510 Brackens St.

Host organization name: 1st Annual Kickball Tournament

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

On-site contact name: Emmitt Dowdy Cell _____

About the Event

Event name: 1st Annual Kickball Tournament

Date: September 3rd, 2023

Location: Lee Penn Park

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

Anticipated attendance: 500 - People

Description of event: Adult Kickball games Fundraiser

	Date(s)	Start Time:	End Time:
Event Date	<u>09/03/23</u>	<u>9am</u>	<u>9:00 pm</u>
Event Set-up	<u>09/03/23</u>	<u>8:00 am</u>	<u>8:55 am</u>
Event Breakdown	<u>09/03/23</u>	<u>9:15 PM</u>	<u>9:45 PM</u>

How many times has this event been hosted before?

1st 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 checked="" type="radio"/> Charitable / Fundraising |
| <input type="radio"/> Parade | <input checked="" 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 type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input type="checkbox"/> Information / Literature Distribution | <input type="checkbox"/> Street closure |
| <input checked="" 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

☒

Just having
water and
snacks - Grahola
Bars/ct

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: _____

Jacorey Jefferson - will contact

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:

may need
2-3 officers

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:

The Public to Park in both Parking lots

Street closings to begin on date: _____

Start time: _____

End time: _____

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: _____

(59)



City of Waxahachie
City Secretary's Office

Special Event Application

Other:

Trash cans (2)

Where should equipment be dropped off & picked up? next to concession stand

When will the equipment be set-up?

Date: 9/3/23 Time: 8:00 am

When will the equipment be removed?

Date: 9/3/23 Time: 10:00 pm

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.

Emmitt Dowdy
Signature

7/11/23
Date

Contract Agreement

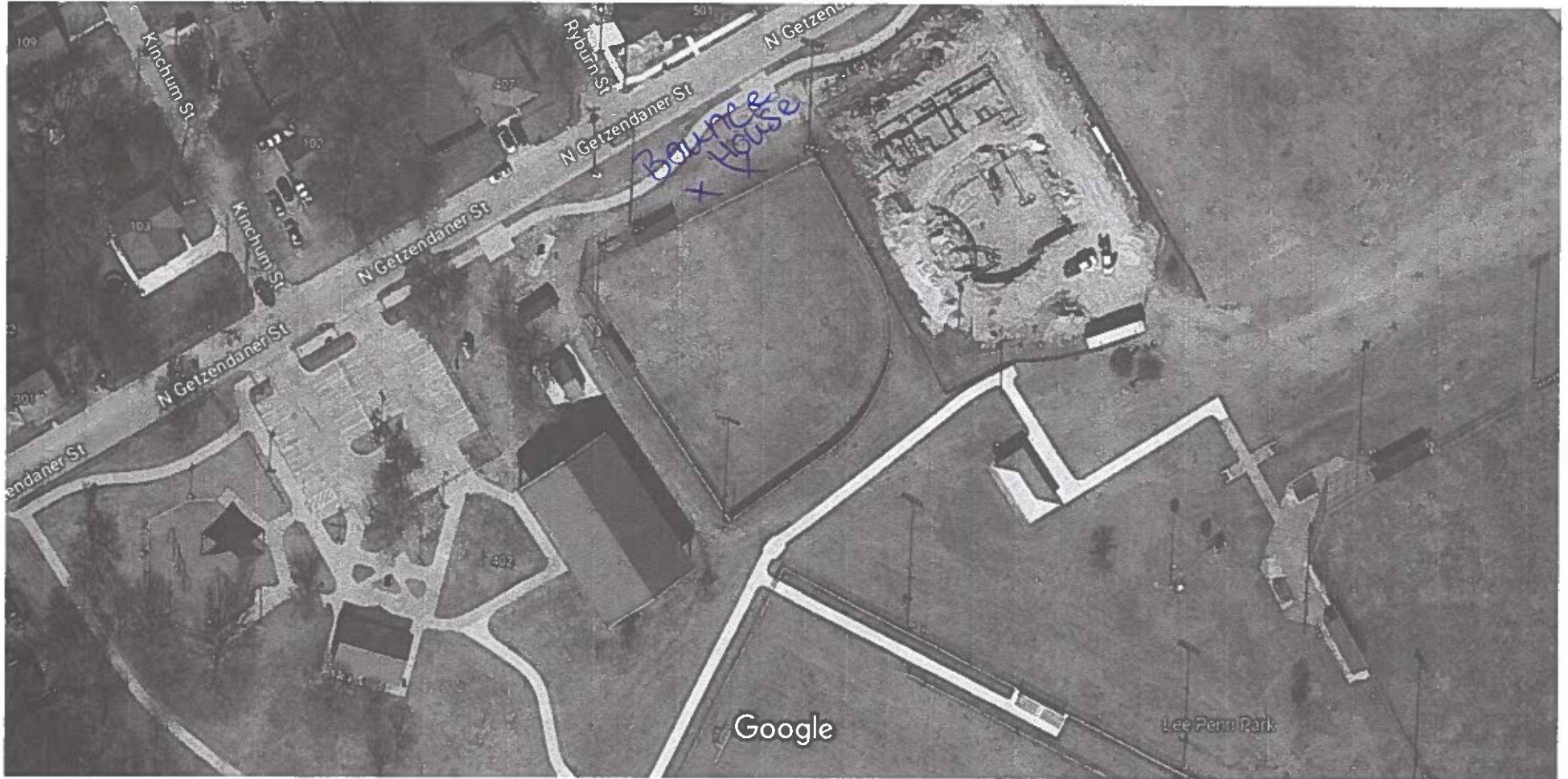
Applicant / organization has thoroughly read, understands, and agrees to all conditions listed on this application.

Emmitt Dowdy
Signature

7/11/23
Date

Email completed Special Events Application and site map to
Jami Bonner at Jami.Bonner@waxahachie.com.

Google Maps



(59)

Imagery ©2023 CNES / Airbus, Maxar Technologies, Map data ©2023 Google 50 ft

(59)

Crocker, Clarice

From: Cooper, Kyle
Sent: Tuesday, July 11, 2023 4:54 PM
To: Crocker, Clarice
Subject: RE: Event Application-1st Annual Kickball Tournament

Bounce houses need to be secured with sandbags. We do not allow staking.



Kyle Cooper, CPRP
Senior Director
Parks and Recreation
City of Waxahachie
469-336-5377
972-268-4549
Kyle.Cooper@waxahachie.com

From: Crocker, Clarice
Sent: Tuesday, July 11, 2023 3:35 PM
To: Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Gaertner, James <jgaertner@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Thomas Griffith <tgriffith@waxahachiepd.org>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Donna Insixiengmay <donna.insixiengmay@waxahachiepd.org>
Subject: Event Application-1st Annual Kickball Tournament

Good afternoon,

Please see the event application attached for your review/comments. The applicant confirmed they are not requesting to close any streets.



Clarice Crocker
Records Coordinator
City of Waxahachie
Office: (469) 309-4008
ccrocker@waxahachie.com

(5h)



City of Waxahachie
City Secretary's Office

Special Event Application

Date submitted 7/6/23

Applicant Information

Applicant name: Emergency Management Department

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: donna.insixiengmay@waxahachiepd.org

Mailing address: 630 Farley St Waxahachie, TX 75165

Host organization name: Ellis County Emergency Management and Waxahachie Emergency Management

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

On-site contact name: Thomas Griffith

Cell: _____

About the Event

Event name: Ellis County Preparedness Fair

Date: September 9, 2023

Location: Downtown Waxahachie

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

Anticipated attendance: 2000

Description of event: Preparedness fair for the community

	Date(s)	Start Time:	End Time:
Event Date	9/9/2023	10:00 AM	2:00 PM
Event Set-up	9/9/2023	6:00 AM	10:00 AM
Event Breakdown	9/9/2023	2:00 PM	4:00 PM

How many times has this event been hosted before?

1st time ☐

2 – 4 times ☒

5 or more times ☐

Location: 2016 in Waxahachie

(5h)



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 type="radio"/> Parade | <input checked="" type="radio"/> Community / Neighborhood |
| <input type="radio"/> Private Event | <input type="radio"/> Concert / Live Performance |
| <input type="radio"/> Run / Walk | <input type="radio"/> Other: Preparedness Fair |

Event activities include (check all that apply):

- | | |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Amusement rides / Inflatables | <input checked="" type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input checked="" type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input checked="" type="checkbox"/> Announcement / Speeches | <input type="checkbox"/> Live music |
| <input checked="" 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.



(5h)

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: _____

See map for details; there will be access to the florist shop we can open it for delivery and close back up at College St and Jefferson.

Street closings to begin on date: 9/9/2023 Start time: 6:00 AM End time: 4:00 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: Based on map Barricades How many: based on map



City of Waxahachie
City Secretary's Office

Special Event Application

Other: _____

Where should equipment be dropped off & picked up? Courthouse Park

When will the equipment be set-up?

Date: 9/9/2023

Time: 6:00 AM

When will the equipment be removed?

Date: 9/9/2023

Time: 4:00 PM

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

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Donna Insixiengmay

Digitally signed by Donna Insixiengmay
Date: 2023.07.07 08:55:47 -05'00'

7/7/2023

Signature

Date

Contract Agreement

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

Donna Insixiengmay

Digitally signed by Donna Insixiengmay
Date: 2023.07.07 08:55:58 -05'00'

7/7/2023

Signature

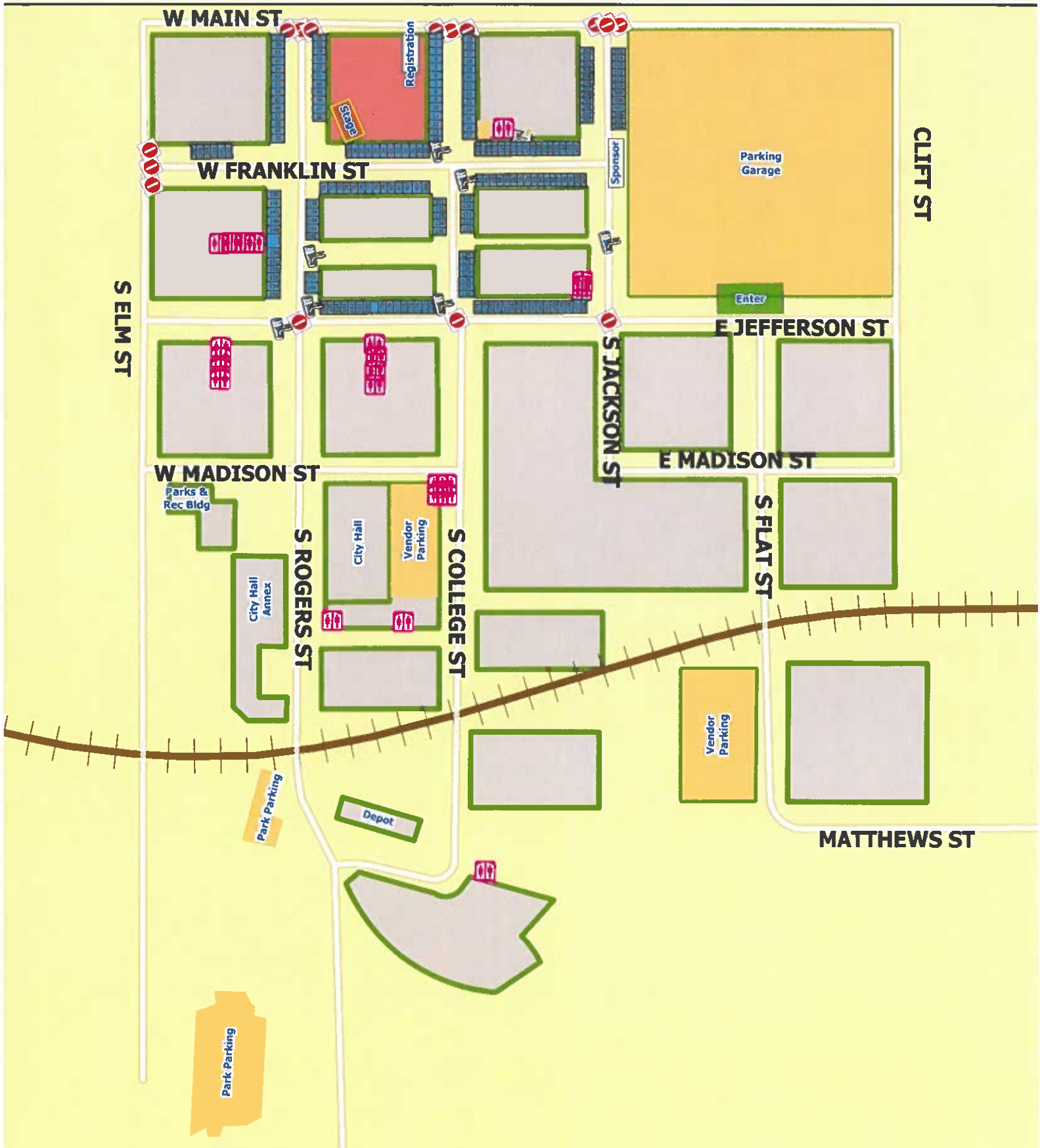
Date

Email completed Special Events Application and site map to
Jami Bonner at Jami.Bonner@waxahachie.com.

Ellis County National Preparedness Fair 2023



CITY OF
WAXAHACHIE
TEXAS



(5h)

Villarreal, Amber

Subject: FW: Event Application-Ellis County Emergency Preparedness Fair

From: Simpson, Anita

Sent: Friday, July 7, 2023 10:00 AM

Subject: RE: Event Application-Ellis County Emergency Preparedness Fair

Amber/Jami,

Several city staff have been participating in the meetings for this event and helping get it organized. Donna, Ralph Mulvaney with Ellis County Emergency Management, and a couple of the other stakeholders attended the Downtown Merchants meeting this past Wednesday to present the event for approval. The DMA wanted to see a final map of the event before voting on it so I will send that to Shane for review.

