

# **A G E N D A**

A regular meeting of the Mayor and City Council of the City of Waxahachie to be held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on ***Monday, February 5, 2024 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 January 22, 2024
  - b. Minutes of the City Council Work Session of January 29, 2024
  - c. Consumer Price Index adjustment to the Garbage and Trash Collection effective April 1, 2024
  - d. Resolution accepting Victims of Crime Act (V.O.C.A.) Grant Awarded to the City of Waxahachie to provide for a Mental Health Program for First Responders and their families
6. ***Introduce*** Honorary Councilmember
  7. ***Recognize*** Utility Department team members for achieving highest level of water and wastewater systems operator license
  8. ***Public Hearing*** on a request by Brad Yates, for a Zoning Change from a Commercial zoning district to a Planned Development-Multi-Family-2 (PD-MF-2) zoning district, located at 600 S Rogers Street, (Property ID: 298309) – Owner: Billy K. Pruitt (ZDC-150-2023)

9. **Consider** approval of ZDC-150-2023
10. **Consider** proposed Ordinance ordering an election to be held for the purpose of electing At-Large Council Members Places 1, 2, and 3, providing for the filing of applications for official ballots for said elections; designating the Elections Judge and providing for clerical personnel for said elections; designating the time and place of said elections; designating the polling location(s) for said election; and providing for a run-off election, if needed; and providing for an effective date
11. **Consider** a Resolution accepting a petition to create the Haven Ranch Public Improvement District and calling a public hearing on the creation of the Haven Ranch Public Improvement District
12. **Convene** into Executive Session for consultation with City Attorney to seek legal advice as permitted under Section 551.071, Texas Government Code
13. **Reconvene** and take any necessary action
14. Comments by Mayor, City Council, City Attorney and City Manager
15. Adjourn

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

A regular meeting of the Mayor and City Council of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Monday, January 22, 2024 at 7:00 p.m.

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

Council Member Absent: Patrick Souter, Council Member Place 2

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Terry Welch, 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 Mitchell White, University Church, gave the invocation. Mayor Pro Tem Chris Wright led the Pledge of Allegiance and the Texas Pledge of Allegiance.

**4. Public Comments**

Vanessa Voldan, 301 Cynisca, Waxahachie, Texas, requested assistance from the City to provide low cost spay and neutering services for animals and an improved animal shelter.

Alan Broome, 731 Broadhead Road, Waxahachie, Texas, spoke in opposition to the approval of the engineering services contract for Broadhead Road. He expressed safety concerns with increasing the road to four lanes.

**5. Consent Agenda**

- a. Minutes of the City Council meeting of December 18, 2023
- b. Minutes of the City Council Work Session of January 18, 2024
- c. Event application for Hachie Gras to be held February 10, 2024
- d. Event application for District 2-X1 Build Beds for Kids Project to be held March 16, 2024 at Lions Park
- e. Event application for Gingerbread Trail Car Show to be held June 8, 2024 at Getzendaner Park
- f. Event application for Cars in the Park Car Show to be held July 13, 2024 at Getzendaner Park
- g. Event application for Waxahachie Fun Run Car Show to be held August 10, 2024 at Getzendaner Park

(5a)

- h. Event application for St. Jude Car Show to be held September 14, 2024 at Getzendaner Park
- i. Proposed Ordinance approving a request by Andrew Garrett, for a Petition for ETJ Release for approximately 21.955 acres, located at 982 E Butcher Road (Property ID 191454 and 189365)– Owner: WGM, LLC (ETJ-PTN-197-2023)
- j. Proposed Ordinance approving a request by Andrew Garrett, for a Petition for ETJ Release for approximately 10.711 acres, located at 731 South Westmoreland Road (Property ID 186474 and 186475)– Owner: Andrew Garret & Kati Garrett (ETJ-PTN-198-2023)
- k. Authorize use of Park Dedication Fee Fund for professional services costs related to design and engineering of North Grove Park
- l. Proposed Ordinance re-establishing classified positions under Civil Service
- m. Adoption of the revised Joint Airport Agreement with the City of Midlothian

**ORDINANCE NO. 3443**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 21.955 ACRE TRACT OF LAND, LOCATED AT 982 EAST BUTCHER ROAD, KNOWN AS PROPERTY ID 191454 AND 189365, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

**ORDINANCE NO. 3444**

**AN ORDINANCE AUTHORIZING THE RELEASE FROM THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION OF A 10.711 ACRE TRACT OF LAND, LOCATED AT 731 SOUTH WESTMORELAND ROAD, KNOWN AS PROPERTY ID 186474 AND 186475, AND ORDERING THE CHANGING OF THE CITY OF WAXAHACHIE'S EXTRATERRITORIAL JURISDICTION BOUNDARY MAP IN ACCORDANCE WITH SAID CHANGE.**

**ORDINANCE NO. 3445**

**AN ORDINANCE OF THE CITY OF WAXAHACHIE, TEXAS, ESTABLISHING AND RE-ESTABLISHING CLASSIFIED POSITIONS UNDER CIVIL SERVICE IN THE FIRE AND POLICE DEPARTMENTS, REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

**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 associated documents as necessary. Motion was seconded by Chris Wright and carried unanimously (4-0).*

**6. Introduce Honorary Council Member**

(5a)

Mayor Hill recognized Orise Kopnak as the January 2024 Honorary Council Member. Ms. Kopnak was born on September 19, 1921, in Dubuque, Iowa and lived in Pennsylvania, Florida, and North Carolina before retiring in Waxahachie, Texas. She joined the Women's Army Corps in 1945 and served for one year working in entertainment and recreation as a vocalist for the Army Band. Orise was married to her beloved husband, John Kopnak, for 47 years. Mrs. Kopnak has been an active member of the local St. Joseph Catholic Church and a member of Baylor Scott and White Medical Center Waxahachie Volunteer Services Department for the past 10 years, volunteering twice a week with over 2600 hours of dedicated service to the community. She has touched innumerable lives over the years, and her kindness, generosity, and wisdom are a source of inspiration to all who are fortunate enough to know her. Mrs. Kopnak was recognized by the Waxahachie City Council on September 18<sup>th</sup> at Baylor Scott and White Medical Center with a proclamation recognizing September 19, 2023 as "ORISE KOPNAK DAY."

**7. Consider supplemental appropriation for the Waxahachie City Hall Remodel and Construction Project in the amount of \$5,603,751**

The Item was presented by Senior Director of Administrative Services Dale Sigler. Council Member Travis Smith inquired about the option for bonding and City Manager Michael Scott explained legislation changes would allow this project to be reimbursable through bonds, if Council chooses.

**Action:**

*Billie Wallace moved to approve a supplemental appropriation from the General Fund unrestricted reserve fund balance in the amount of \$5,603,751 for the Waxahachie City Hall Remodel and Construction Project and authorize the City Manager to execute all documents as necessary. Motion was seconded by Chris Wright and carried unanimously (4-0).*

Mayor Pro Tem Chris Wright explained City Council contemplated all options for the City Hall renovation.

**8. Consider approval of two new positions in the Human Resources Department and associated supplemental appropriation**

The Item was presented by Mr. Scott.

**Action:**

*Billie Wallace moved to approve the addition of the two new positions within the Human Resources Department as described and the related supplemental appropriation of \$223,305. Motion was seconded by Chris Wright and carried unanimously (4-0).*

**9. Present Proclamation recognizing January as "General Aviation Appreciation Month"**

Mayor Hill presented a Proclamation recognizing January as "General Aviation Appreciation Month."

**10. Hear presentation on "Holidays with Heroes"**

(5a)

Bishop Aaron Blake Sr., Harvest Family Life Ministries, made a presentation on “Harvest Holiday with Heroes” noting the participation from first responders is greatly appreciated. He explained children were able to participate because of the partnership with the community and local businesses. Bishop Blake explained Harvest Family Life Ministries has helped those in need in our community and is always looking for more partnerships.

- 11. Public Hearing on a request by Charles Shelburne, BSW Health, for a Replat of Lot 1, Block A of the Baylor Waxahachie Hospital Addition, 1 lot, being 46.931 acres, located at 2400 N Interstate 35E (Property ID: 180334 & 261917) – Owner: Baylor Health Care System and Baylor Scott & White Professional Plaza I (SUB-188-2023)**

The Item was presented by Senior Director of Planning Jennifer Pruitt.

Mayor Hill opened the Public Hearing at approximately 7:44 p.m.

There being no others to speak for or against SUB-188-2023, Mayor Hill closed the Public Hearing at approximately 7:44 p.m.

- 12. Consider approval of SUB-188-2023**

**Action:**

*Billie Wallace moved to approve SUB-188-2023, a Replat of the Baylor Waxahachie Hospital addition and the associated Petition for the Relief Waiver, subject to the conditions of the staff report, and authorize the Mayor to execute all associated documents. Motion was seconded by Travis Smith and carried unanimously (4-0).*

- 13. Public Hearing on a request by Chris Clark, Clarkitecture LLC, for a Specific Use Permit (SUP) for a Drive-Through Establishment (HTeaO) use within a Planned Development-24-General Retail zoning district, located at 502 N US Highway 77 (Property ID 289738) – Owner: RS Waxahachie LLC (ZDC-163-2023)**

The Item was presented by Ms. Pruitt and applicant Brad Williamson requested approval.

Mayor Hill opened the Public Hearing at approximately 7:48 p.m.

City Council expressed concern with traffic safety on this site. Council Members discussed on-site directional signage, drainage, and improvements needed to the shared access easement from the adjacent property.

Mr. Williamson explained safety at the property is paramount and he was willing to discuss improvement options with the adjacent property owner for the shared access.

There being no others to speak for or against ZDC-163-2023, Mayor Hill closed the Public Hearing at approximately 8:08 p.m.

(5a)

City Attorney Terry Welch explained the City Council can include a stipulation in the Development Agreement to improve the shared access; however, the City cannot force the applicant to make repairs on a property they do not own.

