

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 on ***Monday, September 16, 2019 at 7:00 p.m.***

Council Members: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Kevin Strength, Councilmember
Melissa Olson, Councilmember

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.
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 September 3, 2019
 - b. Minutes of the City Council briefing of September 3, 2019
 - c. Minutes of the City Council and Planning and Zoning Commission joint work session of September 3, 2019
 - d. Interlocal Agreement with Cedar Hill for the First Responder Resiliency Program
 - e. Interlocal Agreement with Red Oak and Midlothian to share equipment and cost for proposed radio system
 - f. Approve funding of custom art commission by Desmond Mason for Hachie Heart in Freedman Memorial Park
 - g. City Manager's appointment of member to Civil Service Commission
 - h. Acceptance of 2018 SAFER Grant
 - i. Cycling for Veterans event to be held November 10, 2019
6. ***Introduce*** Honorary Councilmember
 7. ***Present*** Proclamation proclaiming September 17 – 23, 2019 as Constitution Week

8. **Consider** proposed Ordinance providing for the issuance of City of Waxahachie, Texas Combination Tax and Revenue Certificates of Obligation, Series 2019, in an aggregate principal amount not to exceed \$31,525,000 and ordained other matters relating to the subject
9. **Public Hearing** on a request by DeeAnne Row for a Replat of Lots 19 and 20, Green Meadow, to create Lots 19R and 20R, Green Meadow, 8.922 acres (Property ID 150722) in the Extra Territorial Jurisdiction – Owner: BRIAN & DEEANNE ROW (RP-19-0088)
10. **Consider** approval of RP-19-0088
11. **Public Hearing** on a request by Amanda Doty, B&M Assessment Services, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-27-Single Family-2 zoning district, located at 311 Choctaw Trail (Property ID 229213) – Owner: RICHARD S & PENNY P EWERS (SU-19-0104)
12. **Consider** proposed Ordinance approving SU-19-0104
13. **Public Hearing** on a request by Hugo Monsanto for a Replat of Lot 3, Block 7, Nora Alexander’s Subdivision, to create Lots 3AR and 3BR, Block 7, Nora Alexander’s Subdivision, 0.232 acres (Property ID 172038) – Owner: VICTORINO G & PAULA G LUNA (RP-19-0105)
14. **Consider** approval of RP-19-0105
15. **Public Hearing** on a request by Alan Lauhoff, P.E., Atlas Associates Inc., for a Zoning Change from a Single Family-2 zoning district to Planned Development-Single-Family Residential-3, with Concept Plan, located South of Blue Bonnet Trails Phases 1 and 2 (Property ID 264992 and 182275) - Owner: BLUE BONNET TRAILS LLC (PD-19-0106)
16. **Consider** proposed Ordinance approving PD-19-0106
17. **Consider** request by Sean Shropshire, RPLS, Axis Surveying, LLC, for a Final Plat of Blue Bonnet Trails Phases 1 and 2 for 223 residential lots and 2 open space lots being 40.510 acres situated in B.B. Davis Survey, Abstract 290 and the W.C. Calder Survey, Abstract 235 (Property ID 182266 and 182267) Owner: BLUE BONNET TRAILS LLC (FP-19-0107)
18. **Public Hearing** on a request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, to create Lots 1-3, Block A, Cathedral Addition, 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0109)
19. **Consider** approval of RP-19-0109
20. **Public Hearing** on a request by Dorothea M. Russell for a Replat of Lot B, Block 206, Town Addition, to create Lots 1-2, Block A, Russell Replat, 0.4523 acres (Property ID 171519) – Owner: DOROTHEA M RUSSELL AND DELBERT EARL RUSSELL (RP-19-0110)
21. **Consider** approval of RP-19-0110