The only opposition that was expressed at the Downtown Merchants meeting came from Melissa Chapman who wanted the event moved to Railyard Park. Danielle said that possibility had been discussed but because of all the heavy equipment/vehicles/displays that are planned the Park could not accommodate this event. Having helped with the fair in 2016 when Waxahachie last hosted it I agree and can provide photos showing the type of displays if they are needed.

This event provides a lot of information to the public about being prepared for emergencies, both weather related and otherwise, and it was well attended the last time we had it. I look forward to working it again.



From: Villarreal, Amber

Sent: Friday, July 7, 2023 9:32 AM

To: Boyd, Ricky <RBoyd@waxahachiefire.org>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Griffith, Thomas <john.griffith@waxahachie.com>; Simpson, Anita <asimpson@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>
Cc: Scott, Michael <mscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Bonner, Jami <jami.bonner@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>; Donna Insixiengmay <donna.insixiengmay@waxahachiepd.org>

Subject: Event Application-Ellis County Emergency Preparedness Fair

For your review/comments. Thank you.



City of Waxahachie
City Secretary's Office

(56)

Special Event Application

Date submitted 6/21/23

Applicant Information

Applicant name: Cynthia H. Herrera

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: 418 W. Franklin / PO Box 621 Wax, TX 75165

Host organization name: Ellis County Hispanic Organization

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

On-site contact name: Jose Villarreal

Cell: _____

About the Event

Event name: Hispanic Heritage Event

Date: September 23, 2023

Location: Railyard park

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

Anticipated attendance: 1,000

Description of event: Festival

	Date(s)	Start Time:	End Time:
Event Date	<u>9/23/23</u>	<u>2:00pm</u>	<u>11:00pm</u>
Event Set-up	<u>9/23/23</u>	<u>12:00pm</u>	<u>2:00pm</u>
Event Breakdown	<u>9/23/23</u>	<u>11:00pm</u>	<u>1:00am</u>

How many times has this event been hosted before?

1st time ☐

2 - 4 times ☒

5 or more times ☐

Location:

This will be 2nd Time



Choose the best description of the event:

- | | |
|-------------------------------------------|-------------------------------------------------------------|
| <input checked="" 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 checked="" 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 checked="" type="checkbox"/> Food – sampled, served, or sold |
| <input type="checkbox"/> Animals / Petting Zoo | <input checked="" type="checkbox"/> Products / Services – given away, sampled, or sold |
| <input type="checkbox"/> Announcement / Speeches | <input checked="" type="checkbox"/> Live music |
| <input type="checkbox"/> Information / Literature Distribution | <input checked="" type="checkbox"/> Street closure |
| <input checked="" 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: 6 Date(s) & time(s): 9/23/23 - 12:00pm - 1:00am
Volunteers How many: ? Date(s) & time(s): _____
Private security How many: 6 Date(s) & time(s): 9/23/23 - 3:00pm - 11:00pm
Company name: Safe Venues LLC
Contact name and number: Rosie Martinez 214-893-9999
Off duty police How many: ? Date(s) & time(s): 9/23/23 3:30 - 11:30pm
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: Close S. College St

at the Fresh to Feed Store

Street closings to begin on date: 9/23/23 Start time: 12:00pm End time: 1:00am

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:

Porta Pottys, Trashcans & Bags

Where should equipment be dropped off & picked up? Rail yard park

When will the equipment be set-up?

Date: 9/23/23 Time: 12:00pm

When will the equipment be removed?

Date: 9/24/23 Time: 1:00 AM

Temporary Tents & Structures:

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

Yes ☒ No ☐

List the # of tents & sizes: ? vendors

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.

Cynthia H. Herrera

Signature

6/21/23

Date

Contract Agreement

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

Cynthia H. Herrera

Signature

6/21/23

Date

Email completed Special Events Application and site map to
Jami Bonner at Jami.Bonner@waxahachie.com.



- 1 compadre tacos
- 2 Franks Tacos
- 3 lemonade stand
- 4 face paint
- 5 alayshe toys
- 6 snowcones
- 7 Tommy Jones

(24)

Stage

Beer

close

close

Fresh

College

Rogers

Train

Feed store

PortaPotty

(51)

(5)

Bonner, Jami

From: Jordan, Me'Lony
Sent: Wednesday, June 21, 2023 3:25 PM
To: Bonner, Jami; Martinez, Gumaro; Guinn, Danielle; Mosley, Laurie; Cooper, Kyle; Barnes, Bradley; Campos, Yadira; Joe Bill Wiser; Boyd, Ricky; Griffith, Thomas; Warren, Anthony; Gaertner, James; Massey, Matt
Cc: Lawrence, Albert; Scott, Michael; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Hispanic Heritage Event 9/23/23

Anyone without an annual mobile food permit issued by the City of Waxahachie will be required to obtain a temporary food establishment permit. Temp food permits are to be obtained five (5) days prior to the event. All food permits are required to be current valid and posted conspicuous to the public.



MeLony Jordan
Health Inspector/CCO/CFM/CEOSF
Office: (469) 309-4134
Mobile: (972) 740-6724

From: Bonner, Jami <jami.bonner@waxahachie.com>
Sent: Wednesday, June 21, 2023 2:31 PM
To: Martinez, Gumaro <gmartinez@waxahachie.com>; Guinn, Danielle <danielle.guinn@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Hispanic Heritage Event 9/23/23

Thank you, Gumaro. I have requested a more detailed site map from the applicant.

From: Martinez, Gumaro <gmartinez@waxahachie.com>
Sent: Wednesday, June 21, 2023 8:24 AM
To: Bonner, Jami <jami.bonner@waxahachie.com>; Guinn, Danielle <danielle.guinn@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: RE: Event Application - Hispanic Heritage Event 9/23/23

Jami – we need a better indication on the site map on how many vendors and where they will be stationed.

Bonner, Jami

From: Cooper, Kyle
Sent: Thursday, June 22, 2023 3:58 PM
To: Bonner, Jami; Guinn, Danielle; Mosley, Laurie; Martinez, Gumaro; Barnes, Bradley; Campos, Yadira; Joe Bill Wiser; Boyd, Ricky; Griffith, Thomas; Jordan, Me'Lony; Warren, Anthony; Gaertner, James; Massey, Matt
Cc: Lawrence, Albert; Scott, Michael; Villarreal, Amber; Crocker, Clarice
Subject: RE: Event Application - Hispanic Heritage Event 9/23/23

Considering the scale and expected turnout of this event, I believe that having 2-3 event staff members would be adequate.

Furthermore, it is important to establish an understanding that the organizer is responsible for ensuring the park remains clean and returns to its original condition. While the event staff can assist in these efforts, the ultimate responsibility lies with the organizers.



Kyle Cooper, CPRP
Senior Director
Parks and Recreation
 City of Waxahachie
 469-336-5377
 972-268-4549
Kyle.Cooper@waxahachie.com

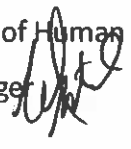
From: Bonner, Jami
Sent: Tuesday, June 20, 2023 4:40 PM
To: Guinn, Danielle <danielle.guinn@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Cooper, Kyle <kyle.cooper@waxahachie.com>; Barnes, Bradley <bradley.barnes@waxahachie.com>; Campos, Yadira <ycampos@waxahachie.com>; Joe Bill Wiser <JWiser@waxahachiepd.org>; Boyd, Ricky <RBoyd@waxahachiefire.org>; Griffith, Thomas <john.griffith@waxahachie.com>; Jordan, Me'Lony <mjordan@waxahachie.com>; Warren, Anthony <anthony.warren@waxahachie.com>; Gaertner, James <jgaertner@waxahachie.com>; Massey, Matt <mmassey@waxahachie.com>
Cc: Lawrence, Albert <alawrence@waxahachie.com>; Scott, Michael <msscott@waxahachie.com>; Villarreal, Amber <avillarreal@waxahachie.com>; Crocker, Clarice <ccrocker@waxahachie.com>
Subject: Event Application - Hispanic Heritage Event 9/23/23

For your review / comments. Thank you.

Jami Bonner
 Assistant City Secretary



Memorandum

To: Honorable Mayor and City Council
From: Lindsey Mearns, Director of Human Resources/Civil Service
Thru: Michael Scott, City Manager 
Date: July 17, 2023
Re: Consider Proposal for Employee Medical, Dental and Vision Insurance

Recommended Motion: "I move to approve a contract with Blue Cross Blue Shield for employee medical, dental, and vision insurance and authorize the City Manager to negotiate and execute all documents as necessary."

Item Description: Consider proposal from Blue Cross Blue Shield of Texas to provide employee medical, dental, and vision insurance for fiscal year 2023-24. The projected cost to the City will be a 2.4% increase over the current cost

Item Summary: In an effort to reduce the significant increases the City has experienced in benefit premium cost, the City elected to switch from Blue Cross Blue Shield to Cigna effective October 1, 2022. Since switching to Cigna last year, the City has experienced many issues regarding the quality of care provided to employees resulting in dissatisfaction with Cigna's coverage. In response to these concerns and upon recommendation of management and our consultant, the City conducted a formal RFP process to explore more suitable options for medical, dental, and vision insurance for the fiscal year 2023-2024.

Requests for proposals were published on the Public Purchase Portal in addition to being advertised on the City's website and in the newspaper. Three (3) medical carriers and eight (8) dental and/or vision carriers submitted proposals.

After a thorough evaluation of the proposals and receiving guidance from our consultant, we are pleased to inform that Blue Cross Blue Shield emerged as the preferred choice. Staff recommends switching carriers for medical, dental and vision insurance from Cigna to Blue Cross Blue Shield. Blue Cross Blue Shield has a longstanding reputation for providing excellent customer service, a vast network of healthcare providers, and comprehensive coverage options. Furthermore, their competitive pricing structure that they provided aligns with our goal of minimizing the increase in insurance costs while delivering improved benefits.

The benefit provider for life insurance and voluntary plans such as short-term and long-term disability, accident and critical illness will remain with Voya.

Fiscal Impact: Since costs differ between multiple plan options, the exact fiscal impact will not be known until employees make their respective plan selections. However, the estimated medical plan cost to the City will be \$3,911,966. This is a projected 2.4% increase for fiscal year 2023-2024 and will be accounted for in the proposed budget.



Memorandum

To: Honorable Mayor and City Council

From: Richard B. Abernethy, Director of Administrative Services

Thru: Michael Scott, City Manager

Date: July 17, 2023

Re: Consider Resolution to Deny a Rate Increase Request by Oncor Electric Delivery Company, LLC

Recommended Motion: "I move to approve a resolution to deny the Distribution Cost Recovery Factor application proposed by Oncor Electric Delivery Company, LLC and authorizing the hiring of legal counsel and consulting services."

Item Description: Consider resolution to deny Oncor's request to increase its distribution rates within the City; authorizing participation with the Oncor Cities Steering Committee; and authorizing the hiring of legal counsel and consulting services.

Item Summary: On June 30, 2023, Oncor submitted a request to the Public Utility Commission (PUC) to amend its Distribution Cost Recovery Factor which would ultimately increase their distribution revenue by approximately \$152.78 million. In the same filing, the company also seeks to update its Rider Wholesale Mobile Generation and Rider Wholesale Mobile Generation to recover and additional \$1.07 million. The resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The City of Waxahachie has retained jurisdiction to regulate utility rates and is an active member on the OCSC. The OCSC is a large group of similarly situated

(SK)

cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the PUC and the courts. In the past, the OCSC, with assistance from legal firms and consultants, have been very successful in negotiating terms of utility rate increase that were significantly lower than originally requested by Oncor. This success has been instrumental in saving money for our residents and businesses.

Fiscal Impact: The City of Waxahachie is already a member of the OCSC and there will be no additional cost associated with hiring of legal services or consultants to conduct the rate negotiations on behalf of the OCSC. All expenses associated with this rate must be reimbursed by Oncor. Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.

(5K)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR AND UPDATE GENERATION RIDERS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; 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, the City of Waxahachie, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC. ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("OCSC"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about June 29, 2023, Oncor filed with the City an Application to Amend its Distribution Cost Recovery Factor and Update Mobile Generation Riders, PUC Docket No. 55190, seeking to increase electric distribution rates by approximately \$152.78 million and update Oncor's Rider Mobile Generation and Rider Wholesale Mobile Generation to recover \$1.07 million related to mobile generation facilities; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, OCSC is coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, OCSC members and attorneys recommend that members deny the DCRF.

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

(5K)

Section 1. That the City is authorized to participate with Cities in PUC Docket No. 55190.

Section 2. That subject to the right to terminate employment at any time, the City hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of presentation of an invoice to Oncor.

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 J. Michael Sherburne, Vice President – Regulatory, Oncor Electric Delivery Company LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202; to Tab R. Urbantke, Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202; and to Thomas L. Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 17th day of July, 2023.

David Hill, Mayor

ATTEST:

Amber Villarreal, City Secretary



Memorandum

To: Honorable Mayor and City Council

From: Amy Borders, Director of Communications and Marketing

Thru: Michael Scott, City Manager *MS*

Date: July 12, 2023

Re: Consider approval of funding from WCDC Fund for new Audio System for Waxahachie Civic Center

Recommended Motion: "I move to approve funding from the Waxahachie Community Development Corporation Fund for the new audio system at the Waxahachie Civic Center in the total amount of \$26,649.91".

Item Description: Consider approval of funding from the Waxahachie Community Development Corporation Fund for the new audio system at the Waxahachie Civic Center in the total amount of \$26,649.91.

Item Summary: On Tuesday, July 11, 2023, the Waxahachie Community Development Corporation approved a request for a new audio system for the Waxahachie Civic Center. The request was born out of the temporary move of City Council and Planning and Zoning meetings to the Civic Center during construction on the current City Hall. The new system will provide the necessary audio component for the live streaming for these meetings.

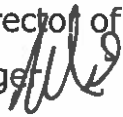
Purchasing the audio system will allow for it to be used at other Civic Center events – corporate meetings, workshops, panel discussions, etc. – in which a multiple microphone setup is needed. The setup is portable and can be used in various rooms throughout the facility. This purchase includes 11 microphones, mixing control, portable cart, wiring and installation, and training for Civic Center staff.