**14. Consider proposed Ordinance approving ZDC-163-2023**

**Action:**

*Billie Wallace moved to approve an Ordinance for ZDC-163-2023, a Specific Use Permit for a Drive-Through Establishment at 502 N US Highway 77, subject to the conditions of the staff report. Motion was seconded by David Hill. The motion failed by a 2-2 vote, with Chris Wright and Travis Smith voting in opposition.*

**15. Consider Development Agreement for ZDC-163-2023**

No action taken.

**16. Public Hearing on a request by Suzanne Bell, Cove Construction, for a Specific Use Permit (SUP) for an Accessory Structure 700+ Square Feet use within a Single-Family Dwelling-1 (SF-1) zoning district located at 673 Brookglen Court (Property ID 216273) - Owner: John & Leslie Majors (ZDC-176-2023)**

The Item was presented by Ms. Pruitt.

Mayor Hill opened the Public Hearing at approximately 8:10 p.m.

There being no others to speak for or against ZDC-176-2023, Mayor Hill closed the Public Hearing at approximately 8:10 p.m.

**17. Consider proposed Ordinance approving ZDC-176-2023**

**ORDINANCE NO. 3446**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY STRUCTURE GREATER THAN 700 SQUARE FEET USE WITHIN A SINGLE-FAMILY DWELLING-1 (SF-1) ZONING DISTRICT AT 673 BROOKGLEN COURT IN THE CITY OF WAXAHACHIE, TEXAS, ELLIS COUNTY TEXAS, BEING 0.517 ACRES KNOWN AS PROPERTY ID 216273, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

**Action:**

*Billie Wallace moved to approve an Ordinance for ZDC-176-2023, a Specific Use Permit for an Accessory Structure over 700 square feet use within a Single-Family 1 zoning district, subject to the conditions of the staff report. Motion was seconded by Chris Wright and carried unanimously (4-0).*

**18. Public Hearing on a request by the City of Waxahachie for a Textual Amendment to the City Zoning Ordinance, Ordinance No. 3020, to Article IV Definitions and Use**

(5a)

**Regulations, Section 4.01 Definitions, and to Article IV Definitions and Use Regulations, Section 4.03 Use Charts, adding language related to a Data Center use (ZTA-194-2023)**

The Item was presented by Ms. Pruitt.

Mayor Hill opened the Public Hearing at approximately 8:13 p.m.

There being no others to speak for or against ZTA-194-2023, Mayor Hill closed the Public Hearing at approximately 8:13 p.m.

**19. Consider proposed Ordinance approving ZTA-194-2023**

**ORDINANCE NO. 3447**

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

**Action:**

*Billie Wallace moved to approve ZTA-194-2023, a request by the City of Waxahachie for a textual amendment to the City Zoning Ordinance as presented and authorize the Mayor to sign all associated documents. Motion was seconded by Chris Wright and carried unanimously (4-0).*

**20. Consider approval of an Engineering Professional Services Agreement with Westfall Engineering for the Broadhead Road Reconstruction Project**

The Item was presented by Senior Director of Public Works and Engineering Justin Stoker. City Council discussed identifying the city/county boundary line, traffic safety on Broadhead Road, and funding for the project. Mr. Stoker explained Impact Fee funds can only be used in the service area in which they are collected; this section of Broadhead Road is the only location where the funds for Service Area 5 can be used.

**Action:**

*Chris Wright moved to approve the agreement with Westfall Engineering for the Broadhead Road Reconstruction engineering services in the amount of \$367,250 and authorize the City Manager to execute all necessary documents. Motion was seconded by Billie Wallace and carried by a 3-1 vote, with Travis Smith voting in opposition.*

**21. Consider approval of an Engineering Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Pensacola Avenue Corridor Reconstruction Project**

The Item was presented by Mr. Stoker.



(5a)

**Action:**

*Billie Wallace moved to approve a professional services agreement in the amount of \$299,500 with Kimley-Horn and Associates, Inc. for Pensacola Avenue engineering services. Motion was seconded by Travis Smith and carried unanimously (4-0).*

**22. Consider the award of a construction contract to Red River Construction Co. for the Howard Road Water Treatment Plant Air Scour Blower and Chemical Storage Tank Rehabilitation and Replacement Project**

The item was presented by Senior Director of Utilities Kumar Gali.

**Action:**

*Billie Wallace moved to approve the award of a construction contract to Red River Construction Company in the amount of \$2,557,100 and additional construction contingency in the amount of \$127,900 for the Howard Road Water Treatment Plant Air Scour Blower and Chemical Storage Tank Rehabilitation and Replacement Project and authorize the City Manager to execute all necessary documents. Motion was seconded by Chris Wright and carried unanimously (4-0).*

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

Mayor Pro Tem Chris Wright explained City Council understands the Broadhead Road safety concern. He congratulated Dale Sigler on his new role, praised the Harvest Holiday with Heroes event, and expressed his support for HTeaO but noted his concern with traffic safety at the proposed site.

Council Member Billie Wallace thanked citizens for their attendance and participation at the meeting.

Council Member Travis Smith announced Bessie Coleman's birthday on January 26, 2024.

Deputy City Manager welcomed Communications and Marketing Director Alice Jauregui to the City team.

Mayor David Hill thanked Police Chief Joe Wiser, Fire Chief Ricky Boyd, and Bishop Aaron Blake Sr. for their work on the Harvest Holiday with Heroes event. He recognized the need for a new animal shelter and affordable services for pet owners.

**15. Adjourn**

There being no further business, the meeting adjourned at 8:43 p.m.

Respectfully submitted,

Amber Villarreal  
City Secretary

A Work Session of the Waxahachie City Council was held in the Hatchet Conference Room at the Charles Beatty Municipal Services Building, 408 S. Rogers, Waxahachie, Texas, on Monday, January 29, 2024 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

Council Members Absent: Travis Smith, Council Member Place 5

Others Present: Michael Scott, City Manager  
Albert Lawrence, Deputy City Manager  
Amber Villarreal, City Secretary

**1. Call to Order**

Mayor David Hill called the meeting to order.

**2. Discussion on Myrtle Creek Development**

Dustin Davidson, Managing Director at Hines, reviewed the proposed Myrtle Creek Master Planned Community presented to City Council in June 2023. He explained the Texas Attorney General reviewed the initial proposed Public Improvement District (PID) option for financing; however, their recommendation to dissolve the existing PID and create a new would not be feasible. Mr. Davidson explained Hines is requesting a Municipal Management District (MMD) which would use property taxes to finance public infrastructure and property assessments to construct and maintain parks and recreational facilities. A MMD is a political subdivision created through TCEQ (pursuant to Chapter 375, Texas Local Government Code), requires City consent, and would be managed by a five-member appointed board. MMDs finance the following public infrastructure with property taxes: water, sewer, drainage, detention, and roads. MMDs use property assessments to finance and maintain the following: parks, trails, public spaces, and open spaces.

Council Members discussed the importance of providing MMD information to property owners in the proposed development, potential agreements between the MMD and Homeowners Association, and the composition of the Board.

*{Mayor Hill left the meeting at 9:09 a.m.}*

City Manager Michael Scott explained staff is working on a proposed Development Agreement for the project.

The developer requested the approval by the City Council on February 19, 2024 of a conditional MMD consent, subject to the completion of a Development Agreement for the property within the MMD within 180 days. Mr. Scott noted the request will be presented to City Council on February 19, 2024 for consideration.

**3. Adjourn**

City Council  
January 29, 2024  
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(5b)

There being no further business, the meeting adjourned at 9:20 a.m.

Respectfully submitted,  
Amber Villarreal, City Secretary

(5c)



## Memorandum

To: Honorable Mayor and City Council  
From: Anthony Warren, Senior Director of Building & Community Services  
Thru: Michael Scott, City Manager  
Date: January 19, 2023  
Re: Consider Garbage Collection Rates

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**Recommended Motion:** "I move to approve the 5% rate increase to trash and recycle service per the City's Waste Collections Contract with Waste Connections Lone Star, Inc."

**Item Description:** Consider approving the 5% rate adjustment to trash and recycle services per the City's waste collections contract with Waste Connections Lone Star, Inc. based on the Consumer Price Index (CPI).

**Item Summary:** The City of Waxahachie entered into a five-year contract with Waste Connections in April 2021. The contract provides for an annual inflationary rate adjustment that is tied to US Bureau of Labor Statistics Consumer Price Index for Garbage and Trash Collections. When requested by Waste Connections, the City is obligated under contract to grant such rate adjustments up to 5%.

On December 11, 2023, a formal letter was sent by Waste Connections requesting a 5% rate adjustment for trash and recycle services based on the most recent data from the Bureau of Labor and Statistics. As you can see in the attached letter, the CPI of 6.71% actually exceeded the maximum allowable annual increase. As such, the rate adjustment is capped at 5%. This rate adjustment is effective April 1, 2024.

**Fiscal Impact:** The CPI rate adjustment will adjust all residential and commercial trash and recycle rates per the attached table. Residential rates will increase from approximately \$5.69/month to \$5.98/month representing about a \$0.29 increase for a typical resident. The adjustment will also similarly increase the City's collected franchise fees.

(5c)



WASTE CONNECTIONS  
*Connect with the Future*

City of Waxahachie  
Attn: Mr. Michael Scott - City Manager  
P.O. Box 757  
Waxahachie, TX 75168

December 11, 2023

**Re: Solid Waste and Recycling Collection, Hauling, and Disposal Contract**

Dear Mr. Scott,

The agreement between the City of Waxahachie and Waste Connections provides consideration for annual adjustments to the rates for services reflecting any change in the US City Average (Garbage and Trash Collection) Consumer Price Index (CPI-U). The most recent data available from the Bureau of Labor Statistics reflects a 12 month change in the aforementioned CPI-U of 6.71%. A visual has been included for reference.