22. **Continue Public Hearing** on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Single-Family Residential-2, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (ZC-19-0089)
23. **Consider** proposed Ordinance approving ZC-19-0089
24. **Consider** request by Mark Thedford, Akamai Designs, for a Preliminary Plat of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090)
25. **Continue Public Hearing** on a request by Alec Broadus, Broadus Services LLC, for a Specific Use Permit (SUP) for Communications Antennas and Support Structures/Towers use within an Office zoning district, located at 106 Chambers Circle (Property ID 174573) – Owner: DAWSON J & SHIRLEY STAFFORD REVOCABLE TRUST (SU-19-0099)
26. **Consider** proposed Ordinance approving SU-19-0099 or **Consider** proposed Resolution denying SU-19-0099
27. **Continue Public Hearing** on a request by Scott Johnson, Palladium USA International, Inc., for a Zoning Change from a Light Industrial-1 and Commercial zoning district to Planned Development-Multiple-Family Residential-2, with Concept Plan, located on the West side of N Highway 77, just North of the Life School (Property ID 193933) – Owner: FUSCOM PROPERTY COMPANY NO. 1 LLC (PD-19-0022)
28. **Consider** proposed Ordinance approving PD-19-0022
29. **Consider** annual update to the Waxahachie Public Improvement District No. 1 Service and Assessment Plan and Assessment Roll
30. **Consider** annual update to the North Grove Public Improvement District Service and Assessment Plan and Assessment Roll
31. **Consider** proposed Ordinance approving revised budget figures for fiscal year 2018-2019 and approving the budget for fiscal year 2019-2020
32. **Consider** proposed Ordinance approving the Water and Wastewater Budget for fiscal year 2019-2020
33. **Consider** proposed Ordinance amending Water and Wastewater fees and setting an effective date of October 1, 2019
34. **Consider** proposed Ordinance approving the Robert W. Sokoll Water Treatment Plant Budget for fiscal year 2019-2020
35. **Consider** proposed Ordinance approving the Refuse Service Fund; Hotel Tax Fund; Waxahachie Community Development Corporation Budget; and, Interest and Sinking Fund for fiscal year 2019-2020

36. **Consider** proposed Ordinance amending the Solid Waste and Recycling Provisions Section 14.25 (b) Senior Citizens Discount
37. **Consider** proposed Ordinance approving the Tax Rate for fiscal year 2019-2020
38. **Consider** proposed Ordinance re-establishing classified positions under Civil Service
39. **Consider** award of bid for Getzendaner Park electrical project
40. **Consider** award of bid to McMahon Contracting, L.P. for the corridor restoration of East University Phase I
41. **Consider** award of bid to Texas Materials Group, Inc., dba JLB Contracting for the 2019 Street Rehabilitation Program
42. **Consider** award of bid to HD Cook's Rock Solid, Inc. for the 2019 Sidewalk Program
43. **Consider** award of a bid to Circle H Contractors, LP for the FM 813 12" Water Line (791/769 Service Area Realignment) and Sidewalk Trail Capital Improvement Planned Project
44. **Consider** appointments to Boards and Commissions
45. **Consider** the establishment of a policy limiting utilization of City Attorney services without City Manager authorization
46. Comments by Mayor, City Council, City Attorney and City Manager
47. Adjourn

The City Council reserves the right to go into Executive Session on any posted item.

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 469-309-4005 or (TDD) 1-800-RELAY TX

A regular meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Tuesday, September 3, 2019 at 7:00 p.m.

Councilmembers Present: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Melissa Olson, Councilmember

Councilmember Absent: Kevin Strength, Councilmember

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Terry Welch, City Attorney
Lori Cartwright, 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

Mayor Pro Tem Mary Lou Shipley gave the invocation and led the Pledge of Allegiance and the Texas Pledge of Allegiance.

4. Public Comments

Ms. Terri Davis-Cole, 111 North Star Lane, Waxahachie, spoke against the tax rate and asked that it be lowered.

Mr. Yomi Fayiga, 1111 W. Main Street, Waxahachie, stated at Main Street and Hardin Street a pool of water stands and has been there for five years. He stated mosquitoes breed in the pool of water and he can't get TxDOT or the City to respond.

5. Consent Agenda

- a. Minutes of the City Council meeting of August 19, 2019
- b. Minutes of the City Council briefing of August 19, 2019
- c. Minutes of the City Council Special meeting of August 21, 2019
- d. Trunk-N-Treat in the Park to be held at Lee Penn Park on October 31, 2019
- e. Antique Alley on the Square to be held September 21, 2019

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve items a. through e. on the Consent Agenda. Councilmember Melissa Olson seconded, All Ayes.

(5a)

6. Introduce Honorary Councilmember

Mayor Hill announced there is not an Honorary Councilmember for the month of September.

7. Second Public Hearing on the proposed Tax Rate for fiscal year 2019-2020

Mayor Hill opened the second Public Hearing on the proposed Tax Rate for fiscal year 2019-2020.