Fiscal Impact: The request is proposed to be funded from the Waxahachie Community Development Corporation Fund in the amount of \$26,649.91.

(8+9)



Memorandum

To: Honorable Mayor and City Council
From: Jennifer Pruitt, Senior Director of Planning
Thru: Michael Scott, City Manager 
Date: July 14, 2023
Re: ZDC-24-2023 – Turcotte Heavy Equipment Rental and Sales

On June 29, 2023, the applicant requested to continue the public hearing for ZDC-24-2023 a Specific Use Permit (SUP) for a Heavy Equipment Rental and Sales use to the July 25, 2023 Planning and Zoning Commission and August 7, 2023 City Council meeting. The Planning and Zoning Commission voted 6-0 to continue the public hearing for this case at the July 11, 2023 Planning and Zoning Commission meeting.

(10+11)



Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: July 17, 2023

Re: ZDC-153-2022 - Falcon's Landing - Planned Development Amendment

On July 11, 2023, the Planning & Zoning Commission voted to continue case no. ZDC-153-2022 from the July 11, 2023 Planning and Zoning Commission meeting indefinitely.

(12)

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-04-2023



MEETING DATE(S)

Planning & Zoning Commission: July 11, 2023

City Council: July 17, 2023

CAPTION

Public Hearing on a request by Jake Fears, JHF Engineering for a **Specific Use Permit (SUP)** for a restaurant with a drive-through use within a General Retail (GR) and Light Industrial-1 (LI-1) zoning district located at 1995 North Highway 77 (Property ID 262424) - Owner: C&C Waxahachie, LLC (ZDC-04-2023)

RECOMMENDED MOTION

"I move to approve ZDC-04-2023, a Specific Use Permit (SUP) for a restaurant with a drive-through use, subject to the conditions the staff report, 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 July 11, 2023, the Commission voted 6-0 to recommend approval of case number ZDC-04-2023, subject to staff comments.

APPLICANT REQUEST

The Applicant is requesting a specific use permit for a restaurant with a drive-through use at 1995 North Highway 77. The restaurant is part of a multi-tenant retail building (10,354 square feet) with four suites: a sit-down restaurant, a drive-through restaurant, a nail salon, and a dental clinic. The property owner has yet to finalize contracts with the prospective tenants. Therefore, the Applicant cannot disclose the businesses occupying each suite.

CASE INFORMATION

Applicant: Jake Fears, JHF Engineering

Property Owner(s): C&C Waxahachie, LLC

Site Acreage: 1.305 acres

Current Zoning: General Retail (GR) & Light Industrial-1 District (LI-1)

Requested Zoning: GR and LI-1 with a specific use permit (SUP) for a restaurant with a drive-through

SUBJECT PROPERTY

General Location: 1995 North Highway 77

Parcel ID Number(s): 262424

Existing Use:

Undeveloped Land

Development History:

A plat (SUB-43-2023) for the subject property was approved at the Planning and Zoning Commission meeting on June 13, 2023.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	LI-1	Undeveloped Land
East	PD-GR	Undeveloped Land (Future Tom Thumb and multi-pad shopping center)
South	GR	Community National Bank & Trust of Texas
West	LI-1	Undeveloped Land

Future Land Use Plan:

Local Commercial

Comprehensive Plan:

The local commercial placetype includes areas for restaurants, shops, grocery stores, offices, and personal service establishments. This placetype was incorporated to preserve the City's commercial corridors. Where appropriate, local commercial uses should be located at the intersection or frontage of major thoroughfares (60 feet or greater). The intensity of this placetype falls between neighborhood scale commercial and regional commercial. Local commercial will consist of a single or cluster of standalone office, retail or commercial buildings with an anchor. Local commercial uses should be interconnected with sidewalks to increase walkability. In addition, a shared open space comprised of a plaza or park is encouraged for multi-pad site developments.

Thoroughfare Plan:

The primary access to the subject property is from Victory Drive (60' right-of-way) and North Town Boulevard (60' right-of-way). The Applicant is extending North Town Boulevard up to the northern property line with the proposed development of the subject property.

Site Image:

(12)

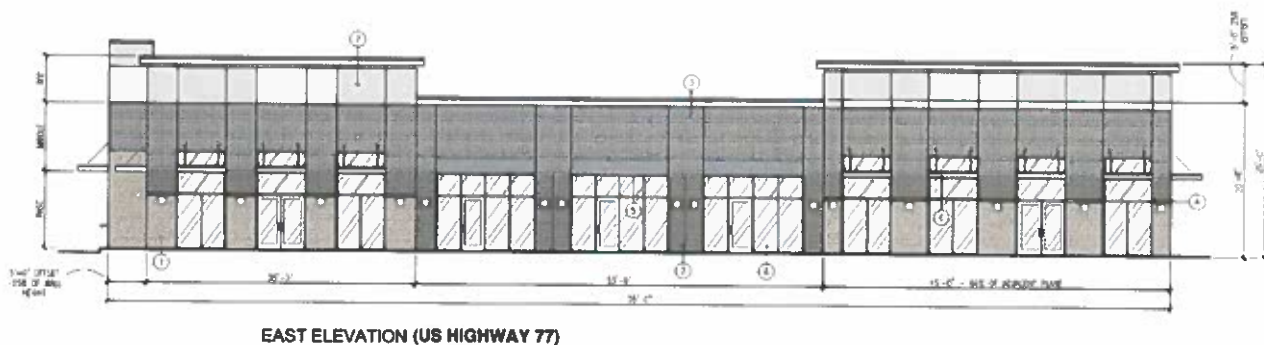
PLANNING ANALYSIS

The Applicant requests a specific use permit for a restaurant with a drive-through use at 1995 North Highway 77. The restaurant is part of a multi-tenant retail building (10,354 square feet) with four suites: a sit-down restaurant, a drive-through restaurant, a nail salon, and a dental clinic. The Applicant cannot disclose the businesses occupying each suite since the property owner has not finalized contracts with the prospective tenants. However, the proposed development has provided more than the minimum required parking spaces (59 required/66 provided) and drive-through stacking spaces (6 required/9 provided). Additionally, the site complies with the City's development standards, such as providing refuse containers, adequate site access and circulation, adequate fire coverage, and minimum landscape requirements. Staff recommends approval of the specific use permit since the development exceeds the city's development standards.

Proposed Elevations

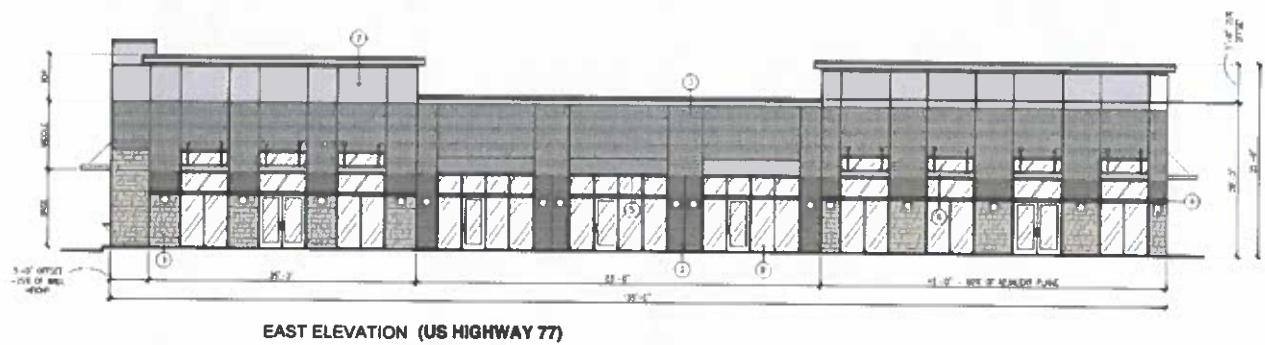
The Applicant provided two sets of architectural elevations for staff and P&Z to evaluate. Both sets of elevations have the same building design and exterior finishing materials, except the color scheme for each set is different. The preferred option by the applicant and the P&Z is Option 1 below.

Option 1 – The building is mostly made of brick, with two different shades of brown (dark and light) with gray undertones, as depicted in the material sample board below. Additionally, natural stone materials are used in the lower portion of the building, and features a stucco parapet roof.



Option 2 – The building is mostly made of brick, with two different shades of brown (dark and light) with red undertones, as depicted in the material sample board below. Additionally, natural stone materials are used in the lower portion of the building, and features a stucco parapet roof.

(12)



PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 10 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP request with the conditions listed below.

1. The Applicant execute a mutually agreed upon Development Agreement.
2. The Applicant obtain the necessary building permits from the City of Waxahachie Building and Community Services Department.

ATTACHED EXHIBITS

1. Development Agreement / SUP Ordinance
2. Location Map (Exhibit A)
3. Site Plan (Exhibit B)
4. Landscape Plan (Exhibit C)
5. Architectural Elevations (Exhibit D)
6. Operational Plan

STAFF CONTACT INFORMATION

Prepared by:

Eleana Tuley, AICP
Senior Planner

eleana.tuley@waxahachie.com

Reviewed by:

Jennifer Pruitt, AICP, LEED-AP, CNU-A
Senior Director of Planning

jennifer.pruitt@waxahachie.com

(12)

1995 Hwy 77, Waxahachie, TX

Special Use Permit

Operational Plan

Summary:

The proposed development will include a multiple-tenant building for a dine-in restaurant, dental clinic, nail salon and drive-through restaurant. All proposed uses are by right in a General Retail Zoning, however the drive-through service requires a SUP. Currently not all tenants have finalized a lease agreement and cannot be disclosed.

Hours of operation:

The dine-in restaurant between 11am – 10pm, 7 days a week

Dental clinic 9am and 6pm, 5 days a week

Nail salon 9am and 7pm 6 days a week

Restaurants with a drive-through window between 6am-11pm, 7 days week

Number of Employees:

Each business falls within the typical range of employees and adequate parking has been provided for both employees and patrons.

Dine-in restaurant 6-8 full-time and 20 part-time employees.

Dental Clinic 8-10 full-time employees

Nail Salon 6-8 full-time employees

Restaurant with drive-through 8-10 full-time and 25 part-time employees

Compatibility with adjoining uses:

All proposed uses are consistent with the existing zoning.

Company's Business Plan:

The developer of the multi-tenant property is seeking new to market and/or well-established tenants for long-term use within the development.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A DRIVE THROUGH ESTABLISHMENT USE WITHIN A GENERAL RETAIL DISTRICT (GR) AND LIGHT INDUSTRIAL-1 DISTRICT (LI-1) LOCATED AT 1995 NORTH HIGHWAY 77 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.305 ACRES KNOWN AS PROPERTY ID 262424, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-04-2023. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from GR and LI-1 to GR and LI-1, with an SUP in order to allow a Drive Through Establishment use on the following property: Property ID 262424, which is shown on the location map (Exhibit A), site plan (Exhibit B), landscape plan (Exhibit C), and architectural elevations (Exhibit D).

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A DRIVE THROUGH ESTABLISHMENT USE IN THE GENERAL RETAIL DISTRICT (GR) AND LIGHT INDUSTRIAL-1 DISTRICT (LI-1); the following standards and conditions are hereby established as part of this ordinance:

1. A mutually agreed upon Development Agreement is required.
2. The subject property shall conform to the site plan approved by the City Council under case number ZDC-04-2023.
3. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C - Landscape Plan, and Exhibit D – Elevations.
4. The building shall consist of the building design and composed of the exterior finishing materials and their associated percentages as provided in Exhibit D – Architectural Elevations.
5. The Applicant and/or Developer for the subject property shall be responsible for obtaining building permits per the City's applicable rules and regulations governing such permits.
6. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits B, C, and D.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six months (6 months), a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of July, 2023.

MAYOR

ATTEST:

City Secretary

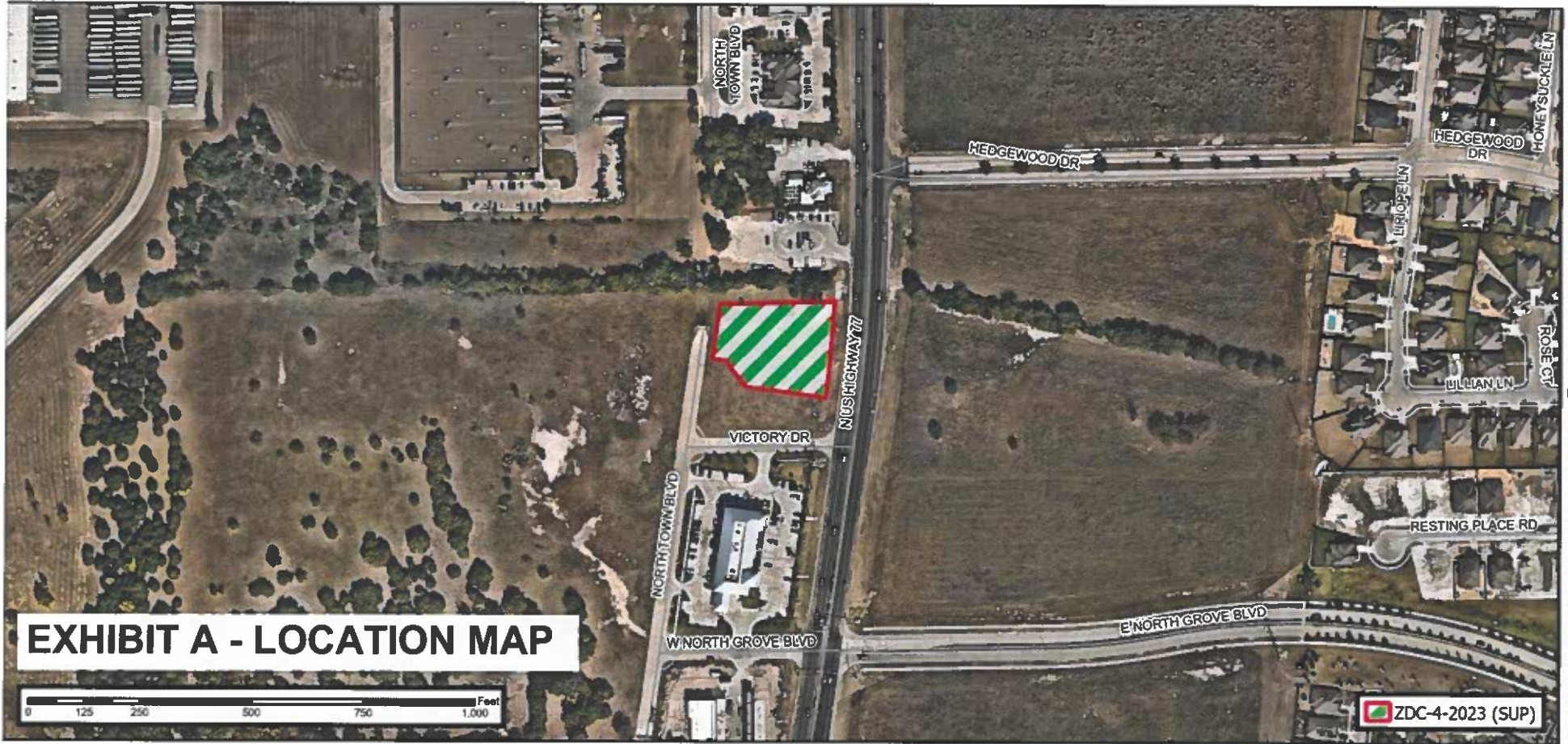


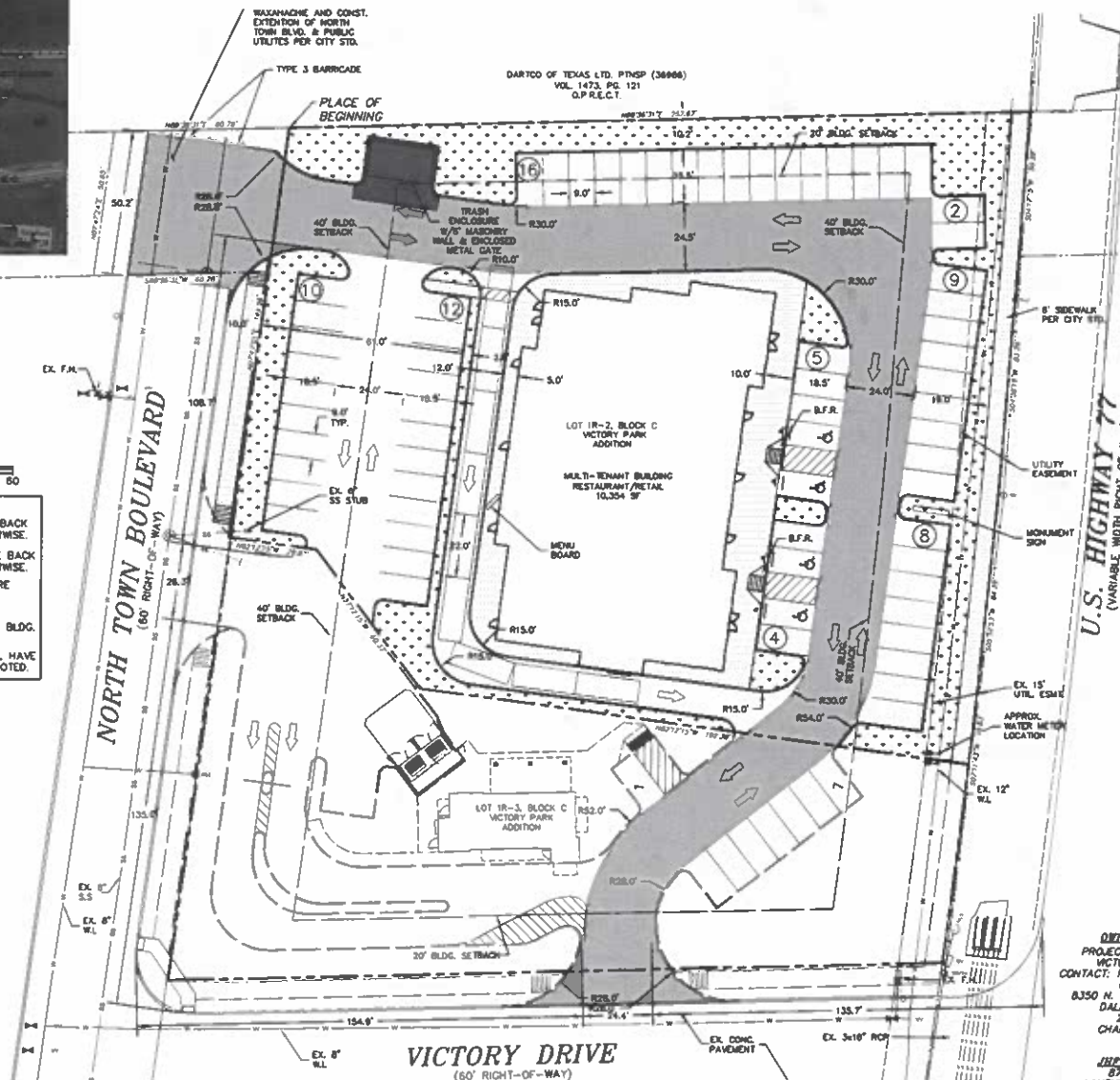
EXHIBIT A - LOCATION MAP

(17)

PRINTED: 6/29/2023 578 FILE: WER-PAYING STD LAST SAVED: 6/29/2023 11:34 AM SAVED BY: JHFE FILE: 500 SITE PLAN - 22018.DWG



- GENERAL NOTES:**
1. ALL COORDINATES ARE TO THE BACK OF CURB, UNLESS NOTED OTHERWISE.
 2. DIMENSIONS SHOWN ARE TO THE BACK OF CURB, UNLESS NOTED OTHERWISE.
 3. ALL PROPOSED CURB RADIUS ARE 2.5' B/C, WITHIN PARKING LOT, UNLESS NOTED OTHERWISE.
 4. SEE ARCHITECTURAL PLANS FOR BLDG.
 5. ALL CONCRETE PAVEMENT SHALL HAVE 6" CURBS UNLESS OTHERWISE NOTED.



SITE DATA CHART

EXISTING ZONING	GENERAL RETAIL
PROPOSED USES	RETAIL/RESTAURANT W/ DRIVE THROUGH
LOT AREA	1.305 AC
BUILDING AREA TOTAL	10,354 SF (DRIVING/PATIO)
RETAIL	3,354 SF
RESTAURANT	7,000 SF (4,200 SF SEATING)
PARKING REQ'D	RETAIL=3354 SF/200 SF=17 SPACES RESTAURANT=4200 SF/100 SF=42 SPACES 39 TOTAL REQUIRED
PARKING PROVIDED	66 SPACES
BUILDING HEIGHT	25'
FLOOR AREA RATIO	0.20 FAR
IMPERVIOUS AREA	48753 SF (82%)

CAUTION!!
EXISTING UTILITIES ARE INDICATED ON THE PLANS FROM AVAILABLE INFORMATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION OF ALL UTILITIES, TO NOTIFY ALL UTILITY COMPANIES OF THE CONTRACTORS OPERATIONS, TO PROTECT ALL UTILITIES FROM DAMAGE, TO REPAIR ALL UTILITIES DAMAGED DUE TO THE CONTRACTORS OPERATIONS, AND TO NOTIFY THE ENGINEER PROMPTLY OF ALL CONFLICTS OF THE WORK WITH EXISTING UTILITIES.

NOTE:
SITE PLAN SHALL MEET CITY DRAINAGE REQUIREMENTS.

LEGEND

	PROPOSED LANDSCAPE /SEEDING AREAS
	PROPOSED CONCRETE SIDEWALK
	LIGHT DUTY CONCRETE PAVEMENT
	6" FIRELANE PAVEMENT 3,600psi CONC. W/#3018
	HEAVY DUTY CONCRETE PAVEMENT
	UNIT COUNT
	EXPANSION JOINTS
	E.O.P. EDGE OF PAVEMENT
	B.F.R. BARRIER FREE RAMP

OWNER/DEVELOPER
PROJECT: LOT 2B-1, BLOCK C
VICTORY PARK ADDITION
CONTACT: FOREMARK DEVELOPMENT
CHAD DUBOSE
8350 N. CENTRAL EXPRESSWAY
DALLAS, TEXAS 75206
214-561-6322
CHAD@FOREMARK.COM

ENGINEER
JHF ENGINEERING
8350 FM 225 S
LANEVILLE, TEXAS 75667
CONTACT: JAKE FEARS, P.E.
(903) 648-8340
EMAIL: jakefears@JHFEEngineering.com

SUP DATA

SPECIFIC USE PERMIT
VICTORY RETAIL
DRIVE-THROUGH
1.305 ACRES
WAXAHACHIE, TEXAS
CASE NO. ZDC-4-2023

JHF ENGINEERING, PLLC.
ENGINEERS LAND PLANNERS
275 N 225 S LANE, SUITE 200 WAXAHACHIE, TEXAS 75090-4300

1965 N. HWY. 77
LOT 2B, BLOCK C
VICTORY PARK ADDITION
ELLIS COUNTY
WAXAHACHIE, TEXAS

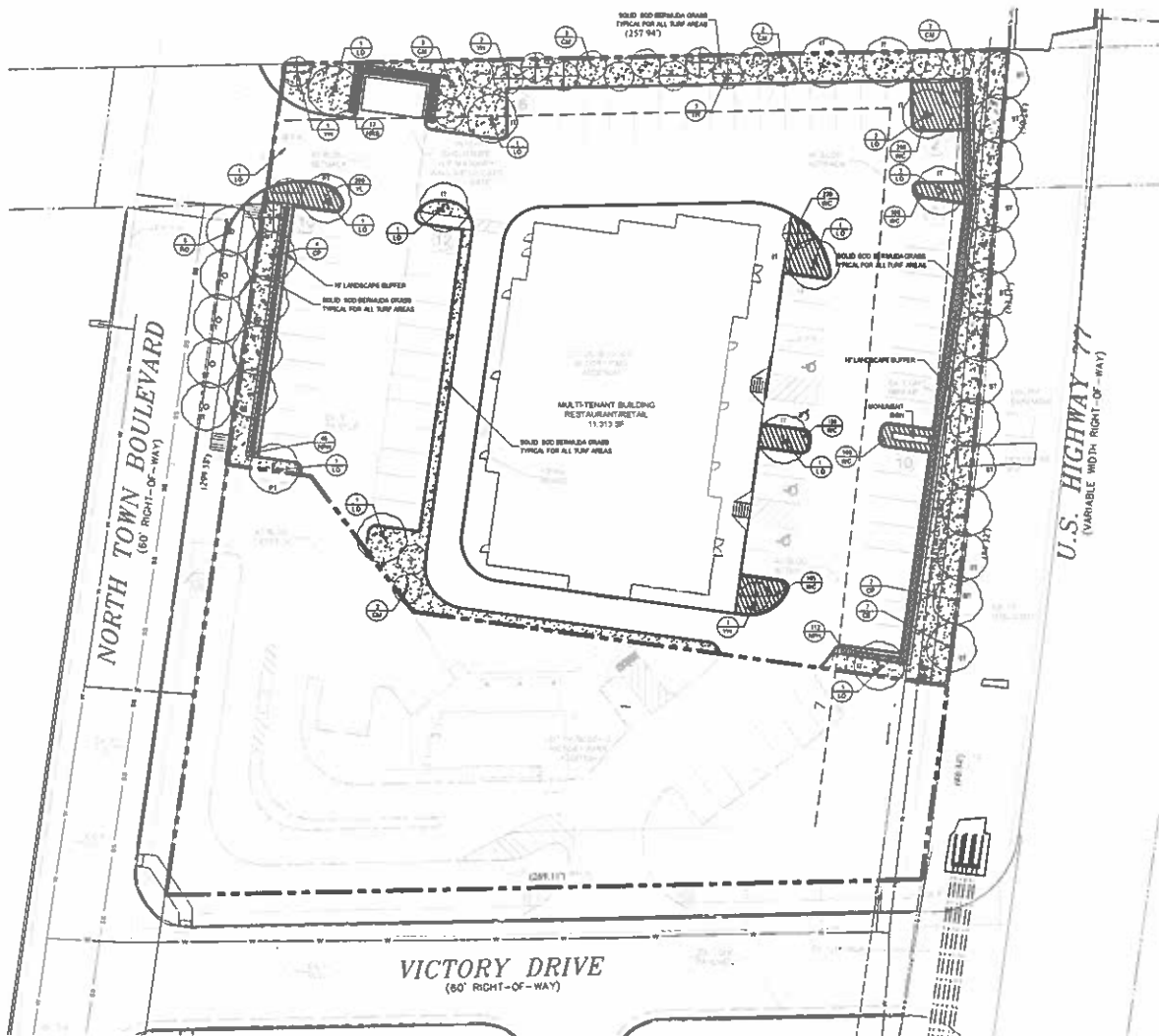
SITE PLAN

PRELIMINARY PLANS
FOR PROJECT REVIEW
NOT FOR
CONSTRUCTION,
BIDDING OR PERMIT
PURPOSES
Prepared By: JDF Under
Direct Supervision Of
Jacob H. Fears, P.E.
Texas Registration No. 98378
On Date Shown Below

Copyright © JHF Engineering, PLLC
WAXAHACHIE, TEXAS
DATE: 6/29/2023
BY: JDF

SHEET No.
S101

EXHIBIT B - SITE PLAN



VICTORY DRIVE
(60' RIGHT-OF-WAY)

U.S. HIGHWAY 77
(VARIABLE WIDTH RIGHT-OF-WAY)

PLANT MATERIAL SCHEDULE:

TYPE	QTY	COMMON NAME	ALTERNATE NAME	SIZE	REMARKS
CE	7	Center Elm	Ulmus crinitus	8-10' 12" H.	3" spread min., 8' clear trunk.
CM	13	Crape Myrtle	Lagerflora indica	6' H.	container, 3 or 5 trunks, true form.
CP	11	Chinese Pistache	Pistacia chinensis	7' H.	container, 1 H., 8' spread, 12' clear straight trunk.
LO	13	Live Oak	Quercus virginiana	6' H.	container, 12 H., 8' spread, 9' clear straight trunk.
RD	5	Red Oak	Quercus rubra	6' H.	container, 3 or 5 trunks, true form.
YH	11	Yucca nodosa	Yucca nodosa	6' H.	container, 3 or 5 trunks, true form.
TYPE	QTY	COMMON NAME	ALTERNATE NAME	SIZE	REMARKS
MPH	157	Manzanita	Artemisia tridentata	3' gal	container, 24" H., 20" spread.
NBS	17	Northern Bayberry	Myrica aspleneifolia	3' gal	container, 24" H., 20" spread.
TYPE	QTY	COMMON NAME	ALTERNATE NAME	SIZE	REMARKS
TL	200	Yellow Lantana	Lantana canescens	4" pots	container, 5-12" height min., 12" H.
MC	1,075	Purple Wintercreeper	Vinca major	4" pots	container, 5-12" height min., 12" H.
MC	1,075	Purple Wintercreeper	Viola wittrockiana	4" pots	container, 5-12" height min., 12" H.