While we always do our best to keep expenses low, industry cost pressures have increased and we are formally requesting to adjust current rates by 5.00%, which is the maximum allowable rate adjustment per our agreement. This adjustment is requested to be effective April 1, 2024. The impact will be an adjustment in the residential base rate, for trash and recycle combined, from \$5.69/month to \$5.98/month (rates include franchise fee), representing an increase of \$0.29 per home. There will be a commensurate adjustment in all other services associated with the franchise agreement.

Please feel free to call me at 817-733-4221 with any questions or concerns about this proposed rate adjustment.

Thank you for your consideration in this matter.

Sincerely,

Bradley Wainscott  
District Manager  
Waste Connections

(5c)

**Waste Connections Lone Star, Inc.**

Rate Schedule - Effective 4/1/2024

City of Waxahachie

\*\*10% Franchise Fee is assessed on the below base rates\*\*

Service Description	Service Frequency	Current Rate Effective 4/1/2023	Proposed Rate Adjustment %	New Rates Effective 4/1/2024
<b>MONTHLY RESIDENTIAL SERVICE</b>				
Curbside Trash	Monthly	\$4.17	5.00%	\$4.38
Curbside Recycle	Monthly	\$0.95	5.00%	\$1.00
<b>MONTHLY COMMERCIAL HAND COLLECT</b>				
Commercial Cart	Weekly	\$11.69	5.00%	\$12.27
Commercial Cart	2 times per week	\$15.15	5.00%	\$15.91
Commercial Cart	3 times per week	\$18.62	5.00%	\$19.55
Commercial Cart	4 times per week	\$22.08	5.00%	\$23.18
Commercial Cart	5 times per week	\$25.55	5.00%	\$26.83
<b>MONTHLY COMMERCIAL CONTAINER SERVICE</b>				
2 Yd Container	Weekly	\$45.38	5.00%	\$47.65
2 Yd Container	2 times per week	\$86.21	5.00%	\$90.52
2 Yd Container	3 times per week	\$128.55	5.00%	\$134.98
2 Yd Container	4 times per week	\$169.38	5.00%	\$177.85
2 Yd Container	5 times per week	\$211.73	5.00%	\$222.32
2 Yd Container	6 times per week	\$257.10	5.00%	\$269.96
3 Yd Container	Weekly	\$60.49	5.00%	\$63.51
3 Yd Container	2 times per week	\$105.86	5.00%	\$111.15
3 Yd Container	3 times per week	\$166.37	5.00%	\$174.69
3 Yd Container	4 times per week	\$204.16	5.00%	\$214.37
3 Yd Container	5 times per week	\$279.78	5.00%	\$293.77
3 Yd Container	6 times per week	\$317.58	5.00%	\$333.46
4 Yd Container	Weekly	\$86.21	5.00%	\$90.52
4 Yd Container	2 times per week	\$161.83	5.00%	\$169.92
4 Yd Container	3 times per week	\$238.96	5.00%	\$250.91
4 Yd Container	4 times per week	\$272.22	5.00%	\$285.83
4 Yd Container	5 times per week	\$340.26	5.00%	\$357.27
4 Yd Container	6 times per week	\$405.08	5.00%	\$425.33
6 Yd Container	Weekly	\$124.02	5.00%	\$130.22
6 Yd Container	2 times per week	\$237.45	5.00%	\$249.32
6 Yd Container	3 times per week	\$348.20	5.00%	\$365.61
6 Yd Container	4 times per week	\$376.58	5.00%	\$395.41
6 Yd Container	5 times per week	\$465.80	5.00%	\$489.09
6 Yd Container	6 times per week	\$556.54	5.00%	\$584.37
6 Yd Compactor	Weekly	\$128.61	5.00%	\$135.04
6 Yd Compactor	2 times per week	\$257.22	5.00%	\$270.08
6 Yd Compactor	3 times per week	\$385.83	5.00%	\$405.12
6 Yd Compactor	4 times per week	\$514.45	5.00%	\$540.17
6 Yd Compactor	5 times per week	\$643.05	5.00%	\$675.20
6 Yd Compactor	6 times per week	\$771.67	5.00%	\$810.25
8 Yd Container	Weekly	\$136.10	5.00%	\$142.91
8 Yd Container	2 times per week	\$241.96	5.00%	\$254.06
8 Yd Container	3 times per week	\$362.95	5.00%	\$381.10
8 Yd Container	4 times per week	\$391.70	5.00%	\$411.29
8 Yd Container	5 times per week	\$480.93	5.00%	\$504.98
8 Yd Container	6 times per week	\$571.67	5.00%	\$600.25
8 Yd Compactor	Weekly	\$171.49	5.00%	\$180.06
8 Yd Compactor	2 times per week	\$342.96	5.00%	\$360.11
8 Yd Compactor	3 times per week	\$514.45	5.00%	\$540.17
8 Yd Compactor	4 times per week	\$685.92	5.00%	\$720.22
8 Yd Compactor	5 times per week	\$857.41	5.00%	\$900.28
8 Yd Compactor	6 times per week	\$1,028.88	5.00%	\$1,080.32

(5c)

**Waste Connections Lone Star, Inc.**

Rate Schedule - Effective 4/1/2023

City of Waxahachie

10% Franchise Fee is assessed on the below base rates

Service Description	Service Frequency	New Rates Effective 4/1/2023	Proposed Rate Adjustment %	New Rates Effective 4/1/2023
10 Yd Container	Weekly	\$170.13	5.00%	\$178.64
10 Yd Container	2 times per week	\$302.45	5.00%	\$317.57
10 Yd Container	3 times per week	\$453.68	5.00%	\$476.36
10 Yd Container	4 times per week	\$489.63	5.00%	\$514.11
10 Yd Container	5 times per week	\$601.17	5.00%	\$631.23
10 Yd Container	6 times per week	\$714.59	5.00%	\$750.32
<b>ROLL OFF CONTAINER SERVICE</b>				
<b>Open Top:</b>				
20 Yd Container	Per Occurrence	\$293.52	5.00%	\$308.20
30 Yd Container	Per Occurrence	\$377.34	5.00%	\$396.21
40 Yd Container	Per Occurrence	\$430.30	5.00%	\$451.82
<b>Compactor:</b>				
28 Yd Self-Contained	Per Occurrence	\$370.86	5.00%	\$389.40
30 Yd Self-Contained	Per Occurrence	\$420.75	5.00%	\$441.79
35 Yd Self-Contained	Per Occurrence	\$470.62	5.00%	\$494.15
42 Yd Receiver	Per Occurrence	\$490.91	5.00%	\$515.46
<b>Special Waste Open Top:</b>				
20 Yd Container	Per Occurrence	\$470.78	5.00%	\$494.32
30 Yd Container	Per Occurrence	\$510.38	5.00%	\$535.90
40 Yd Container	Per Occurrence	\$549.99	5.00%	\$577.49
<b>Rental:</b>				
20 Yd Container	Per Day	\$4.53	5.00%	\$4.76
30 Yd Container	Per Day	\$4.65	5.00%	\$4.88
40 Yd Container	Per Day	\$4.80	5.00%	\$5.04
28 Yd Self-Contained	Monthly	\$211.35	5.00%	\$221.92
30 Yd Self-Contained	Monthly	\$217.90	5.00%	\$228.80
35 Yd Self-Contained	Monthly	\$224.43	5.00%	\$235.65
42 Yd Receiver	Monthly	\$148.21	5.00%	\$155.62
<b>Open Top Delivery</b>				
Dry Run	Per Occurrence	\$82.51	5.00%	\$86.64
Exchange/Swap/Load	Per Occurrence	\$129.60	5.00%	\$136.08
Trailer	Per Occurrence	\$129.60	5.00%	\$136.08
Flat Bed	Per Occurrence	\$980.49	5.00%	\$1,029.51
	Per Occurrence	\$798.47	5.00%	\$838.39
<b>EXTRA COLLECTION AND OTHER SERVICE OPTIONS</b>				
2 Yd Container Extra Pick up	Per Occurrence	\$10.48	5.00%	\$11.00
3 Yd Container Extra Pick up	Per Occurrence	\$13.98	5.00%	\$14.68
4 Yd Container Extra Pick up	Per Occurrence	\$19.91	5.00%	\$20.91
6 Yd Container Extra Pick up	Per Occurrence	\$28.63	5.00%	\$30.06
6 Yd Compactor Extra Pick up	Per Occurrence	\$31.35	5.00%	\$32.92
8 Yd Container Extra Pick up	Per Occurrence	\$31.43	5.00%	\$33.00
8 Yd Compactor Extra Pick up	Per Occurrence	\$41.80	5.00%	\$43.89
10 Yd Container Extra Pick up	Per Occurrence	\$39.29	5.00%	\$41.25
Additional Cart (Trash or Recycle)	Monthly	\$4.95	5.00%	\$5.20
Household Hazardous Waste	Monthly	\$1.16	5.00%	\$1.22
Pink Tag	Per Occurrence	\$0.75	5.00%	\$0.79
Unusual Accumulation - Vehicle Rate/Hour	Per Occurrence	\$105.61	5.00%	\$110.89
Unusual Accumulation - Disposal Fee/Yd	Per Occurrence	\$13.20	5.00%	\$13.86

(50)

## Bureau of Labor Statistics

## Consumer Price Index for All Urban Consumers (CPI-U)

Series Title	Garbage and trash collection in U.S. city average, all urban consumers, seasonally adjusted
Series ID	CUSR0000SEHG02
Seasonality	Seasonally Adjusted
Survey Name	Consumer Price Index for All Urban Consumers (CPI-U)
Measure Data Type	Garbage and trash collection
Area	U.S. city average
Item	Garbage and trash collection