Those who spoke against the proposed Tax Rate for fiscal year 2019-2020:

Mr. Kevin Bready, 157 Valley Ranch Drive, Waxahachie
Ms. Meagan Roberts, 205 Stardust Trail, Waxahachie
Mr. John Tabor, 116 O Donna Drive, Waxahachie
Mr. Paul Christensen, 110 Williams Street, Waxahachie
Mr. Ira Tenpenny, 109 Rosa Street, Waxahachie
Mr. Christopher Haley, 205 Shetland Court, Waxahachie
Mr. Miguel Villanueva, 409 Sunset Court, Waxahachie

Those who spoke for the proposed Tax Rate for fiscal year 2019-2020:

Mr. Alan Fox, 327 University, Waxahachie
Ms. Sandy King, 315 Main Street, Waxahachie
Mr. Jim Phillips, 606 W. Marvin Avenue, Waxahachie
Mr. Kevin Ivy, 1980 East Highland, Waxahachie

Councilmember Melissa Olson stated lowering the tax rate would not affect first responders. She noted the city could keep the quality of life and keep the first responders noting there are other places to cut.

There being no others to speak for or against the Public Hearing on the proposed Tax Rate for fiscal year 2019-2020, Mayor Hill closed the second Public Hearing.

8. Public Hearing on the City of Waxahachie Budget for fiscal year 2019-2020

Mayor Hill opened the Public Hearing on the City of Waxahachie Budget for fiscal year 2019-2020.

City Manager Michael Scott reported the proposed budget is just over \$42,179,875.00 in expenditures with departmental funds outlined in the proposed budget.

Those who spoke against the City of Waxahachie proposed Budget for fiscal year 2019-2020:

Ms. Meagan Roberts, 205 Stardust Trail, Waxahachie
Mr. Paul Christensen, 110 Williams Street, Waxahachie

(5A)

Councilmember Olson asked Mr. Scott at what point do we know the effective rate. Mr. Scott explained staff has to get the certified tax roll first and then the state helps us calculate with their worksheet that they send us. Councilmember Olson asked if there is any way to predicate a budget based on our effective tax rate. Mr. Scott stated staff works at the pleasure of City Council and if that is the direction of Council then City Staff will construct a budget at Council's direction.

There being no others to speak for or against the City of Waxahachie Budget for fiscal year 2019-2020, Mayor Hill closed the Public Hearing.

9. **Continue Public Hearing on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Single-Family Residential-2, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (ZC-19-0089)**

Mayor Hill continued the Public Hearing and announced the applicant requested to continue ZC-19-0089 to the City Council meeting of September 16, 2019.

10. **Consider proposed Ordinance approving ZC-19-0089**

Action:

Mayor Pro Tem Mary Lou Shipley moved to continue a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Single-Family Residential-2, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (ZC-19-0089) to the City Council meeting of September 16, 2019. Councilmember Melissa Olson seconded, All Ayes.

11. **Consider request by Mark Thedford, Akamai Designs, for a Preliminary Plat of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090)**

Mayor Hill announced the applicant requested to continue PP-19-0090 to the City Council meeting of September 16, 2019.

Action:

Mayor Pro Tem Mary Lou Shipley moved to continue a request by Mark Thedford, Akamai Designs, for a Preliminary Plat of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090) to the City Council meeting of September 16, 2019. Councilmember Chuck Beatty seconded, All Ayes.

12. **Public Hearing on a request by Kevin Cribley, Cribley Enterprises, Inc., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M AND M INVESTMENTS (SU-19-0098)**

(5a)

Mayor Hill opened the Public Hearing and announced the applicant requested to continue SU-19-0098 to the City Council meeting of October 7, 2019.

13. Consider proposed Ordinance approving SU-19-0098

Action:

Councilmember Chuck Beatty moved to continue a request by Kevin Cribley, Cribley Enterprises, Inc., for a Specific Use Permit (SUP) for Outside Storage use within a Commercial and Light Industrial-1 zoning district, located at 100 W Sterrett (Property ID 273754) – Owner: M AND M INVESTMENTS (SU-19-0098) to the City Council meeting of October 7, 2019. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

14. Public Hearing on a request by John Ed Justice, BKG Legacy Ranch 1, LLC, for a Replat of Lot 3, Block B, Legacy Ranch, Phase One, to create Lots 3R-A and 3R-B, Block B, Legacy Ranch, Phase One, 1.382 acres (Property ID 267513) – Owner: BKG LEGACY RANCH 1 LLC (RP-19-0100)

Mayor Hill opened the Public Hearing.