NOTE: Plant list is an aid to bidders only. Caretaker shall verify all quantities on plan. All heights and spreads are minimums. All plant material shall meet or exceed standards as indicated. All trees to have straight trunks and be without major defects.

LANDSCAPE TABULATIONS

INTERIOR LANDSCAPE AREA
DESIGNATED: 10% OF THE BUILDING SQUARE
FOOTAGE SHALL BE LANDSCAPE AREA.
BUILDING AREA 11,213 S.F.
REQUIRED 1,121 S.F. (10%). PROVIDED 1,121 S.F. (10%).

PLANTING REQUIREMENTS
CARPENTRY: 1 TREE PER 500 S.F. OF REQUIRED
INTERIOR LANDSCAPE AREA.
REQUIRED 22 TREES PROVIDED 22 TREES

UNDERSTORY TREES: 1 TREE PER 200 S.F.
REQUIRED 55 TREES PROVIDED 55 TREES

SHRUBS: 1 SHRUB PER 10 S.F.
REQUIRED 111 SHRUBS PROVIDED 111 SHRUBS

GROUNDCOVER: 10% OF REQUIRED AREA
REQUIRED 1,121 S.F. PROVIDED 1,121 S.F.

SEASONAL COLOR: 7% OF REQUIRED AREA
REQUIRED 784 S.F. PROVIDED 784 S.F.

PARKING LOT LANDSCAPING
REQUIREMENT: 10 S.F. OF LANDSCAPING PER
PARKING SPACE AND TWO (2) TREES OF CAL. AND
TEX. (NO SHRUBS REQUIRED FOR EVERY 500 S.F. OF
REQUIRED PARKING LOT LANDSCAPE AREA.
TOTAL PARKING SPACES = 68

REQUIRED 68 TREES PROVIDED 68 TREES

SHRUBS: 1 SHRUB PER 10 S.F.
REQUIRED 68 SHRUBS PROVIDED 68 SHRUBS

GROUNDCOVER: 10% OF REQUIRED AREA
REQUIRED 684 S.F. PROVIDED 684 S.F.

SEASONAL COLOR: 7% OF REQUIRED AREA
REQUIRED 478 S.F. PROVIDED 478 S.F.

PARKING LOT LANDSCAPING
REQUIREMENT: 10 S.F. OF LANDSCAPING PER
PARKING SPACE AND TWO (2) TREES OF CAL. AND
TEX. (NO SHRUBS REQUIRED FOR EVERY 500 S.F. OF
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REQUIRED 68 TREES PROVIDED 68 TREES

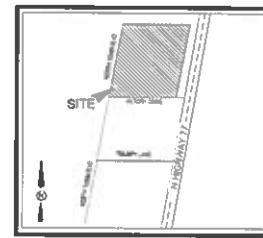
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REQUIRED 684 S.F. PROVIDED 684 S.F.

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TEX. (NO SHRUBS REQUIRED FOR EVERY 500 S.F. OF
REQUIRED PARKING LOT LANDSCAPE AREA.
TOTAL PARKING SPACES = 68

REQUIRED 68 TREES PROVIDED 68 TREES



VICINITY MAP

SOLID 300 NOTES

1. THE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON THE PLAN. LEAVE AREAS TO RECEIVE TOPSOIL. 2" BELT OF FINE DEBRIS GRADE INCLUDING AREAS AND 1" BELOW FINE GRADE TO FILL AREAS.
2. ADJUST CONTOURS TO ACHIEVE FINEST POSSIBLE DRAINAGE AWAY FROM BUILDING. PROVIDE LANDFORMS INCLUDING AT TOP AND BOTTOM OF SLOPES AND OTHER AREAS IN GRADE. CORRECT INSTALLATIONS AND AREAS WHERE WATER MAY STAGNATE.
3. ALL LAND AREAS TO RECEIVE SOLID 300 SHALL BE LEFT IN A MINIMUM OF 1" BELOW FINAL CONTOUR. CONTRACTOR TO COORDINATE EROSION CONTROL WITH OTHER CONSTRUCTION ACTIVITIES.
4. CONTRACTOR TO COORDINATE WITH OTHER CONSTRUCTION ACTIVITIES FOR AVAILABILITY OF EXISTING TOPSOIL.
5. PLANT 300 BY HAND TO COVER INDICATED AREA COMPLETELY. INSURE BONES OF 300 ARE TOUCHING. TOP DRESS AREAS BY HAND WITH TOPSOIL TO FILL Voids.
6. SOIL GRASS SHALL BE A MINIMUM OF 1" BELOW FINE GRADE. FREE FROM UNDESIRABLE WEEDS AND INVASIVE SPECIES.
7. WATER 300 THROUGHLY AS SOON AS OPERATION PROCEEDS HERE.
8. CONTRACTOR SHALL MAINTAIN ALL LAND AREAS IN LAWN. ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT LIMITED TO, MOISTURE, SOIL, AND FERTILIZER. ON DRAINAGE, CLEANING AND REPLACING DEAD OR DAMAGED AREAS TO KEEP PLANTS IN A HEALTHY, FULL GROWTH CONDITION.
9. CONTRACTOR SHALL MAINTAIN ESTABLISHMENT OF AN ACCEPTABLE LAWN AREA AND SHALL PROVIDE SIGNAGE FROM LOCAL AGENCY IF NECESSARY.
10. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, ALL SOIL SHALL BE COVERED WITH MULCH OR GRASS. AT A RATE OF 10 POUNDS PER ONE THOUSAND SQUARE FEET.

GENERAL LAWN NOTES

1. THE GRADE AREAS TO ACHIEVE FINAL CONTOURS INDICATED ON THE PLAN.
2. ADJUST CONTOURS TO ACHIEVE FINEST POSSIBLE DRAINAGE AWAY FROM BUILDING. PROVIDE LANDFORMS INCLUDING AT TOP AND BOTTOM OF SLOPES AND OTHER AREAS IN GRADE. CORRECT INSTALLATIONS AND AREAS WHERE WATER MAY STAGNATE.
3. ALL LAND AREAS TO RECEIVE SOLID 300 SHALL BE LEFT IN A MINIMUM OF 1" BELOW FINAL GRADE. CONTRACTOR TO COORDINATE EROSION CONTROL WITH OTHER CONSTRUCTION ACTIVITIES.
4. IMPORTED TOPSOIL SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION.
5. ALL LAND AREAS TO BE FINE GRADED. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION.
6. ALL MOIST 300 SHALL BE FINE GRADED. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION. GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION.
7. CONTRACTOR SHALL PROVIDE (7) ONE INCH OF IMPORTED TOPSOIL ON ALL AREAS TO RECEIVE LAWN.

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL DRAINAGE AND PROPOSED 300 BELIEVED BY ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF 6.00% CONTOURS HAS BEEN PROVIDED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY ARCHITECT OF ANY DISCREPANCIES. CONTRACTOR SHALL EXCAVATE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND PLANTING PERMITS.
4. ALL LANDSCAPE AREAS TO BE 10% IRRIGATED WITH AN UNDERGROUND ALIQUOT RE-IRRIGATION SYSTEM AND SHALL INCLUDE MAIN AND FEEDER LINES.
5. ALL LAND AREAS TO BE SOLID 300 BENEATH LAWN. LAWN GRASS SHALL BE NATURAL, PROBABLE SOIL FROM THE REGION.

EXHIBIT C - LANDSCAPE PLAN

TREE LEGEND

- BT BUFFER YARD TREE
- IT INTERIOR LANDSCAPE TREE
- PT PARKING LOT TREE
- ST STREET TREE

OWNER/DEVELOPER
PROJECT: L.P. 201, Block C
VICTORY PARK Addition
CONTACT: FORNARDI DEVELOPMENT
CHAD QUIGLEY
4306 W. CENTRAL EXPRESSWAY
DALLAS TEXAS 75209
214.461.8827
CHAD@FORNARDI.COM

DESIGNER
JMF ENGINEERING
6706 FM 225 S
LAKEVILLE TEXAS 76150
CONTACT: JAKE PEARL, P.E.
(940) 640-4340
JPEARL@JMFENGINEERING.COM

SUBMITTAL DATA
SHEET: 104 PRELIM
VICTORY PARK
3000.00 SQ. FT.
1.00 ACRES
WAXACVILLE TEXAS
DATE: 02.13.2023

01 LANDSCAPE PLAN
SCALE: 1" = 20'-0"

LANDSCAPE ARCHITECT
STUDIO GREEN SPOT INC.
1704 W. UNDERSTREET DR.
SUITE 110
ALLEN TEXAS 75013
(409) 388-4446
CHP@STUDIOGREENSPOT.COM



MULTI-TENANT BUILDING DEVELOPMENT
1905 NORTH HWY 77
LOT 2R, BLOCK C
VICTORY PARK ADDITION
ELLIS COUNTY
CITY OF WAXACVILLE, TEXAS

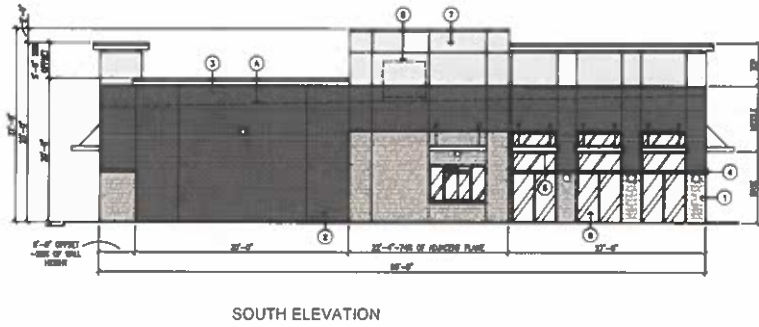
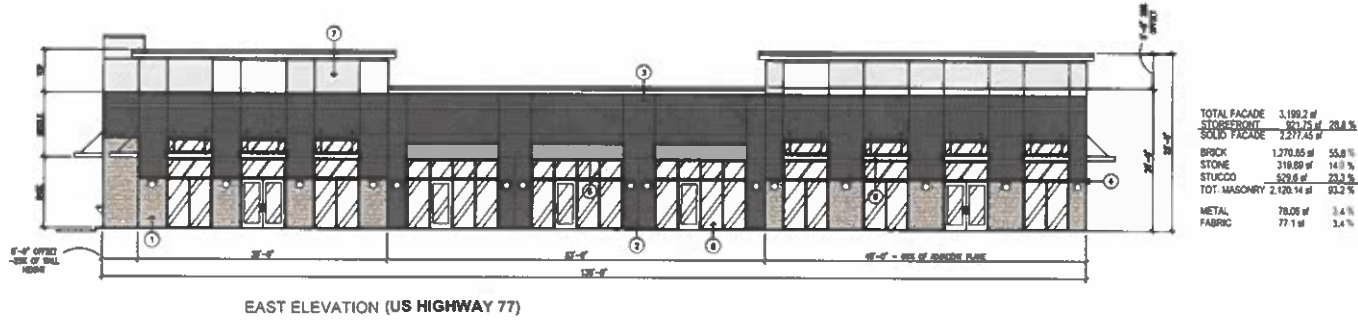
REUSE:
FOR APPROVAL: 01.08.2023
CITY COMMENTS: 01.17.2023
CITY COMMENTS: 02.13.2023
CITY COMMENTS: 02.13.2023

DATE:
03.03.2023

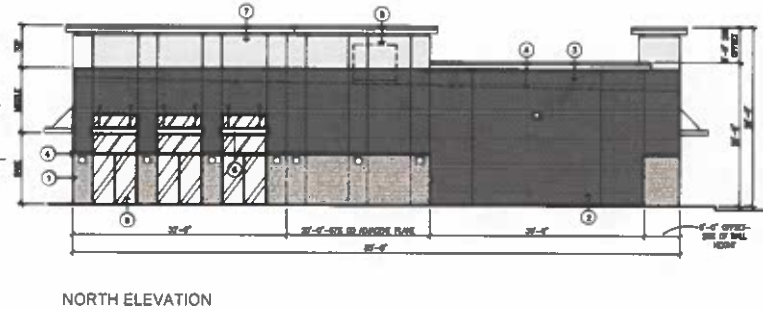
SHEET NAME:
LANDSCAPE PLAN

SHEET NUMBER:

L.1



TOTAL FACADE	1,987.5 sf
STOREFRONT	229.7 sf 11.5 %
SOLID FACADE	1,758.3 sf
BRICK	1,108.6 sf 63.2 %
STONE	263.0 sf 14.9 %
STUCCO	337.1 sf 19.2 %
TOT. MASONRY	1,708.7 sf 97.3 %
METAL	48.3 sf 2.7 %