Year	Period	Label	Observation Value
2021	M01	2021 Jan	512.722
2021	M02	2021 Feb	517.270
2021	M03	2021 Mar	518.505
2021	M04	2021 Apr	518.579
2021	M05	2021 May	516.440
2021	M06	2021 Jun	517.202
2021	M07	2021 Jul	521.185
2021	M08	2021 Aug	524.408
2021	M09	2021 Sep	529.934
2021	M10	2021 Oct	530.114
2021	M11	2021 Nov	529.053
2021	M12	2021 Dec	532.538
2022	M01	2022 Jan	533.078
2022	M02	2022 Feb	538.313
2022	M03	2022 Mar	540.719
2022	M04	2022 Apr	542.564
2022	M05	2022 May	544.546
2022	M06	2022 Jun	547.554
2022	M07	2022 Jul	548.187
2022	M08	2022 Aug	548.706
2022	M09	2022 Sep	558.254
2022	M10	2022 Oct	561.090
2022	M11	2022 Nov	563.816
2022	M12	2022 Dec	565.185
2023	M01	2023 Jan	570.412
2023	M02	2023 Feb	575.697
2023	M03	2023 Mar	576.773
2023	M04	2023 Apr	580.124
2023	M05	2023 May	587.431
2023	M06	2023 Jun	589.812
2023	M07	2023 Jul	596.167
2023	M08	2023 Aug	597.347
2023	M09	2023 Sep	596.997
2023	M10	2023 Oct	597.569
2023	M11	2023 Nov	601.631

YoY Change	37.815
% Change	6.71%
Proposed	5.00%



(5d)



## Memorandum

To: Honorable Mayor and City Council  
From: Joe Wiser, Chief of Police  
Thru: Michael Scott, City Manager  
Date: January 30, 2024  
Re: Resolution, First Responders Mental Health Program Grant Funded

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The City of Waxahachie received funding for the First Responders Mental Health Program from a grant provided by the Victims of Crime Act, (VOCA), distributed through the office of the Texas Governor. During the October 16, 2023 regular council meeting, the grant was accepted as part of the consent agenda process.

At that time no resolution was presented to the council for consideration. The Governor's Office has asked that we formalize the acceptance of the grant funding with a resolution from Council. The resolution to accept the grant funding is provided with this memorandum for your consideration and approval. Thank you for your consideration.

(5d)

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

**A RESOLUTION OF THE CITY OF WAXAHACHIE TO OPERATE THE  
"FIRST RESPONDERS MENTAL HEALTH PROGRAM FOR THE FISCAL YEAR 2024**

**WHEREAS**, the City Council finds it in the best interest of the citizens of the City of Waxahachie, that the First Responders Mental Health Program be operated for the fiscal year 2024, and funded through the Victims Against Crimes Act Grant with the Office of the Texas Governor's Criminal Justice Division; and

**WHEREAS**, the City Council agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS**, the City Council designates Albert Lawrence, Assistant City Manager as the grantee authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that the City Council approves submission of the grant application for the First Responders Mental Health Program to the Office of the Governor.

Grant Number 403001

**APPROVED** this 5<sup>th</sup> day of February, 2024.

**APPROVED:**

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

**ATTEST:**

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

(5d)

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

**A RESOLUTION OF THE CITY OF WAXAHACHIE TO OPERATE THE “FIRST RESPONDERS MENTAL HEALTH PROGRAM” FOR THE FISCAL YEAR 2024**

**WHEREAS**, the City Council finds it in the best interest of the citizens of the City of Waxahachie, that the First Responders Mental Health Program be operated for the fiscal year 2024, and funded through the Victims Against Crimes Act Grant with the Office of the Texas Governor’s Criminal Justice Division; and

**WHEREAS**, the City Council agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS**, the City Council designates Albert Lawrence, Assistant City Manager as the grantee authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

**NOW THEREFORE, BE IT RESOLVED** that the City Council approves submission of the grant application for the First Responders Mental Health Program to the Office of the Governor.

Grant Number 403001

**APPROVED** this 5<sup>th</sup> day of February, 2024.

**APPROVED:**

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

**ATTEST:**

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

(8+9)



## Memorandum

To: Honorable Mayor and City Council

From: Jennifer Pruitt, AICP, LEED-AP, GNU-A, Senior Director of Planning

Thru: Michael Scott, City Manager

Date: January 23, 2024

Re: ZDC-150-2024 – Dunaway Townhomes – Planned Development (PD)


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On January 18, 2024, case no. ZDC-150-2024 was continued from the January 23, 2024, Planning and Zoning Commission meeting agenda and the February 5, 2024, City Council meeting agenda to the February 13, 2024 Planning & Zoning Commission meeting and the February 19, 2024 City Council meeting.

(10)



## Memorandum

To: Honorable Mayor and City Council  
From: Amber Villarreal, City Secretary  
Thru: Michael Scott, City Manager   
Date: February 5, 2024  
Re: Ordinance - Order of Election

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**Recommended Motion:** "I move to approve an Ordinance ordering the May 4, 2024 General Election as presented."

**Item Description:** Consider proposed Ordinance ordering an election to be held for the purpose of electing At-Large Council Members Places 1, 2, & 3, providing for the filing of applications for official ballots for said elections; designating the Elections Judge and providing for clerical personnel for said elections; designating the time and place of said elections; designating the polling location(s) for said elections; and providing for a run-off election, if needed.

**Item Summary:** In the general election, At-Large Council Member Places 1, 2, & 3 will be on the ballot this year. This election will be held as a county-wide election with multiple vote centers located throughout Ellis County. Eligible voters will be able to cast their ballot at any of the vote center locations, not just the locations within Waxahachie. Draft exhibits are pending finalization by the Elections Administrator. Once all filing and withdrawing deadlines have passed, a Joint Election Services Contract with Ellis County will be presented to City Council for approval.

**Fiscal Impact:** Funding is available in line 100-110-53111 of the FY 2023-2024 General Fund budget.

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ORDERING AN ELECTION TO BE HELD FOR THE PURPOSE OF ELECTING AT-LARGE COUNCIL MEMBER PLACES 1, 2, AND 3; PROVIDING FOR THE FILING OF APPLICATIONS FOR OFFICIAL BALLOTS FOR SAID ELECTIONS; DESIGNATING THE ELECTIONS JUDGE AND PROVIDING FOR CLERICAL PERSONNEL FOR SAID ELECTIONS; DESIGNATING THE TIME AND PLACE OF SAID ELECTION; DESIGNATING THE POLLING LOCATION(S) FOR SAID ELECTION; AND PROVIDING FOR A RUN-OFF ELECTION, IF NEEDED; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

SECTION 1. Election of Council Members. That a general election be held on the first Saturday in May 2024, being May 4, 2024, under and by virtue of the provisions of the Charter of the City of Waxahachie, Texas, and the laws of the State of Texas, for the purpose of electing At-Large Council Members for Places One, Two, and Three with each serving a term of two (2) years and with their terms expiring in May, 2026.

SECTION 2. Filing of Applications. Any person desiring his/her name to appear on the official ballot for the general election of said City Council Members, or desiring to file as a write-in candidate, shall file his/her sworn application with the City Secretary at the City Office, beginning January 17, 2024, and ending on February 16, 2024 at 5:00 p.m.; write-in candidate filing period ends on February 20, 2024.

SECTION 3. Election Judge and Clerical Personnel. The Election Judge and Clerical Personnel will be appointed/provided by the Ellis County Elections Administrator per the Joint Election Services Agreement. Ellis County Elections Administrator, Jana Onyon, will serve as Early Voting Clerk.

Jana Onyon, Early Voting Clerk  
Ellis County Elections  
204 E. Jefferson Street  
Waxahachie, Texas 75165-3752  
Phone: 972-825-5195  
Fax: 972-923-5194  
Email: [Elections@co.ellis.tx.us](mailto:Elections@co.ellis.tx.us)  
Website: <https://co.ellis.tx.us/312/Elections>

SECTION 4. Early Voting Board. The Election Judge and designated election clerks are hereby appointed to serve as the Early Voting Ballot Board for the election to be held on Saturday, May 4, 2024.

SECTION 5. Early Voting. The main early voting vote center for the election shall be the Ellis County Woman's Building (Davis Hall), 407 W. Jefferson St., Waxahachie, Texas. Multiple other locations throughout Ellis County will also be available to voters. With the election being held as a county wide election with multiple vote centers, eligible voters will be

able to cast their ballot at any vote center. A complete list of potential early voting vote centers is included in Exhibit "A." Said vote centers for early voting shall remain open between 8:00 a.m. and 5:00 p.m. on Monday, April 22, 2024, through Friday, April 26, 2024; from 8:00 a.m. – 4:00 p.m. on Saturday, April 27, 2024; and from 7:00 a.m. – 7:00 p.m. on Monday, April 29, 2024 and Tuesday, April 30, 2024.

SECTION 6. Time and Place of Election. That said election shall be held at multiple vote center locations, as listed in Exhibit "B," and the time of the election shall be from 7:00 a.m. to 7:00 p.m. on Saturday, May 4, 2024.

SECTION 7. Run-Off Election. Providing for a Run-Off Election, if necessary, and designating the date as Saturday, June 15, 2024, with the location being multiple vote centers, from 7:00 a.m. to 7:00 p.m., and with a designated Presiding Election Judge.

SECTION 8. Bilingual Election. The election shall be conducted with bilingual (English and Spanish) election materials and methods, in accordance with the Federal Voting Rights Act.

SECTION 9. Voting System. The election shall be conducted with DS200 Precinct Scanner/Tabulators, DS450 Absentee Scanner/Tabulators, and ADA compliant Election Systems and Software ExpressVote marking devices, for disabled voters in accordance with the Help America Vote Act (HAVA).

SECTION 10. The Council finds that an emergency involving the efficient daily operation of the City is involved, and that this ordinance will become effective immediately.