Director of Planning Shon Brooks reported the applicant proposes to replat one lot into two lots with an access easement to the rear of the property. He stated the applicant meets the Sub Division requirements and recommended approval.

There being no others to speak for or against RP-19-0100, Mayor Hill closed the Public Hearing.

15. Consider approval of RP-19-0100

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve a request by John Ed Justice, BKG Legacy Ranch 1, LLC, for a Replat of Lot 3, Block B, Legacy Ranch, Phase One, to create Lots 3R-A and 3R-B, Block B, Legacy Ranch, Phase One, 1.382 acres (Property ID 267513) – Owner: BKG LEGACY RANCH 1 LLC (RP-19-0100). Councilmember Chuck Beatty seconded, All Ayes.

16. Public Hearing on a request by James McDill, Davis & McDill, for a Replat of Lots 1 and 2, Chapman Place Business Addition, and 1.3974 acres out of the WM Baskins Survey, Abstract 148, to create Lot 1-R, Block A, Chapman Place Business Addition, 2.152 acres (Property ID 247595, 247596, 180847) – Owner: STEVEN F & RICHARD A CHAPMAN (RP-19-0101)

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant proposes to replat two lots into one lot. He stated the applicant meets the Sub Division requirements and recommended approval.

There being no others to speak for or against RP-19-0101, Mayor Hill closed the Public Hearing.

17. Consider approval of RP-19-0101

(50)

Action:

Councilmember Melissa Olson moved to approve a request by James McDill, Davis & McDill, for a Replat of Lots 1 and 2, Chapman Place Business Addition, and 1.3974 acres out of the WM Baskins Survey, Abstract 148, to create Lot 1-R, Block A, Chapman Place Business Addition, 2.152 acres (Property ID 247595, 247596, 180847) – Owner: STEVEN F & RICHARD A CHAPMAN (RP-19-0101). Councilmember Chuck Beatty seconded, All Ayes.

- 18. Consider request by Matthew Martinez, JPH Land Surveying, for a Preliminary Plat of Chapman Acres Subdivision for 1 lot being 0.973 acres situated in William Baskins Survey, Abstract 148 (Property ID 180816 and 180826) Owner: VAQUERO KIRKSEY STREET PARTNERS LP (PP-19-0103)**

Mr. Brooks reported the applicant proposes making two lots into one lot. He stated the applicant meets the Sub Division requirements and recommended approval.

Action:

Councilmember Chuck Beatty moved to approve a request by Matthew Martinez, JPH Land Surveying, for a Preliminary Plat of Chapman Acres Subdivision for 1 lot being 0.973 acres situated in William Baskins Survey, Abstract 148 (Property ID 180816 and 180826) Owner: VAQUERO KIRKSEY STREET PARTNERS LP (PP-19-0103). Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

- 19. Public Hearing on a request by Kayla Sterling, SunRun, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-Single Family-2 zoning district, located at 90 Lilly Lane (Property ID 222788) – Owner: ROBERT J BOUDREAU (SU-19-0095)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant meets the requirements of the Zoning Ordinance and recommended approval.

There being no others to speak for or against SU-19-0095, Mayor Hill closed the Public Hearing.

- 20. Consider proposed Ordinance approving SU-19-0095**

ORDINANCE NO. 3132

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT SINGLE FAMILY – 2 (PD-SF-2) ZONING DISTRICT, LOCATED AT 90 LILLY LANE, BEING PROPERTY ID 222788, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 40 BLOCK A IN THE RIVER OAKS #4 SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

(5a)

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3132 as presented. Councilmember Melissa Olson seconded, All Ayes.

21. **Public Hearing on a request by Stephen Masker, Sunpro Solar, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Single Family-2 zoning district, located at 112 Barger Drive (Property ID 172017) – Owner: JUSTIN T WITT (SU-19-0096)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant meets the requirements of the Zoning Ordinance and recommended approval.

There being no others to speak for or against SU-19-0096, Mayor Hill closed the Public Hearing.

22. **Consider proposed Ordinance approving SU-19-0096**

ORDINANCE NO. 3133

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT, LOCATED AT 112 BARGER DRIVE, BEING PROPERTY ID 172017, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 11 IN THE BARGER SUBDIVISION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3133 as presented. Councilmember Melissa Olson seconded, All Ayes.