KEYED NOTES:
 (A) LINE OF ROOF DECK BEYOND
 (B) HVAC UNIT BEYOND

MATERIAL LEGEND:
 (1) COURSED STONE
 (2) BRICK A - WARM BROWN
 (3) BRICK B - WARM TAN
 (4) CAST STONE BAND
 (5) FABRIC AWNING
 (6) METAL CANOPY
 (7) STUCCO
 (8) STOREFRONT GLASS
 (9) HOLLOW METAL DOORS

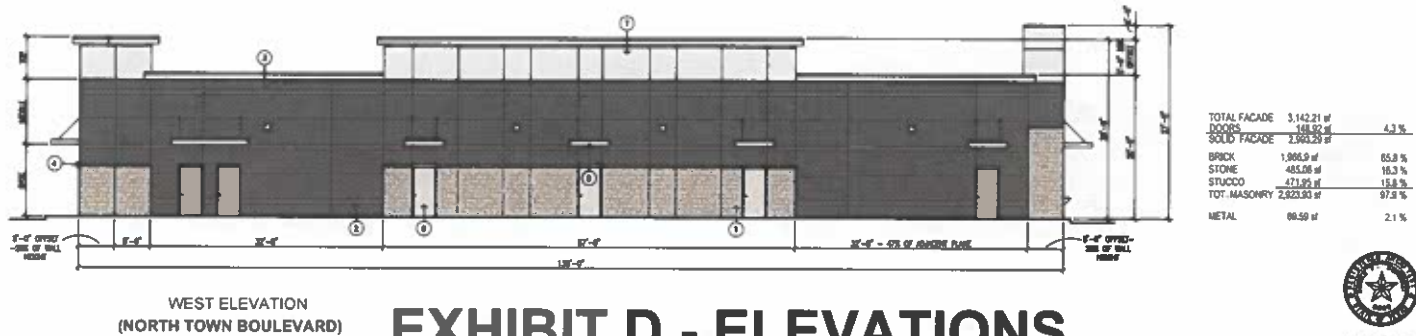


EXHIBIT D - ELEVATIONS

(13)



STATE OF TEXAS	§	DEVELOPMENT AGREEMENT
	§	FOR VICTORY RETAIL
COUNTY OF ELLIS	§	

This Development Agreement for Victory Retail ("Agreement") is entered between C&C Waxahachie, LLC ("C&C" or "Developer"), and the City of Waxahachie, Texas ("City"). C&C and the City are sometimes referred herein together as the "Parties" and individually as a "Party."

Recitals:

1. C&C is the owner of approximately 1.305 acres of real property located at 1995 North Highway 77, Parcel Number 262424 in the City of Waxahachie, Texas (the "Property"), for which the applicant has requested a specific use permit ("SUP") for a restaurant with a drive-through use. The property is currently zoned General Retail (GR) District and Light Industrial-1 (LI-1) District by the City, and is anticipated to have the SUP reviewed on July 17, 2023.

2. The planned use for the Property is for a SUP to allow for a restaurant with a drive-through use. The SUP process is utilized to ensure that the Property would develop in a manner that meets the City's desired development standards and provides C&C with agreed-upon and negotiated standards consistent with their business objectives.

3. As is reflected by the public records of the City, significant discussions and negotiations between representatives of C&C and the City of Waxahachie staff have occurred during various meetings, in an effort to obtain an agreed-upon and negotiated set of zoning and development standards to be reflected in the SUP zoning amendment Ordinance No. _____ (the "Victory Retail SUP Ordinance"), a copy of which is attached hereto as *Exhibit A* and which contains the negotiated zoning and development standards for Victory Retail.

4. This Agreement seeks to incorporate the negotiated and agreed upon zoning and development standards contained in the Victory Retail SUP Ordinance as contractually-binding obligations between the City of Waxahachie and C&C, and to recognize C&C's reasonable investment-backed expectations in the Victory Retail SUP Ordinance.

NOW, THEREFORE, for and in consideration of the above and foregoing premises, the benefits to each of the Parties from this Agreement, and other good and valuable consideration, the sufficiency of which is hereby acknowledged and agreed, the Parties do hereby agree as follows:

Section 1. Incorporation of Premises. The above and foregoing Recitals are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Term. This Agreement shall be effective as of the date of execution of this Agreement by the last of the Parties to do so ("**Effective Date**"). This Agreement shall remain in full force and effect from the Effective Date until terminated by the mutual agreement of all of the Parties in writing ("**Term**").

Section 3. Agreements. The Parties agree as follows:

Incorporation of Zoning and Recognition of Investment-Backed Expectations:

The negotiated and agreed upon zoning and development standards contained in the Victory Retail SUP Ordinance, which incorporated by reference the general zoning regulations of the City of Waxahachie zoning ordinance, are hereby adopted and incorporated into this Agreement as contractually-binding obligations of the Developer.

The Developer agrees to:

- (A) The subject property shall conform to the site plan approved by the City Council under case number ZDC-04-2023.
- (B) Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Site Plan, Exhibit C - Landscape Plan, and Exhibit D – Elevations.
- (C) The building shall consist of the building design and composed of the exterior finishing materials and their associated percentages as provided in Exhibit D – Architectural Elevations.
- (D) The Applicant and/or Developer for the subject property shall be responsible for obtaining building permits per the City's applicable rules and regulations governing such permits.
- (E) The Applicant shall provide a permanent irrigation system for all required landscape areas shown on Exhibit C – Landscape Plan and maintain the landscaping required for screening at all times.
- (F) The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits B, C, and D.
- (G) The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.

In consideration of C&C's agreement in this regard, the City of Waxahachie agrees that C&C has reasonable investment-backed expectations in the Victory Retail SUP Ordinance and that the City of Waxahachie may not unilaterally change the zoning and development standards contained in the Victory Retail Ordinance without impacting C&C's reasonable investment-backed expectations.

Section 4. Miscellaneous

- A. This Agreement and any dispute arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without reference to its conflict of law rules. In the event of any dispute or action under this Agreement, venue for any and all disputes or actions shall be instituted and maintained in Ellis County, Texas.
- B. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create a partnership, joint venture, joint enterprise, or other relationship between or among the Parties.
- C. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the Parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- D. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the Parties may have by law statute, ordinance, or otherwise. The failure by any Party to exercise any right, power, or option given to it by this Agreement, or to insist upon strict compliance with the terms of this Agreement, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach thereof, nor a waiver by such Party of its rights at any time thereafter to require exact and strict compliance with all the terms hereof. Any rights and remedies any Party may have with respect to the other arising out of this Agreement shall survive the cancellation, expiration or termination of this Agreement, except as otherwise expressly set forth herein.
- E. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.
- F. Any of the representations, warranties, covenants, and obligations of the Parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination or expiration of this Agreement shall survive termination or expiration.
- G. This Agreement is made subject to the existing provisions of the City of Waxahachie, its present rules, regulations, procedures and ordinances, and all applicable laws, rules, and regulations of the State of Texas and the United States.
- H. The undersigned officers and/or agents of the Parties hereto are the properly authorized persons and have the necessary authority to execute this Agreement on behalf of the Parties hereto.

- I. This Agreement may be only amended or altered by written instrument signed by the Parties.
- J. The headings and captions used in this Agreement are for the convenience of the Parties only and shall not in any way define, limit or describe the scope or intent of any provisions of this Agreement.
- K. This Agreement is the entire agreement between the Parties with respect to the subject matters covered in this Agreement. There are no other collateral oral or written agreements between the Parties that in any manner relates to the subject matter of this Agreement, except as provided or referenced in this Agreement.
- L. This Agreement shall be recorded in the real property records of Ellis County, Texas. This Agreement and all of its terms, conditions, and provisions is and shall constitute a restriction and condition upon the development of the Property and all portions thereof and a covenant running with the Property and all portions thereof, and is and shall be binding upon C&C and all heirs, successors, and assigns and the future owners of the Property and any portion thereof; provided, however, this Agreement shall not constitute an obligation of or be deemed a restriction or encumbrance with respect to any platted residential lot upon which a completed structure has been constructed.
- M. **Form 1295 Certificate.** The Developer agrees to comply with Texas Government Code, Section 2252.908 and in connection therewith, the Developer agrees to go online with the Texas Ethics Commission to complete a Form 1295 Certificate and further agrees to print the completed certificate and execute the completed certificate in such form as is required by Texas Government Code, Section 2252.908 and the rules of the Texas Ethics Commission and provide to the Town, at the time of delivery of an executed counterpart of this Agreement, a duly executed completed Form 1295 Certificate.
- N. **Undocumented Workers Provision.** The Developer certifies that Developer does not and will not knowingly employ an undocumented worker in accordance with Chapter 2264 of the Texas Government Code, as amended. If during the Term of this Agreement, Developer is convicted of a violation under 8 U.S.C. § 1324a(f), Developer shall repay the amount of any public subsidy provided under this Agreement to Developer plus six percent (6.0%), not later than the 120th day after the date the Town notifies Developer of the violation.
- O. **Non-Boycott of Israel Provision.** In accordance with Chapter 2270 of the Texas Government Code, a Texas governmental entity may not enter into an agreement with a business entity for the provision of goods or services unless the agreement contains a written verification from the business entity that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the agreement. Chapter 2270 of the Texas Government Code does not apply to a (1) a company that is a sole proprietorship; (2) a company that has fewer than ten (10) full-time employees; or (3) the contract has a value of less than One Hundred Thousand Dollars (\$100,000.00). Unless Developer is not subject to Chapter 2270 of the Texas Government Code for the reasons stated herein, the signatory executing this Agreement on behalf of Developer verifies that Developer does not boycott Israel and will not boycott Israel during the Term of this Agreement.

- P. **Prohibition on Contracts with Certain Companies Provision.** In accordance with Section 2252.152 of the Texas Government Code, the Parties covenant and agree that Developer is not on a list maintained by the State Comptroller's office prepared and maintained pursuant to Section 2252.153 of the Texas Government Code.
- Q. **Verification Against Discrimination of Firearm or Ammunition Industries.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 19, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (2) the Developer will not discriminate during the Term of the Agreement against a firearm entity or firearm trade association.
- R. **Verification Against Discrimination Developer Does Not Boycott Energy Companies.** Pursuant to Texas Government Code Chapter 2274, (as added by Texas Senate Bill 13, 87th Tex. Reg. Session (2021) (effective September 1, 2021)) unless otherwise exempt, if the Developer employs at least ten (10) fulltime employees and this Agreement has a value of at least \$100,000 that is paid wholly or partly from public funds of the Town, the Developer represents that: (1) the Developer does not boycott energy companies; and (2) the Developer will not boycott energy companies during the Term of this Agreement.

(14)

{Signature Pages Follow}

EXECUTED by the Parties on the dates set forth below, to be effective as of the date first written above.

CITY OF WAXAHACHIE, TEXAS

By: _____
Michael Scott, City Manager

Date: _____

ATTEST:

By: _____
City Secretary

STATE OF TEXAS §
 §
COUNTY OF ELLIS §

Before me, the undersigned authority, on this _____ day of _____, personally appeared Michael Scott, City Manager of the City of Waxahachie, Texas, 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 purposes and consideration therein expressed.

[Seal]

By: _____

Notary Public, State of Texas

My Commission Expires: _____

(14)

DEVELOPER:

C&C WAXAHACHIE, LLC
a limited liability corporation

By: _____

Name: _____

Its: _____

Date: _____

STATE OF _____ §

COUNTY OF _____ §

Before me, the undersigned authority, on this _____ day of _____, personally appeared _____, representative of C&C Waxahachie, LLC, 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 purposes and consideration therein expressed.

[Seal]

By: _____

Notary Public, State of _____

My Commission Expires: _____

Planning & Zoning Department

Zoning Staff Report

Case: ZDC-48-2023



MEETING DATE(S)

Planning & Zoning Commission: July 11, 2023

City Council: July 17, 2023

CAPTION

Public Hearing on a request by James Dixon, Dixon & Associates, for a **Specific Use Permit (SUP)** for an Accessory Structure over 700 Square Feet use within a Single-Family Dwelling-2 (SF-2) zoning district located at 149 Country Drive (Property ID 203065) - Owner: Nicolas & Maria Sierra (ZDC-48-2023).

RECOMMENDED MOTION

"I move to approve ZDC-48-2023, a Specific Use Permit (SUP) for an Accessory Structure over 700 Square Feet use within a Single-Family 2 (SF-2), subject to the conditions the staff report."

ACTION SINCE INITIAL STAFF REPORT

At the Planning and Zoning Commission meeting held on July 11, 2023, the Commission voted 6-0 to recommend approval of case number ZDC-48-2023, subject to staff comments.

APPLICANT REQUEST

The Applicant requests approval of a Specific Use Permit (SUP) to allow for an Accessory Structure over 700 Square Feet use for Nicolas and Maria Sierra at 149 Country Drive.

CASE INFORMATION

Applicant: James Dixon, Dixon & Associates

Property Owner(s): Nicolas & Maria Sierra

Site Acreage: 1.03 acres

Current Zoning: Single-Family 2 (SF-2)

Requested Zoning: SF-2 with a specific use permit (SUP) for an Accessory Structure over 700 square feet

SUBJECT PROPERTY

General Location: Generally located at 149 Country Drive

Parcel ID Number(s): 203065

Existing Use: Residential use

Development History:

The subject property was platted as Lot 25, Block 4 of Country Place Addition Phase Five.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF2	Residential use
East	SF2	Residential use
South	PD (Ord. 2914)	Residential use
West	SF2	Residential use

Future Land Use Plan:

Residential Neighborhood

Comprehensive Plan:

This placetype serves to create neighborhoods built with a traditional walkable block/street grid network that allows some variation in housing typologies. Although this placetype will predominantly consist of traditional single family detached housing, denser housing types are encouraged such as duplex, cottage courts, and townhomes. Both residential and commercial uses need to be context-sensitive. Commercial uses in this placetype may be a small pop-up facility or a home converted to a small store front. Walkability is key for neighborhood commercial uses so that they are accessible from surrounding neighborhoods.