**PASSED, APPROVED, AND ADOPTED ON THIS THE 5<sup>TH</sup> DAY OF FEBRUARY 2024.**

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David Hill, Mayor

**ATTEST:**

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Amber Villarreal, City Secretary

**Joint General and Special Elections Elecciones General y Especial Conjunta**  
**May 4, 2024 04 de mayo de 2024**

**Early Voting Vote Centers Centros de votación adelantada**

**Early Voting Location Dates and Times:**

*Ubicación, fechas, y horarios de la votación anticipada:*

1. Ellis County Woman's Building (Main Early Voting Location) 407 W Jefferson St. (Davis Hall)			Waxahachie, TX 75165
2. Midlothian Conference Ctr (Lobby) 1 Community Circle Dr.			Midlothian, TX 76065
3. Palmer ISD Annex Bldg (Portable Bldg) 303 Bulldog Way			Palmer, TX 75152
4. Ellis County Sub-Courthouse (Conf. Rm) 207 S Sonoma Trail			Ennis, TX 75119
5. Red Oak Municipal Center (Evelyn Pitts Rm) 200 Lakeview Pkwy			Red Oak, TX 75154
Monday, April 22, 2024 <i>lunes, 22 de abril de 2024</i>	through <i>hasta</i>	Friday, April 26, 2024 <i>viernes, 26 de abril de 2024</i>	8:00 AM - 5:00 PM 8:00 AM - 5:00 PM
Saturday, April 27, 2024 <i>sábado, 27 de abril de 2024</i>			8:00 AM - 4:00 PM 8:00 AM - 4:00 PM
Monday, April 29, 2024 <i>lunes, 29 de abril de 2024</i>	and <i>y</i>	Tuesday, April 30, 2024 <i>martes, 30 de abril de 2024</i>	7:00 AM - 7:00 PM 7:00 AM - 7:00 PM

**Last day to register to vote for the Joint General and Special Elections is: Thursday, April 04, 2024.**

*Último día para registrarse para votar en la Elecciones General y Especial Conjunta es: jueves, 04 de abril de 2024.*

**Last day for the Election's Office to receive a Regular or FPCA Ballot by Mail Application: Tuesday, April 23, 2024.**

*El Último día para que la Oficina de Elecciones reciba una solicitud regular o una solicitud de tarjeta postal federal para votar por correo (FPCA-por sus siglas en inglés) es: martes, 23 de abril de 2024.*

**Absentee Application (Regular or Federal Postcard) for ballot by mail shall be mailed to:**

**Early Voting Clerk, 204 E Jefferson Street, Waxahachie, Texas 75165**

**Or email a scanned copy of signed application to elections@co.ellis.tx.us**

**Or faxed to 972-923-5194 (If faxed or emailed, then must receive original application by mail within 4 days)**

*Las solicitudes (Regular o FPCA) de boletas electorales por correo deben enviarse por correo a:*

*Secretaria de la Votación Adelantada 204 E. Jefferson Street Waxahachie, TX 75165*

*O por correo electronico una copia e su aplicación firmada a elections@co.ellis.tx.us*

*O por fax al 972-923-5194 (Si se envía por fax o correo electrónico, debe recibir la solicitud original dentro de los cuatro días)*



**Joint General and Special Elections *Elecciones General y Especial Conjunta***  
**May 4, 2024 *04 de mayo de 2024***  
**Election Day Vote Centers *Centros de votación el día de las elecciones***

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**Polls open from 7:00 am to 7:00 pm**  
*Horario de votación estarán abiertos de 7:00 am a 7:00 pm*

- |    |  |                      |
|----|--|----------------------|
| 1  | ELLIS COUNTY SUB-COURTHOUSE (Conf Rm) 207 S SONOMA TRAIL       | ENNIS, TX 75119      |
| 2  | ENNIS WELCOME CENTER (Bluebonnet Rm) 201 NW MAIN               | ENNIS, TX 75119      |
| 3  | FERRIS PUBLIC LIBRARY (Trussell Mtg Rm) 301 E 10TH STREET      | FERRIS, TX 75125     |
| 4  | MT GILEAD BAPTIST CHURCH (Fellowship Hall) 106 HARRIS ST.      | ITALY, TX 76651      |
| 5  | FIRST BAPTIST CHURCH-MAYPEARL (Fellowship Hall) 5744 FM 66     | MAYPEARL, TX 76064   |
| 6  | MIDLOTHIAN CHURCH OF CHRIST (Fellowship Hall) 1627 N HWY 67    | MIDLOTHIAN, TX 76065 |
| 7  | MIDLOTHIAN CONFERENCE CTR (Ballroom) 1 COMMUNITY CIRCLE DR     | MIDLOTHIAN, TX 76065 |
| 8  | MOUNTAIN PEAK COMMUNITY CHURCH (Sanctuary) 751 W. FM 875       | MIDLOTHIAN, TX 76065 |
| 9  | OVILLA CITY HALL (Council Chambers Rm) 105 S Cockrel Hill Rd   | OVILLA, TX 75154     |
| 10 | PALMER ISD ANNEX BUILDING (Portable Bldg) 303 BULLDOG WAY      | PALMER, TX 75152     |
| 11 | EASTRIDGE BAPTIST CHURCH (Family Activity Ctr) 732 E OVILLA RD | RED OAK, TX 75154    |
| 12 | RED OAK MUNICIPAL CENTER (Pitts Rm) 200 LAKEVIEW PKWY          | RED OAK, TX 75154    |
| 13 | ELLIS COUNTY WOMANS BUILDING (Davis Hall) 407 W JEFFERSON ST.  | WAXAHACHIE, TX 75165 |
| 14 | PARK MEADOWS BAPTIST CHURCH (Youth Rm) 3350 N HWY 77           | WAXAHACHIE, TX 75165 |

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, ACCEPTING A PETITION TO CREATE THE HAVEN RANCH PUBLIC IMPROVEMENT DISTRICT AND CALLING FOR A PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 372 of the Texas Local Government Code, as amended (the “*Act*”) authorizes the creation of public improvement districts; and

**WHEREAS**, on January 23, 2024, GRBK Edgewood LLC, a Texas limited liability company, the owner of: (i) taxable real property representing more than fifty percent (50%) of the appraised value of the taxable real property liable for assessment, and (ii) record owner of real property liable for assessment under the proposal who: (A) constitutes more than fifty percent (50%) of all record owners of property that is liable for assessment; or (B) owns taxable real property that constitutes more than fifty percent (50%) of the area of all taxable real property that is liable for assessment within the District, submitted and filed with the City of Waxahachie, Texas (the “*City*”) a petition (the “*Petition*”, which is attached hereto as **Exhibit A**) meeting the requirements of the Act and requesting that the City Council of the City (the “*City Council*”) create the Haven Ranch Public Improvement District (the “*District*”) for the property described in the Petition; and

**WHEREAS**, the Act states that the Petition is sufficient if signed by owners of more than fifty percent (50%) of the taxable real property, according to appraised value, and either of the following: more than fifty percent (50%) of the area of all taxable real property liable for assessment under the proposal, or more than fifty percent (50%) of all record owners of property liable for assessment; and

**WHEREAS**, the Act further requires that prior to the adoption of the resolution creating the District, the City Council must hold a public hearing on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City; and

**WHEREAS**, in order to hold a public hearing for the creation of a public improvement district, notice must be: (i) published in a newspaper of general circulation in the City and in the

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part of the extraterritorial jurisdiction of the City in which the District is to be located, and (ii) mailed to the address of each owner of property located in the proposed District, as reflected on the tax rolls, before the fifteenth (15th) day before the date of the hearing in accordance with the Act.

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

**Section 1.** The findings set forth in the recitals of this Resolution are found to be true and correct.

**Section 2.** City staff reviewed the Petition and determined that same complied with the requirements of the Act and the City Council hereby accepts the Petition. The Petition is filed with the office of the City Secretary and is available for public inspection.

**Section 3.** The City Council calls a public hearing to be scheduled at or after 7:00 p.m. on March 4, 2024, to be held at Waxahachie Civic Center, 2000 Civic Center Lane, Waxahachie, Texas, on the advisability of the improvements, the nature of the improvements contemplated, the estimated costs of the improvements, the boundaries of the District, the method of assessment, and the apportionment, if any, of the costs between the District and the City. Attached hereto as **Exhibit B** is a form of the Notice of Public Hearing, the form and substance of which is hereby adopted and approved. All residents and property owners within the District, and all other persons, are hereby invited to appear in person, or by their attorney, and speak on the creation of the District.

**Section 4.** The Public Hearing may be adjourned from time to time. Upon the closing of the Public Hearing, the City Council may consider the adoption of a resolution creating the proposed District or may defer the adoption of such a resolution for up to six months. The creation of the proposed District is within the sole discretion of the City Council.

**Section 5.** The City Council hereby authorizes and directs the City Secretary, on or before February 17, 2024, in accordance with the Act, to: (a) publish notice of the public hearing in a newspaper of general circulation in the City and in the part of the extraterritorial jurisdiction of the City in which the District is to be located; and (b) mail notice of the public hearing to the owners of property located in the proposed District as reflected on the tax rolls.

(11)

**Section 6.** This Resolution shall be effective from and after its passage by the City Council.

*[Remainder of page left blank intentionally.]*

(11)

**PASSED AND APPROVED** by the City Council of the City of Waxahachie, Texas, on the 5th day of February, 2024.

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Terrence S. Welch, City Attorney

(11)

**EXHIBIT A**  
**PETITION FOR CREATION**

(11)

STATE OF TEXAS           §  
                                  §       PETITION TO ESTABLISH HAVEN RANCH  
COUNTY OF ELLIS       §       PUBLIC IMPROVEMENT DISTRICT

TO THE HONORABLE GOVERNING BODY OF THE CITY OF WAXAHACHIE:

COMES NOW GRBK EDGEWOOD LLC, a Texas limited liability company (the "Petitioner"), and hereby requests and petitions the City of Waxahachie, Texas (the "City") to establish the Haven Ranch Public Improvement District (the "District") under and pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended, on the hereinafter described property situated within the extraterritorial jurisdiction of the City, and in support thereof would respectfully show the following:

I.