23. **Public Hearing on a request by Sean Neal, TGS Architects, for a Specific Use Permit (SUP) for Drive Through Establishment use within a General Retail zoning district, located at 1905 N Highway 77 (Property ID 262426) – Owner: COMMUNITY NATIONAL BANK & TRUST OF TEXAS (SU-19-0097)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant proposes a bank with a drive thru and in addition, it will include professional office spaces for lease being a multi-tenant building. He stated the applicant will meet the requirements of the existing building material requirements prior to September 1, 2019. Applicant proposes deviation of landscaping and stacking. Mr. Brooks stated the deviation of landscaping and staking are acceptable to staff and recommended approval.

There being no others to speak for or against SU-19-0097, Mayor Hill closed the Public Hearing.

24. **Consider proposed Ordinance approving SU-19-0097**

(50)

ORDINANCE NO. 3134

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A DRIVE THROUGH ESTABLISHMENT (BANK) USE WITHIN A GENERAL RETAIL (GR) ZONING DISTRICT, LOCATED AT 1905 N HIGHWAY 77, BEING PROPERTY ID 262426, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 1R, BLOCK B IN VICTORY PARK REV. 2, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

Action:

Councilmember Chuck Beatty moved to approve Ordinance No. 3134 as presented. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

- 25. Public Hearing on a request by Alec Broadus, Broadus Services LLC, for a Specific Use Permit (SUP) for Communications Antennas and Support Structures/Towers use within an Office zoning district, located at 106 Chambers Circle (Property ID 174573) – Owner: DAWSON J & SHIRLEY STAFFORD REVOCABLE TRUST (SU-19-0099)**

Mayor Hill opened the Public Hearing.

Mr. Brooks reported the applicant proposes to construct a 165 ft. monopole tower at 106 Chambers Circle, adjacent to a beauty supply. The applicant intends to screen the tower with a 6 ft. PVC fence with shrubs around the base of tower. He reported a licensed engineer provided a drop zone stating the tower will drop around the base of the tower. Mr. Brooks expressed concern with the height of the tower and recommended to deny. He stated the Planning and Zoning Commission voted 6-1 to recommend approval.

Those who spoke against SU-19-0099:

Mr. Ira Ten Penny, 109 Rosa Street, Waxahachie

Mr. Alec Broadus, applicant, Broadus Services LLC, 4 Counting Place Circle, Dalworthington Gardens, Texas, stated T-Mobile asked that a tower be built at the proposed location. He presented a slideshow noting the tower's design will accommodate up to four carriers. Mr. Broadus stated the tower will be 5g to accommodate all the data. He noted in a wind event up to 105 mph and four carriers, the tower could suffer.

Councilmember Olson expressed concern with safety noting she would lean towards denying SU-19-0099.

City Attorney Terry Welch stated if the Council is moving toward denial that SU-19-0099 be postponed until the next City Council meeting to allow the attorney office to provide evidence by Federal Statute to deny it. He inquired about the liability of other locations and expressed concern as to what was undertaken to look at other locations and what maps or propagation apps look like at other locations. Mr. Welch expressed concern with T-Mobile's policy not to work with another carrier and the applicant's engineering report being vague.

There being no others to speak for or against SU-19-0099, Mayor Hill closed the Public Hearing.

26. Consider proposed Ordinance approving SU-19-0099

Action:

Councilmember Melissa Olson moved to postpone consideration of SU-19-0099 to the City Council meeting of September 16, 2019 and asked the City Attorney office in conjunction with the Planning Department to prepare an appropriate Resolution for consideration. Councilmember Chuck Beatty seconded, All Ayes.

27. Consider proposed Ordinance approving Rate Review Mechanism Tariff for Atmos Energy

Mr. Albert Hernandez, Manager, Atmos Energy, 3525 N. Highway 77, Waxahachie, stated Atmos is replacing aging pipeline requiring an investment on Atmos Energy's part. He stated 171 cities are part of the Atmos Energy Steering Committee and Atmos Energy Corporation, Mid-Tex Division regarding the company's 2019 rate review mechanism filing and adopting tariffs that reflect rate adjustments consistent with the negotiated settlement. He requested approval of Ordinance No. 3135 approving the negotiations.