Thoroughfare Plan:

The primary access to the subject property is through Grove Creek Road.

Site Image:

PLANNING ANALYSIS

The applicant is requesting a specific use permit to construct an accessory structure greater over 700 square feet on the rear side of single-family residential lot at 149 Country Drive. Per the City of Waxahachie Zoning Ordinance, an accessory structure that is equal to or greater than 700 square feet requires a Specific Use Permit (SUP) to be approved by City Council.

Proposed Use:

According to the Ellis County Appraisal District, the single-family dwelling has an approximate size of 2,913 square feet, and the proposed accessory structure has an area of 725 square feet and have an exterior masonry construction to match the primary building. The owner plans to utilize the accessory structure for storing household items, tools, lawn equipment, and vehicles. The structure will be situated at the back of the property, towards the southern part of the lot.

The applicant has confirmed to staff that the structure will not be used as a dwelling and will not be metered, sold, or leased separately from the existing home.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements 14 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun, and a sign was visibly posted at the property. At the time of publishing this report, Staff received 2 letters of support.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents associated with the request, the Planning Department recommends approval of the SUP request with the conditions listed below.

1. The accessory structure shall not be used as a dwelling without a Specific Use Permit that has been approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The accessory structure shall obtain a permit from the City of Waxahachie Building Department before constructing the accessory structure.

ATTACHED EXHIBITS

1. SUP Ordinance
2. Location map
3. Site layout exhibit
4. Site plan
5. Floorplan/Exterior elevations
6. PON Responses

APPLICANT REQUIREMENTS

1. If approved by City Council, the Applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION*Prepared by:*

Oanh Vu

Planner

oanh.vu@waxahachie.com*Reviewed by:*

Jennifer Pruitt, AICP, LEED-AP, CNU-A

Senior Director of Planning

jennifer.pruitt@waxahachie.com



City of Waxahachie, Texas
Notice of Public Hearing
Case Number: ZDC-48-2023

ASHDOWN MARCUS
151 COUNTRY DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 11, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by James Dixon, Dixon & Associates, for a Specific Use Permit (SUP) for an Accessory Building (Residential), Greater than or Equal to 700 Square Feet use within the Single-Family Dwelling-2 (SF2) zoning district located at 149 Country Drive (Property ID: 203065) – Owners: NICHOLAS AND MARIA SIERRA (ZDC-48-2023) Staff: Oanh Vu

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-48-2023

City Reference: 203055

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on **July 5, 2023** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☒ SUPPORT

☐ OPPOSE

Comments:

Marcus Ashdown
 Signature

6/23/2023
 Date

Marcus Ashdown, neighbor
 Printed Name and Title

151 Centry Dr, Waxahachie
 Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.



City of Waxahachie, Texas
 Notice of Public Hearing
 Case Number: ZDC-48-2023



HOWELL JOHN S
 PO BOX 558
 WAXAHACHIE, TX 75168

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, July 11, 2023 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on Monday, July 17, 2023 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by James Dixon, Dixon & Associates, for a **Specific Use Permit (SUP)** for an **Accessory Building (Residential), Greater than or Equal to 700 Square Feet** use within the **Single-Family Dwelling-2 (SF2)** zoning district located at 149 Country Drive (Property ID: 203065) – Owners: NICHOLAS AND MARIA SIERRA (ZDC-48-2023) Staff: Oanh Vu

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: Planning@Waxahachie.com for additional information on this request.

Case Number: ZDC-48-2023

City Reference: 173126

Your response to this notification is optional. If you choose to respond, please return this form by 5:00 P.M. on *July 5, 2023* to ensure inclusion in the Agenda Packet. Forms can be e-mailed to Planning@Waxahachie.com or you may drop off/mail your form to City of Waxahachie, Attention: Planning, 401 South Rogers Street, Waxahachie, TX 75165.

☐ SUPPORT

☐ OPPOSE

Comments:

If the structure is for a residence, I oppose it - I have already noted recurrent loud nighttime music from that household; If it is for storage or a workshop, I support it.

John Howell
 Signature

June 27, 2023
 Date

John Howell
 Printed Name and Title

144 Country Drive
 Address

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)

If you are not the addressee at the top of this form, but would like to submit a response, please contact the City for a blank form.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY STRUCTURE GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE-FAMILY DWELLING-2 (SF-2) ZONING DISTRICT AT 149 COUNTY DRIVE IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.031 ACRES KNOWN AS PROPERTY ID 203065, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

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

WHEREAS, the City Council of the City of Waxahachie having adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

WHEREAS, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-48-2023. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

WHEREAS, a proper hearing was held as required by law and the City Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2, with an SUP in order to allow an Accessory Structure Greater Than 700 Square Feet use on the following property: Property ID 203065, which is shown on the location map (Exhibit A).

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR AN ACCESSORY STRUCTURE GREATER THAN 700 SQUARE FEET USE (NICOLAS AND MARIA SIERRA) IN THE SINGLE-FAMILY DWELLING-2 (SF-2) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The accessory structure shall not be used as a dwelling without a Specific Use Permit that has been approved by City Council.
2. The accessory structure shall not be used for commercial purposes.
3. The accessory structure shall not be leased or sold separately from the primary residence and shall not be separately metered.
4. The accessory structure shall obtain a permit from the City of Waxahachie Building Department before constructing the accessory structure.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business of establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate for a period exceeding six (6) months, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 17th day of July, 2023.

MAYOR

ATTEST:

City Secretary



(16)



Site Layout Exhibit ZDC-48-2023

Property Line

Proposed Accessory
Structure (1176 sq. ft.)

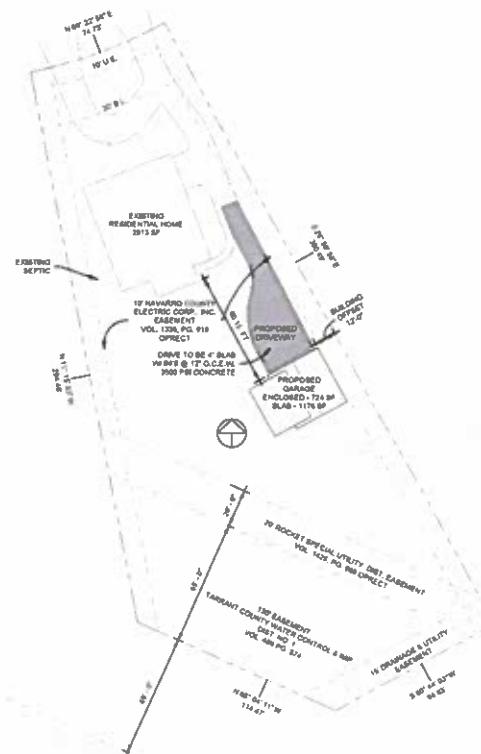
Existing Home

EXHIBIT B - SITE LAYOUT EXHIBIT

0 30 60 120 Feet

(91)

EXHIBIT C - SITE PLAN



① 5th Plan
1" = 30'-0"



Garage Project
149 Country Drive
Waxahachie, Texas

[illegible]

Sierra Family

Site Plan

Project number	23018-0
Date	6/16/2023
Drawn by	Juhye
Checked by	Cheng

C1

Scale 1" = 30'-0"

**DIXON &
ASSOCIATES**

CONSULTING
STRUCTURAL ENGINEERS

503 NORTH ROCKWELL ST.
WAXAHAM, TEXAS 75165
Ph 972-322-1910

TX PERM NO. 00056



Garage Project
149 Country Drive
Waxahachie, Texas

[illegible]

First Floor Framing Plan

Project number	33015-01
Date	8/16/2023
Drawn by	JOD
Checked by	JOD

S2

Scale 1/4" = 1'-0"

Scale $1/4" = 1'-0"$

**DIXON &
ASSOCIATES**
CONSULTING
STRUCTURAL ENGINEERS
502 NORTH BECKSBY ST.
WAXAHAM, TEXAS 75080
PH 817-552-1911
TX FIRM NO. 010155



Garage Project
149 Country Drive
Waxahachie, Texas

[illegible]

Sierra Family

Elevations

Project number	23016-01
Date	6/16/2023
Drawn by	Author
Checked by	Checker
S0	
Scale	1/4" = 1'-0"

(14)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, AICP Executive Director of Development Services
Thru: Michael Scott, City Manager
Date: July 12, 2023
Re: Consider a Resolution approving the relinquishment and adjustment of extraterritorial jurisdiction ("ETJ") boundaries with the City of Red Oak

Recommended Motion: "I move to approve the resolution relinquishing and adjusting the ETJ boundaries with the City of Red Oak per the boundary adjustment agreement and authorizing the City Manager and or Mayor to execute all necessary documents."

Item Description: This is the second of a two-step process. On June 19th the City Council approved the resolution and accompanying Interlocal Agreement with the City of Red Oak to allow for the release of extraterritorial jurisdiction and establishing of conditions of said boundary between the two municipalities' ETJs. This item is the resolution approving the actual relinquishment of jurisdiction and adjusting of boundaries per the attached exhibit.

Item Summary: This request was brought forward by the City of Red Oak to allow for the cohesive development of anticipated residential development that would span into both jurisdictions. This action would allow for that development to be reviewed, constructed, inspected and served by a single jurisdiction. City staff has reviewed this request and given the size and distance from city services, has no objection to relinquishing approximately 65 acres to the City of Red Oak.

Fiscal Impact: The relinquishment of this ETJ would have no significant impact in the foreseeable future to the City of Waxahachie's growth patterns or fiscal outlook.

Waxahachie-Red Oak ETJ Swap

(17)

4/14/2023

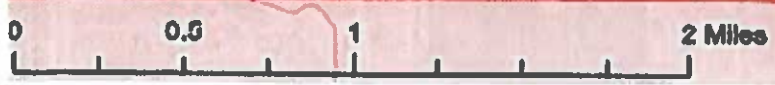
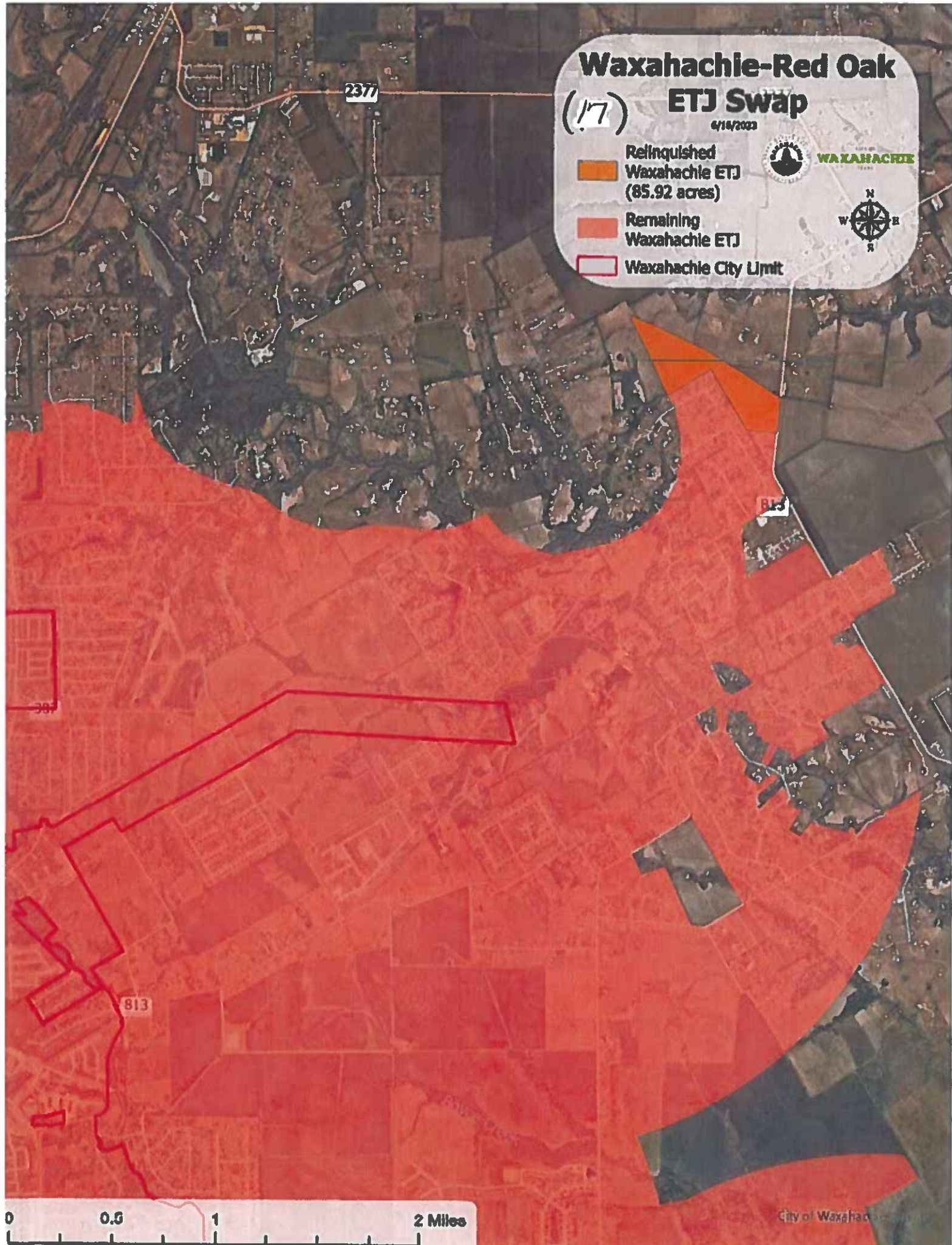
Relinquished
Waxahachie ETJ
(85.92 acres)

Remaining
Waxahachie ETJ

Waxahachie City Limit



WAXAHACHIE TEXAS



City of Waxahachie

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, RELINQUISHING AND ADJUSTING ANY AND ALL OF THE EXTRATERRITORIAL JURISDICTION DESCRIBED HEREIN PURSUANT TO AND IN ACCORDANCE WITH THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF WAXAHACHIE AND THE CITY OF RED OAK DATED JUNE 19TH, 2023; SUCH THAT THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION SHALL BE AND IS HEREBY ADJUSTED AND CONTRACTED TO RELINQUISH THE PROPERTY DESCRIBED AND DEPICTED IN EXHIBIT "A," ATTACHED HERETO AND INCORPORATED HEREIN; TO RELEASE SAID PROPERTY; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Waxahachie, Texas ("City"), has entered into an interlocal agreement with the City of Red Oak, Texas ("Red Oak"), which includes, among other things, an agreement to release a portion of the City's extraterritorial jurisdiction ("ETJ") such that the land and territory described and depicted in Exhibit "A," attached hereto and incorporated herein, shall be herein be released and which will result, by operation of law, in the inclusion of such released ETJ into the ETJ of Red Oak; and

WHEREAS, the City Council of the City of Waxahachie, Texas, finds and determines that the adjustment of the City's ETJ to relinquish the property described herein is in the best interests of the City and its citizens, and the revision, clarification and confirmation of the City's extraterritorial jurisdictional boundaries is in the best interests of the citizens of the City of Waxahachie.