The general nature of the proposed public improvements to be provided by the District, in phases, are (a) acquisition, construction and improvements, and maintenance of the improvements, consisting of (1) landscaping; (2) distinctive lighting, and signs; (3) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way, including related landscaping, lighting, traffic control devices, screening walls and retaining walls; (4) acquisition and installation of pieces of art; (5) acquisition, construction, or improvement of off-street parking facilities; (6) acquisition, construction, or improvement of water, wastewater, or drainage facilities or improvements; (7) the establishment or improvement of parks; (8) projects similar to those listed in (1)-(7); (9) acquisition, by purchase or otherwise, of real property or contract rights in connection with an authorized improvement; (10) special supplemental and maintenance services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, roadways, public safety, security, business recruitment, development, recreation, and cultural enhancement (collectively, the "Authorized Improvements"); and (b) the payment of expenses incurred in the establishment, administration, and operation of the District, including maintenance costs, costs of issuance, funding debt service and capitalized interest reserves and credit enhancement fees of any bonds issued by or on behalf of the District, if necessary.

II.

The estimated costs of constructing and acquiring all of the currently proposed Authorized Improvements, together with bond issuance costs, legal and financial fees, letter of credit fees and expenses, bond credit enhancement expenses, capitalization of bond interest, the creation of a bond reserve fund, expenses incurred in the establishment, administration and operation of the District and acquisition, by purchase or otherwise, of real property or contract rights in connection with each authorized improvement, is presently estimated to be a total of approximately \$230,000,000, based on the estimated current and future costs for construction and acquisition of the Authorized Improvements to serve the area within the District, as authorized by law. All or a portion of the costs of the Authorized Improvements shall be paid from special assessment levied on property

(11)

within the District's boundaries for the public improvements lawfully available to the City, anticipating that the costs of acquisition of the Authorized Improvements will be paid pursuant to a contractual reimbursement obligation or bonds secured by and payable from such special assessments. The City will pay none of the costs of the proposed improvements or other costs from funds other than such special assessments. The remaining costs of the proposed improvements and other costs will be paid from sources other than the City or assessments of property owners.

III.

The boundaries of the proposed District are fully described in Exhibit "A", attached hereto and made a part hereof for all purposes.

IV.

The proposed method of assessment related to the costs of acquisition of the Authorized Improvements is to impose a special assessment to be paid in installments on all useable property within the District, net of any public right-of-way, according to the value of the property, without regard to the value of improvements on the property, or in any other manner that results in imposing equal shares of the cost on property similarly benefitted. A report will be prepared showing the special benefits accruing to property within the District and how the costs of the Authorized Improvements are assessed to property on the basis of special benefit received by the property from the Authorized Improvements.

V.

The estimated costs of the Authorized Improvements are in addition to costs of operating and maintaining the Authorized Improvements, issuing bonds, if any, and establishing, administering and operating the District. All costs incurred by the District shall be paid by the District, and there shall be no apportionment of costs between the District and the City as a whole. The City will not be obligated to provide any funds to finance the proposed Authorized Improvements except from assessments generated by property within the District.

VI.

Management and administration of the District shall be by the City. The City may contract from time to time with a private company for District administrative services.

VII.

The individual executing this Petition is duly authorized to execute this Petition, and the Petitioner and the undersigned requests the establishment of the District.

VIII.

The Petitioner proposes the District be established and managed without the creation of an



(11)

advisory board. However, if an advisory board is created, Petitioner requests that such advisory board include representatives of the Petitioner.

IX.

This Petition has been executed by (i) the owners of more than 50% of the appraised value of taxable real property described in said Exhibit A, representing all of the appraised value of taxable real property liable for assessment under this Petition as shown by the current roll of the Ellis Appraisal District, and (ii) the record owners of more than 50% of the area of all real property liable for assessment under this Petition, and shall be filed with the Secretary of the City.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that the Council:

(1) duly consider this Petition and adopt a Resolution finding (i) that this Petition complies with all legal requirements; (ii) that the proposed improvements are necessary, advisable and will provide a public use and benefit to the City; and (iii) that the estimated costs of the improvements, the method of assessment and the apportionment of costs between the District and the City are reasonable and acceptable;

(2) call a public hearing, give notice thereof as required by law and hold such hearing on the advisability of the public improvements specified in this Petition; and

(3) grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner shall show itself to be entitled.

[SIGNATURE TO FOLLOW]

(11)

IN WITNESS WHEREOF, this Petition has been executed by the duly authorized representative of the Petitioner on January 22, 2024.

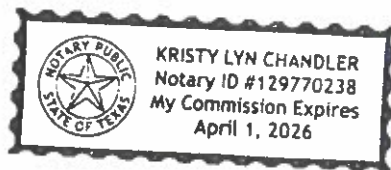
GRBK Edgewood LLC,  
a Texas limited liability company

By: [Signature]  
Name: Bobby L. Samuel, III  
Title: Vice President

STATE OF TEXAS           §  
COUNTY OF COLLIN   §

This instrument was acknowledged before me on the 22 day of January 2024, by Bobby L. Samuel, III, Vice President of GRBK Edgewood LLC, a Texas limited liability company on behalf of said company.

(SEAL)



[Signature]  
Notary Public, State of Texas

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF THE PROPERTY**

**BEING** a tract of land situated in the William Stewart Survey, Abstract No. 956, the James Young Survey, Abstract No. 1199, the Norman H. Whittenberg Survey, Abstract No. 1128, the Ellis County School Land Survey, Abstract No. 328, the Simon C. White Survey, Abstract No. 1250, the Simon C. White Survey, Abstract No. 1251, the James Riggs Survey, Abstract No. 923, the John R. Lansford Survey, Abstract No. 635, the William Baskins Survey, Abstract No. 1128, and the P.T.I. Co. Survey, Abstract No. 1238, City of Waxahachie, Ellis County, Texas, and being all of a called 456.928 acre tract of land designated as "Tract 1," all of a called 420.642 acre tract of land designated as "Tract 2," all of a called 50.011 acre tract of land designated as "Tract 3," all of a called 107.789 acre tract of land designated as "Tract 4," all of a called 76.653 acre tract of land designated as "Tract 5," all of a called 104.099 acre tract of land designated as "Tract 7," and all of a called 0.169 acre tract of land designated as "Tract 8" in a Special Warranty Deed to GRBK Edgewood LLC, recorded in Instrument No. 2202337, Official Public Records, Ellis County, Texas (O.P.R.E.C.T.), and being all of Lots 1 through 4, Harrington Acres No. 2, an addition to Ellis County, Texas, according to the plat thereof recorded in Cabinet H, Slide 317, Plat Records, Ellis County, Texas (P.R.E.C.T.), and designated as "Tract 6" in said Special Warranty Deed to GRBK Edgewood LLC, and being all of Lot 3, Block A, Crystal Hills, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet H, Slide 798, P.R.E.C.T., and designated as "Tract 9" in said Special Warranty Deed to GRBK Edgewood LLC, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found at the most southerly corner of said 0.169 acre tract, and being at the most southerly southeast corner of a called 30.962 acre tract of land described in a Warranty Deed to Louis B. Gillespie and wife, Linda L. Gillespie, recorded in Volume 1460, Page 909, O.P.R.E.C.T., and being in the north line of a called 140.0321 acre tract of land described in a Warranty Deed to Patman Farms, recorded in Volume 1633, Page 20, O.P.R.E.C.T., and being in the approximate centerline of Haven Road (a variable width prescriptive right-of-way);

**THENCE** North 15°22'53" East, with the common line of said 0.169 acre tract and said 30.962 acre tract, and along said Haven Road, a distance of 171.32 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 4466" found at the most northerly corner of said 0.169 acre tract, being at a southeasterly corner of said 30.962 acre tract, and being in the southwest line of said 104.099 acre tract;

**THENCE** North 30°57'40" West, with the common line of said 104.099 acre tract and said 30.962 acre tract, and continuing along said Haven Road, a distance of 18.46 feet to a disturbed 1/2" iron rod found at the northwest corner of said 104.099 acre tract, and being at an interior corner of said 30.962 acre tract;

**THENCE** North 58°35'56" East, continuing with the common line of said 104.099 acre tract and said 30.962 acre tract, and continuing along said Haven Road, passing at a distance of 441.13 feet, a 1/2" iron rod found at the southeast corner of said 30.962 acre tract, same being the most westerly

southwest corner of a called 37.3328 acre tract of land described in a Warranty Deed to Doug and Lisa Maynard, recorded in Volume 2741, Page 322, O.P.R.E.C.T., and continuing with the northwest line of said 104.099, the northwest line of the aforementioned 456.928 acre tract, and the southeast line of said 37.3328 acre tract, and the southeast line of a called 1.9886 acre tract of land described in a Deed to Doug Owen Maynard and Lisa A. Maynard, recorded in Volume 1175, Page 1035, O.P.R.E.C.T., and along said Haven Road, for a total distance of 1,299.55 feet to a 1/2" iron rod found at the southeast corner of said 1.9886 acre tract, a southwesterly interior corner of said 37.3328 acre tract, and being at a northerly reentrant corner of said 456.928 acre tract;

**THENCE** with the northwesterly lines of said 456.928 acre tract, the following courses and distances:

South 31°13'30" East, a distance of 128.61 feet to a 1/2" iron rod found for corner;

North 59°42'18" East, a distance of 134.06 feet to a disturbed 3/8" iron rod found for corner;

North 26°16'31" East, a distance of 721.94 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found for corner;

North 20°23'23" East, a distance of 502.03 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found for corner;

North 24°07'47" East, a distance of 547.11 feet to a railroad spike found at the northeast corner of the aforementioned 37.3328 acre tract, and being at the common southerly corner of Lot 22 and Lot 23, Lake Shore Acres, an addition to Ellis County, Texas, according to the plat thereof recorded in Cabinet H, Slide 620, P.R.E.C.T.;

**THENCE** North 24°55'40" East, with the southeasterly line of said Lake Shore Acres, passing at a distance of 422.02 feet, a 1/2" iron rod found at the recognized common southerly corner of Lot 18 and Lot 17 of said Lake Shore Acres, and continuing with said southeasterly line for a total distance of 627.70 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set at the recognized common southerly corner of Lot 16 and Lot 15 of said Lake Shore Acres;

**THENCE** North 72°37'54" East, continuing with said southeasterly line, passing at a distance of 375.18 feet, a railroad spike found at the recognized common southerly corner of Lot 11 and Lot 10 of said Lake Shore Acres, and continuing with said southeasterly line for a total distance of 574.61 feet to the southeast corner of Lot 9 of said Lake Shore Acres and the most northerly corner of said 456.928 acre tract, and being in the westerly line of Lake Waxahachie at the northwest corner of a called 6.804 acre tract of land designated as the "Third Tract" in a Deed to Ellis County Water Control and Improvement District No. One, recorded in Volume 452, Page 572, Deed Records, Ellis County, Texas, from which a 5/8" iron rod with yellow plastic cap stamped "Peloton" found bears North 02°48'12" East, a distance of 8.52 feet;

**THENCE** with the common line of said 456.928 acre tract, the aforementioned 50.011 acre tract, and said 6.804 acre tract, the following courses and distances:

(11)

South 02°48'12" West, a distance of 548.29 feet to a 5/8" iron rod found for corner;  
South 89°16'51" East, a distance of 440.32 feet to a 1/2" iron rod with yellow plastic cap (stamping illegible) found for corner;

North 43°16'00" East, a distance of 404.93 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found at the southeast corner of said 6.804 acre tract, and being a northerly corner of said 50.011 acre tract;

**THENCE** South 37°10'30" East, with the easterly line of said 50.011 acre tract, a distance of 611.70 feet to a mag nail found at an easterly corner of said 50.011 acre tract, and being in the north line of a called 2.335 acre Roadway Dedication, Harrington Road, an addition to the City of Waxahachie, Texas, according to the plat thereof recorded in Cabinet D, Slide 121, P.R.E.C.T.;

**THENCE** South 59°01'00" West, with the north line of said roadway dedication, and continuing with the easterly line of said 50.011 acre tract, a distance of 30.21 feet to a 1/2" iron rod found at the northwest corner of said roadway dedication;

**THENCE** South 23°32'58" East, with the westerly line of said roadway dedication, same being the westerly right-of-way line of said Harrington Road, and continuing with the easterly line of said 50.011 acre tract, passing at a distance of 866.00 feet, a 1/2" iron rod found at the southeast corner of said 50.011 acre tract, and being at a reentrant corner of the aforementioned 456.928 acre tract, and continuing with said westerly right-of-way line and the easterly line of said 456.928 acre tract, passing at a distance of 1,322.17 feet, a 5/8" iron rod found at the northeast corner of Lot 4 of the aforementioned Harrington Acres No. 2, and continuing with said westerly right-of-way line and the easterly line of said Harrington Acres No. 2 for a total distance of 1,835.23 feet to a 1/2" iron rod found at the southwest corner of said roadway dedication;

**THENCE** South 31°03'14" East, continuing with the easterly line of said Harrington Acres No. 2, and with the westerly right-of-way line of said Harrington Road a distance of 87.93 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set at the southeast corner of Lot 1 of said Harrington Acres No. 2;

**THENCE** North 63°30'51" East, a distance of 22.88 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner in the approximate centerline of said Harrington Road, and being at a northeasterly corner of said 456.928 acre tract;

**THENCE** with the northeasterly line of said 456.928 acre tract and along said Harrington Road, the following courses and distances:

South 32°06'39" East, a distance of 332.18 feet to a 5/8" iron rod found for corner;

South 13°27'37" West, a distance of 254.40 feet to a disturbed 5/8" iron rod with yellow plastic cap (stamping illegible) found for corner;

South 06°02'06" West, a distance of 351.76 feet to a 5/8" iron rod with yellow plastic cap (stamping illegible) found in the approximate centerline of Harrington Road (a variable width prescriptive right-of-way) at the southwest corner of a called 30-foot right-of-way dedication conveyed on the Final Plat of Crystal Cove Estates, an addition to the City of Waxahachie, Texas, according to the plat thereof recorded in Cabinet E, Slide 115, P.R.E.C.T., same being the most northerly northwest corner of the aforementioned 420.642 acre tract;

**THENCE** with the southeasterly line of said Crystal Cove Estates, the following courses and distances:

North 81°44'25" East, a distance of 200.68 feet to a railroad spike found for corner;

North 66°13'23" East, a distance of 889.21 feet to a 1/2" iron rod found for corner;

North 73°10'46" East, a distance of 232.79 feet to a disturbed 1/2" iron rod found for corner;

North 79°43'40" East, a distance of 402.28 feet to a disturbed 1/2" iron rod found for corner;

North 86°53'18" East, a distance of 236.36 feet to a 1/2" iron rod found for corner;

North 89°15'27" East, a distance of 77.78 feet to a railroad spike found for corner;

North 86°57'04" East, a distance of 78.97 feet to a nail found for corner;

North 53°28'39" East, a distance of 79.07 feet to a point for corner from which a 3/8" iron rod found bears North 60°26'17" West, a distance of 0.41 feet;

North 52°37'30" East, a distance of 67.06 feet to a point for corner from which a railroad spike found bears South 31°27'58" East, a distance of 1.56 feet;

North 63°10'07" East, a distance of 104.55 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found for corner;

North 83°35'04" East, a distance of 73.88 feet to a 5/8" iron rod found for corner;

South 84°20'33" East, a distance of 52.48 feet to a point for corner from which a 5/8" iron rod with yellow plastic cap stamped "Peloton" found bears North 05°40'10" West, a distance of 0.34 feet;

South 78°27'07" East, a distance of 310.48 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found for corner;

South 64°53'57" East, a distance of 176.10 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found for corner in the south line of Lot 33, Block B, of said Crystal

Cove Estates, at a northerly northeast corner of said 420.642 acre tract, and being at the northwest corner of a tract of land described In a Deed to Raymond Echols, recorded in Volume 2576, Page 1741, O.P.R.E.C.T.;

**THENCE** with the common line of said 420.642 acre tract and said Echols tract, the following courses and distances:

South 31°45'26" East, a distance of 690.74 feet to a 1/2" iron rod found for the southwest corner of said Echols tract;

North 57°33'02" East, a distance of 887.83 feet to a 1/2" iron rod found for the southeast corner of said Echols tract, and being at the most northerly northwest corner of the aforementioned 76.653 acre tract, and being at the southwest corner of the aforementioned Lot 3, Block A, Crystal Hills addition;

**THENCE** North 31°51'09" West, with the common line of said Echols tract and said Lot 3, Block A, a distance of 470.95 feet to a point for corner in the south line of Lot 41, Block B, of said Crystal Cove Estates, and being at the northwest corner of said Lot 3, Block A, from which a railroad spike found bears South 58°00'36" West, a distance of 6.39 feet;

**THENCE** North 58°00'36" East, with the common line of said Lot 3, Block A and said Lot 41, Block B, a distance of 283.14 feet to a railroad spike found in the southeast right-of-way line of Hunter Pass (a 60-foot right-of-way), and being at the beginning of a non-tangent curve to the left with a radius of 380.00 feet, a central angle of 22°51'47", and a chord bearing and distance of North 69°21'19" East, 150.63 feet;

**THENCE** in a northeasterly direction, with said non-tangent curve to the left and with said southeast right-of-way line, an arc distance of 151.63 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

**THENCE** North 57°55'25" East, a distance of 18.34 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for the northeast corner of said Lot 3, Block A, and being at the northwest corner of Lot 2, Block A, of said Crystal Hills addition;

**THENCE** South 32°04'35" East, with the common line of said Lot 3, Block A, and said Lot 2, Block A, a distance of 441.35 feet to a 1/2" iron rod found for the southeast corner of said Lot 3, Block A, and being the southwest corner of said Lot 2, Block A, and being at the most northerly northeast corner of said 76.653 acre tract, and being at the northwest corner of a called 10.0 acre tract of land described in the Warranty Deed to Nita Condor, recorded in Instrument No. 2034598, O.P.R.E.C.T.;

**THENCE** South 31°11'18" East, with the west line of said 10.0 acre tract, a distance of 643.86 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found for the southwest corner of said 10.0 acre tract;

(11)

**THENCE** North 58°35'39" East, with the south line of said 10.0 acre tract, a distance of 229.11 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found for the northwest corner of a called 10.0 acre tract of land described in the Warranty Deed to Brian K. and Kimberly Garlitz, recorded in Volume 2809, Page 470, O.P.R.E.C.T., and being at the most easterly northeast corner of said 76.653 acre tract;

**THENCE** South 30°49'14" East, with the common line of said 10.0 acre Garlitz tract, and said 76.653 acre tract, passing at a distance of 571.85 feet, a 5/8" iron rod with yellow plastic cap stamped "TXRCS" found at the southwest corner of said 10.0 acre Garlitz tract, same being the northwest corner of a called 31.549 acre tract of land described in the Deed to Charles B. Williams and Sharon S. Williams, recorded in Volume 2616, Page 1132, O.P.R.E.C.T., and continuing with the common line of said 76.653 acre tract and said 31.549 acre tract for a total distance of 1,743.08 feet to a 1/2" iron rod found for the southwest corner of said 31.549 acre tract, and being at the northwest corner of a called 30.88 acre tract of land designated as "Tract Two, Third Tract" in the Deed to Peggy Lee Hunter and Ann Cheree Fielder, recorded in Instrument No. 2039707, O.P.R.E.C.T.;

**THENCE** South 31°14'02" East, with the common line of said 76.653 acre tract and said 30.88 acre tract, a distance of 958.75 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set at the southwest corner of said 30.88 acre tract, and being at the southeast corner of said 76.653 acre tract, and being in the north line of a called 80 acre tract of land designated as "Tract Two, Second Tract" in the aforementioned Deed to Peggy Lee Hunter and Ann Cheree Fielder;