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

SECTION 1: That the City Council of the City of Waxahachie, Texas, does hereby relinquish and adjust any and all of its extraterritorial jurisdiction pursuant to and in accordance with the Boundary Adjustment Agreement between the City of Waxahachie and the City of Red Oak dated June 19th, 2023; such that the City of Waxahachie's extraterritorial jurisdiction shall be and is hereby adjusted and contracted to relinquish from the City's ETJ the Property described and depicted in Exhibit "A," attached hereto and incorporated herein (the "Released ETJ Property").

SECTION 2. That the extraterritorial jurisdiction of the City of Waxahachie, Texas, shall be and is hereby contracted to include the Released ETJ Property as depicted, described and labeled in Exhibit "A"; and, the City Secretary is hereby authorized to file a certified copy of this Resolution with the Ellis County Clerk reflecting the action taken herein.

SECTION 3: This resolution shall take effect immediately upon its passage.

(17)

5
5/22/23

DULY PASSED by the City Council of the City of Waxahachie, Texas, on the _____ day
of _____, 2023.

APPROVED:

David Hill, Mayor

ATTEST:

Amber Villarreal, City Secretary

APPROVED AS TO FORM:

Robert F. Brown, City Attorney

[illegible]



Memorandum

To: Honorable Mayor and City Council
From: James Gaertner, PE, CPM, Executive Director of Public Works & Utilities
Thru: Michael Scott, City Manager
Date: July 17, 2023
Re: Speed Zone Ordinance for Highway 287 and Business 287

Motion: "I move to approve the Speed Zone Ordinance for Highway 287 and Business 287 School Zone and authorize the City Manager to execute all required documents."

Item Description: Consider a School Speed Zone on Highway 287 frontage road and Business 287 on the roadway segments directly adjacent to the Waxahachie High School site.

Item Summary: TxDOT performed a traffic study and determined a Speed Zone of 35 MPH for school arrival and dismissal is warranted. TxDOT will install the School Zone flashing signage and pavement markings adjacent to Waxahachie High School after City Council approval of the Speed Zone Ordinance.

Fiscal Impact: TxDOT will pay for all materials and installation of the flashing signage and pavement markings.



4777 EAST US HIGHWAY 80, MESQUITE, TEXAS 75150-6643 | 214-320-6100 | WWW.TXDOT.GOV

June 29, 2023

Control: 0172-05 & 0172-11
Highway: US 287 FR & BUS 287
County: Ellis

Mr. Michael Scott
City Manager
401 S. Rogers
Waxahachie, TX 75165

Subject: School Speed Zone

Dear Mr. Scott:

Attached for your information and handling is a computer printout of the school zone speed study on US 287 Frontage Road and BUS 287 in the City of Waxahachie. The school zone speed study was done after the request from Schools Superintended Dr. Jerry D. Hollingsworth, and Ellis County Area Office, requesting school zone study for Waxahachie High School along the US 287 FR and BUS 287 in Waxahachie.

To proceed with the changing of the school zone speed limits, TxDOT requires a signed city ordinance matching the zones on the speed study. To assist the city in the preparation of the ordinance, a sample speed zone ordinance has been attached to serve as a guide. Please forward the signed ordinance to our office by August 15, 2023, for further processing. Upon receipt of the ordinance from the City of Waxahachie, TxDOT will furnish and install the necessary signs at the proper locations.

If we may be of further assistance, please feel free to contact Bahman Afsheen, P.E. at the above address or by telephone at 214-320-6229.

Sincerely,

DocuSigned by:

Bahman Afsheen

4A1EA37ACB9C4BD...

Bahman Afsheen, P.E.
Traffic Engineering Supervisor

Attachments

cc: Traffic – Speed Zone Folder-Ellis County
Paredes, Area Engineer
J. Bush
B. Bush/Afsheen
TF

ORDINANCE NO. _____

SPEED ZONE ORDINANCE

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF TRANSPORTATION CODE, SECTION 545.356 UPON STATE HIGHWAY NO. 287 OR PARTS THEREOF, WITHIN THE INCORPORATE LIMITS OF THE CITY OF WAXAHACHIE, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, Section 545.356 of the Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway; NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

SECTION 1.

Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of Transportation Code, Section 545.356, the following prima facie speed limits hereafter indicated for vehicles on the attached Exhibit "A" (strip map) are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

A. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

1. That from and after the date of the passage of this speed zone ordinance, no motor vehicle shall be operated along and upon State Highway No. 287 within the corporate limits of the City of Waxahachie in excess of speeds now set forth in Exhibit "A".

SECTION 2:

The Mayor of the City of Waxahachie is hereby authorized to cause to be erected, appropriate signs indicating such speed zones.

SECTION 3:

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00).

PASSED AND APPROVED THIS 17th DAY OF JULY, 2023.

David Hill, Mayor
City of Waxahachie, Texas

Attest:

Amber Villarreal, City Secretary
City of Waxahachie, Texas

APPROVED AS TO LEGAL FORM:

APPROVED:

Robert Brown, City Attorney
City of Waxahachie, Texas

Michael Scott, City Manager
City of Waxahachie, Texas

I, Amber Villarreal, City Secretary of the City of Waxahachie, Texas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. _____ adopted by the City Council of the City of Waxahachie, Texas, July 17, 2023. To certify which, witness my hand and seal of office this 17th day of July, 2023.

Amber Villarreal, City Secretary
City of Waxahachie, Texas

US 287 FRONTAGE ROAD

EXHIBIT A

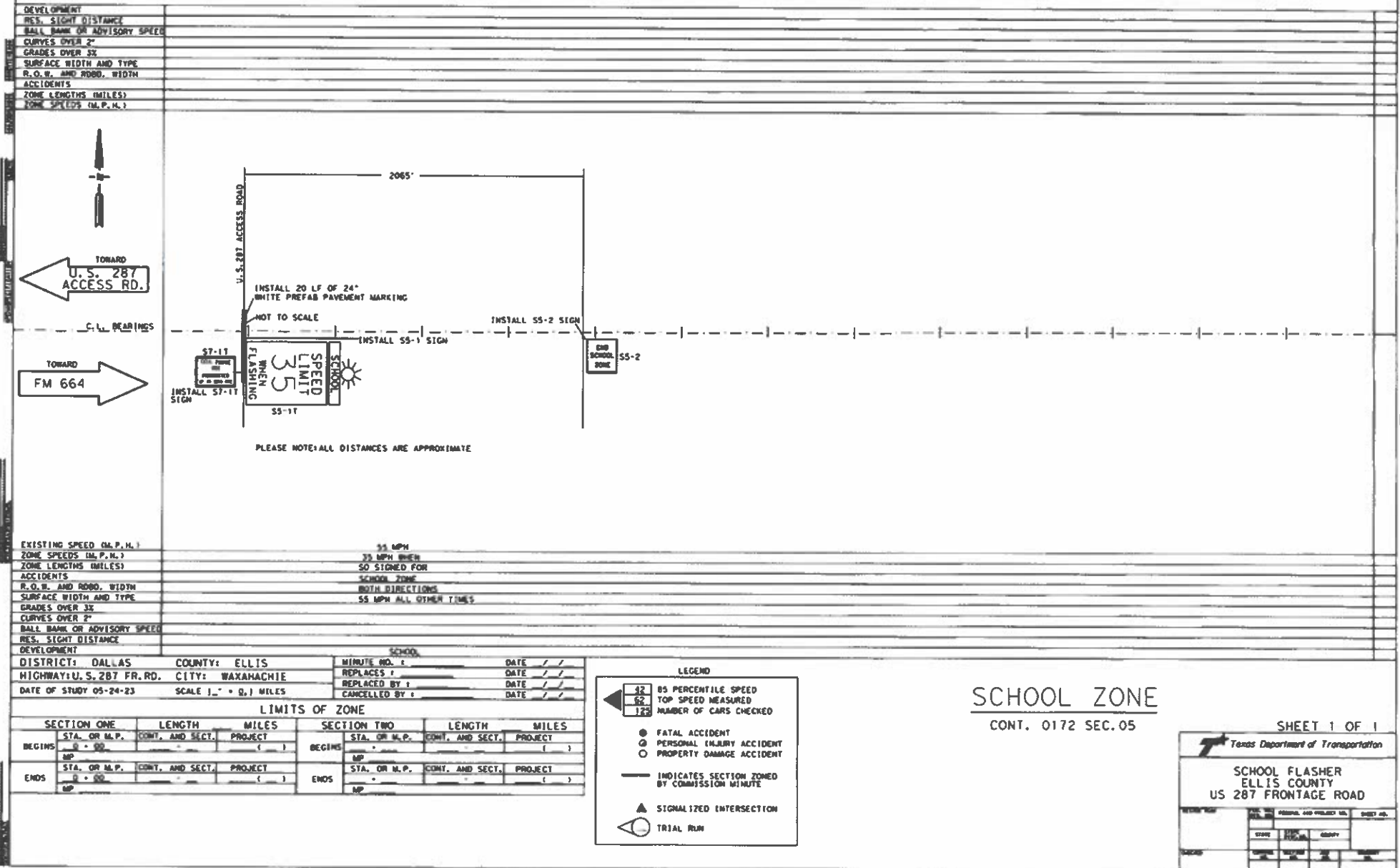
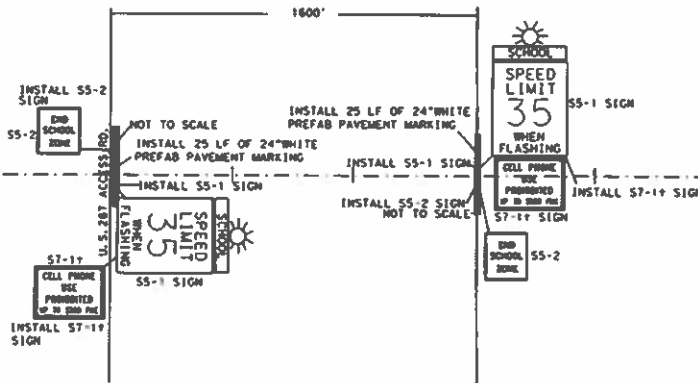
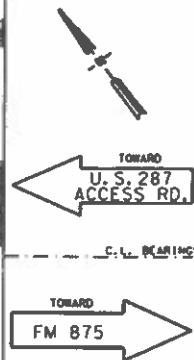


EXHIBIT A

BUS 287

DEVELOPMENT
 RES. SIGHT DISTANCE
 BALL BANK OR ADVISORY SPEED
 CURVES OVER 2"
 GRADES OVER 3%
 SURFACE WIDTH AND TYPE
 R.O.B. AND ROAD WIDTH
 ACCIDENTS
 ZONE LENGTHS (MILES)
 ZONE SPEEDS (M.P.H.)

SEE BELOW



PLEASE NOTE: ALL DISTANCES ARE APPROXIMATE.

EXISTING SPEED
 ZONE SPEEDS (M.P.H.)
 ZONE LENGTHS (MILES)
 ACCIDENTS
 R.O.B. AND ROAD WIDTH
 SURFACE WIDTH AND TYPE
 GRADES OVER 3%
 CURVES OVER 2"
 BALL BANK OR ADVISORY SPEED
 RES. SIGHT DISTANCE
 DEVELOPMENT

55 MPH
 35 MPH WHEN
 SO SIGNED FOR
 SCHOOL ZONE
 BOTH DIRECTIONS
 55 MPH ALL
 OTHER TIMES

DISTRICT: DALLAS COUNTY: ELLIS
 HIGHWAY: BUS 287 CITY: WAXAHACHIE
 DATE OF STUDY 05-24-23 SCALE 1" = 0.1 MILES

LIMITS OF ZONE				LIMITS OF ZONE			
SECTION ONE	LENGTH	MILES		SECTION TWO	LENGTH	MILES	
BEGINS STA. OR M.P.	CONT. AND SECT.	PROJECT		BEGINS STA. OR M.P.	CONT. AND SECT.	PROJECT	
ENDS STA. OR M.P.	CONT. AND SECT.	PROJECT		ENDS STA. OR M.P.	CONT. AND SECT.	PROJECT	

LEGEND

- 42 85 PERCENTILE SPEED
- 62 TOP SPEED MEASURED
- 123 NUMBER OF CARS CHECKED
- FATAL ACCIDENT
- PERSONAL INJURY ACCIDENT
- PROPERTY DAMAGE ACCIDENT
- INDICATES SECTION ZONED BY COMMISSION MINUTE
- SIGNALIZED INTERSECTION
- TRIAL RUN

SCHOOL ZONE
 CONT. 0172 SEC. 11

SHEET 1 OF 1

Texas Department of Transportation

SCHOOL FLASHER
 ELLIS COUNTY
 BUS 287

SECTION	DATE	PERSONAL AND PROJECT NO.	PROJECT NO.