**THENCE** South 57°18'10" West, with the common line of said 80 acre tract and said 76.653 acre tract, a distance of 105.04 feet to a point at the northwest corner of said 80 acre tract, and being at the northeast corner of the aforementioned 107.789 acre tract, from which a 1/2" iron rod with yellow plastic cap stamped "RPLS 4466" found bears South 31°46'08" East, a distance of 0.69 feet;

**THENCE** South 30°43'26" East, with the common line of said 107.789 acre tract and said 80 acre tract, and continuing with the common line of said 107.789 acre tract and a called 196.181 acre tract of land designated as "Tract One" in the Deed to Simon D. Cannon Testamentary Trust, recorded in Volume 2443, Page 1603, O.P.R.E.C.T., a distance of 1,793.19 feet to a 1/2" iron rod found for the most easterly southeast corner of said 107.789 acre tract, and being at an angle point in the north line of said 196.181 acre tract;

**THENCE** continuing with the common line of said 107.789 acre tract and said 196.181 acre tract, the following courses and distances:

South 59°59'55" West, a distance of 1,607.80 feet to a 5/8" iron pipe found for corner;

North 31°16'56" West, a distance of 1,233.51 feet to a point for corner from which a disturbed 1/2" iron rod found bears North 88°58'37" West, a distance of 0.67 feet;

South 59°19'15" West, a distance of 666.67 feet to a 1/2" iron rod found for corner;



(11)

South 30°39'34" East, a distance of 167.38 feet to a 5/8" iron rod with yellow plastic cap stamped "Peloton" found at an angle point in the south line of said 107.789 acre tract, and being at the northeast corner of a called 45.870 acre tract of land designated as "Parcel No. 3" in the Deed to John S. Huffman, recorded in Volume 2614, Page 352, O.P.R.E.C.T.;

**THENCE** with the common line of said 107.789 acre tract and said 45.870 acre tract, the following courses and distances:

South 58°41'31" West, a distance of 1,762.47 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set for corner;

North 31°05'19" West, a distance of 19.71 feet to a 5/8" iron rod with yellow plastic cap (illegible stamping) found at the most southerly southeast corner of the aforementioned 420.642 acre tract;

**THENCE** South 58°37'35" West, with the common line of said 420.642 acre tract and said 45.870 acre tract, passing at a distance of 1,035.46 feet, a 1/2" iron rod with yellow plastic cap stamped "RPLS 4466" found for reference, and continuing with said common line for a total distance of 1,063.25 feet to a point for most southerly southwest corner of said 420.642 acre tract, and being at the northwest corner of said 45.870 acre tract, and being in the east line of a called 72.835 acre tract of land described in the Warranty Deed to GKB Ranches LP, recorded in Instrument No. 2132292, O.P.R.E.C.T.;

**THENCE** North 30°55'24" West, with the common line of said 420.642 acre tract and said 72.835 acre tract, a distance of 975.64 feet to a 5/8" iron rod with red plastic cap stamped "KHA" set at the northeast corner of said 72.835 acre tract, and being at the most southerly southeast corner of the aforementioned 456.928 acre tract;

**THENCE** South 58°17'03" West, with the common line of said 456.928 acre tract and said 72.835 acre tract, a distance of 2,219.61 feet to a 1/2" iron rod found for the most southerly southwest corner of said 456.928 acre tract, and being at the southeast corner of a called 170.9708 acre tract of land described in the Warranty Deed to Pinhas Bendayan, recorded in Volume 1357, Page 125, O.P.R.E.C.T.;

**THENCE** with the common line of said 456.928 acre tract and said 170.9708 acre tract, the following courses and distances:

North 30°53'46" West, a distance of 2,404.35 feet to a 1/2" iron rod found for the northeast corner of said 170.9708 acre tract;

South 62°09'35" West, a distance of 156.29 feet to a 1/2" iron rod with yellow plastic cap stamped "RPLS 4466" found for the southeast corner of a called 2.14 acre tract of land described in the Deed to Ellis County Water Control and Improvement District No. 1, recorded in Volume 453, Page 206, Deed Records, Ellis County, Texas;

(11)

**THENCE** with the easterly and northerly lines of said 2.14 acre tract, the following courses and distances:

North 31°10'00" West, a distance of 180.67 feet to a point for corner from which a 1/2" iron rod found bears North 64°19'25" East, a distance of 1.94 feet;

South 59°04'11" West, a distance of 547.61 feet to a 1/2" iron rod found for the northwest corner of said 2.14 acre tract, and being at the southwest corner of the aforementioned 104.099 acre tract, and being in the east line of a called 121.7963 acre tract of land described in the Warranty Deed to Pinhas Bendayan, recorded in Volume 1357, Page 145, O.P.R.E.C.T.;

**THENCE** North 30°57'40" West, with the common line of said 104.099 acre tract and said 121.7963 acre tract, and continuing with the common line of said 104.099 acre tract and the aforementioned 140.0321 acre tract, a distance of 4,784.26 feet to a point for the northeast corner of said 140.0321 acre tract, and being at the southeast corner of the aforementioned 0.169 acre tract, from which a 3/8" iron rod found bears South 59°19'54" West, a distance of 0.56 feet;

**THENCE** South 59°19'54" West, with the common line of said 0.169 acre tract and said 140.0321 acre tract, a distance of 123.94 feet to the **POINT OF BEGINNING** and containing 53,558,344 square feet or 1,229.5304 acres of land.

**EXHIBIT B**

**CITY OF WAXAHACHIE, TEXAS  
NOTICE OF PUBLIC HEARING REGARDING  
THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT**

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended, notice is hereby given that the City Council of the City of Waxahachie, Texas ("Waxahachie"), will hold a public hearing to accept public comments and discuss the petition (the "Petition"), filed by GRBK Edgewood LLC, a Texas limited liability company (the "Petitioner"), requesting that Waxahachie create the Haven Ranch Public Improvement District (the "District") to include property owned by the Petitioner.

**Time and Place of the Hearing.** The public hearing will start at or after 7:00 p.m. on March 4, 2024, at Waxahachie Civic Center, 2000 Civic Center Lane, Waxahachie, Texas 75165.

**General Nature of the Proposed Authorized Improvements.** The general nature of the proposed public improvements to be provided by the District, in phases, are (a) acquisition, construction and improvements, and maintenance of the improvements, consisting of (1) landscaping; (2) distinctive lighting, and signs; (3) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way, including related landscaping, lighting, traffic control devices, screening walls and retaining walls; (4) acquisition and installation of pieces of art; (5) acquisition, construction, or improvement of off-street parking facilities; (6) acquisition, construction, or improvement of water, wastewater, or drainage facilities or improvements; (7) the establishment or improvement of parks; (8) projects similar to those listed in (1)-(7); (9) acquisition, by purchase or otherwise, of real property or contract rights in connection with an authorized improvement; (10) special supplemental and maintenance services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, roadways, public safety, security, business recruitment, development, recreation, and cultural enhancement (collectively, the "Authorized Improvements"); and (b) the payment of expenses incurred in the establishment, administration, and operation of the District, including maintenance costs, costs of issuance, funding debt service and capitalized interest reserves and credit enhancement fees of any bonds issued by or on behalf of the District, if necessary.

**Estimated Cost of the Authorized Improvements.** The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District is \$230,000,000.

**Proposed District Boundaries.** The District is proposed to include approximately ±1,229.530 acres of land located within Waxahachie's extraterritorial jurisdiction situated in the William Stewart Survey, Abstract No. 956, the James Young Survey, Abstract No. 1199, the Norman H. Whittenberg Survey, Abstract No. 1128, the Ellis County School Land Survey, Abstract No. 328, the Simon C. White Survey, Abstract No. 1250, the Simon C. White Survey, Abstract No. 1251, the James Riggs Survey, Abstract No. 923, the John R. Lansford Survey, Abstract No. 635, the William Baskins Survey, Abstract No. 1128, and the P.T.I. Co. Survey, Abstract No. 1238, City of Waxahachie, Ellis County, Texas, and being all of a called 456.928 acre tract of land designated as "Tract 1," all of a called 420.642 acre tract of land designated as "Tract 2," all of a called 50.011 acre tract of land designated as "Tract 3," all of a called 107.789 acre tract of land designated as "Tract 4," all of a called 76.653 acre tract of land designated as "Tract 5," all of a called 104.099 acre tract of land designated as "Tract 7," and all of a called 0.169 acre tract of land designated as "Tract 8" in a Special Warranty Deed to GRBK Edgewood LLC, recorded in Instrument No. 2202337, Official Public Records, Ellis County, Texas (O.P.R.E.C.T.), and being all of Lots 1 through 4,

Harrington Acres No. 2, an addition to Ellis County, Texas, according to the plat thereof recorded in Cabinet H, Slide 317, Plat Records, Ellis County, Texas (P.R.E.C.T.), and designated as "Tract 6" in said Special Warranty Deed to GRBK Edgewood LLC, and being all of Lot 3, Block A, Crystal Hills, an addition to the City of Waxahachie, Ellis County, Texas, according to the plat thereof recorded in Cabinet H, Slide 798, P.R.E.C.T., and designated as "Tract 9" in said Special Warranty Deed to GRBK Edgewood LLC, and generally located south of Hunter Pass and bisected by Harrington Road, and as more particularly described by a metes and bounds description available at Waxahachie City Hall located at 401 S. Rogers, Waxahachie, Texas 75165 and available for public inspection.

**Proposed Method of Assessment.** The proposed method of assessment related to the costs of acquisition of the Authorized Improvements is to impose a special assessment to be paid in installments on all useable property within the District, net of any public right-of-way, according to the value of the property, without regard to the value of improvements on the property, or in any other manner that results in imposing equal shares of the cost on property similarly benefitted. A report will be prepared showing the special benefits accruing to property within the District and how the costs of the Authorized Improvements are assessed to property on the basis of special benefit received by the property from the Authorized Improvements.

**Proposed Apportionment of Cost between the District and Waxahachie.** Waxahachie will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District property. The Petitioner may also pay certain costs of the improvements from other funds available to it as developer of the District.