ORDINANCE NO. 3135

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2019 RATE REVIEW MECHANISM FILING, DECLARING EXISTING RATES TO BE UNREASONABLE, ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT, FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST, APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS, APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY, REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES, DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT, ADOPTING A SAVINGS CLAUSE, DECLARING AN EFFECTIVE DATE, AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Ordinance No. 3135 as presented. Councilmember Chuck Beatty seconded, All Ayes.

28. Consider proposed Resolution designating an official newspaper for the City of Waxahachie

(50)

City Manager Michael Scott stated at the last City Council meeting, there was an item for consideration for designating a paper of record for the City of Waxahachie. He stated it has not been an issue in the past because there was only one paper in town. Mr. Scott stated as of this month there is a second paper that qualifies under state law noting The Waxahachie Sun now meets that standard. He stated the city has had a number of concerns with the existing paper of record.

Councilmember Olson asked for Council's feedback and concerns they may have with the existing paper of record noting she does not understand why this is up for consideration.

Mayor Hill stated the current paper of record has been here for approximately 150 years and certainly has served our city well. He expressed concern of the paper's building being up for sale and he received a letter that the local paper is going to two days and distributing the paper through the mail noting people delivering the paper no longer have jobs. Mayor Hill stated we have another paper that qualifies and is local and reports local news. He stated Gateway that owns the Waxahachie Daily Light is a national company and not local like it used to be.

Mayor Pro Tem Mary Lou Shipley stated she was concerned before and just recently received a letter advising that the Daily Light would no longer be thrown and will be sent through the mail, which raises a question of how promptly people would get legal notices that is published in the paper.

Mayor Hill asked Councilmember Olson if there is a reason she opposes the change of newspapers. Councilmember Olson stated she is looking at the statics of the papers and does not understand the urgency. She stated if the Daily Light does close then they can switch to The Waxahachie Sun.

Councilmember Olson expressed concern with the additional party of The Waxahachie Sun remaining anonymous and stated she believes the silent partner is in politics.

Mr. Scott stated staff has concerns with local coverage where the Daily Light does not cover the city's local meetings and events. As far as who owns the company and who remains anonymous, Mr. Scott stated he does know two owners of The Waxahachie Sun. He stated he does not know any of the stakeholders of Gateway (owner of the Daily Light), or where they are located, but does know they are not in Waxahachie.

RESOLUTION NO. 1275

A RESOLUTION OF THE CITY OF WAXAHACHIE, TEXAS DESIGNATING AN OFFICIAL NEWSPAPER FOR THE CITY OF WAXAHACHIE, TEXAS; AND PROVIDING AN EFFECTIVE DATE

Action:

Mayor Pro Tem Mary Lou Shipley moved to approve Resolution 1275 designating The Waxahachie Sun as the official newspaper for the City of Waxahachie in which public notices at the city is required to be published. Councilmember Chuck Beatty seconded. The vote was as follows:

(50)

*Ayes: David Hill
Mary Lou Shipley
Chuck Beatty*

Noes: Melissa Olson

The motion carried.

29. Consider award of a professional services contract with Kimley-Horn for engineering design services associated with an 18" water transmission line

Utilities Director David Bailey reported the contract with Kimley-Horn will provide engineering design, bid specification preparation, construction support services and right-of-way services to construct an 18" water line from the existing 24" water line on Butcher Road to the south property line of Owens Corning noting it will run parallel with the railroad. Mr. Bailey stated the project will help facilitate growth in the northern part of the city and is eligible for funding through impact fees.

Action:

Councilmember Melissa Olson moved to award a professional services contract with Kimley-Horn in the amount of \$133,500.00 for engineering design services associated with an 18" water transmission line. Councilmember Chuck Beatty seconded, All Ayes.

30. Consider award of a bid to J & K Excavation for asphalt overlay associated with Broadhead Road

Assistant City Manager Tommy Ludwig presented an award of bid to J & K Excavation in the amount of \$46,497.00. He stated staff currently excavated 30,000 square feet of pavement at Broadhead Road and did not have the equipment to perform the overlay of asphalt in-house. Mr. Ludwig stated staff arranged for J & K Excavation to actually perform the work and after reviewing the bid, staff realized per state law the city would exceed \$50,000 with J & K Excavation this year. He explained staff reached out to local and DFW contractors and were not able to identify a contractor that could perform the work so staff moved forward with J & K Excavation. Mr. Ludwig stated the work is scheduled for September 16, 2019. He stated until that time, staff will continue to water and grade the road as necessary.

Action:

Councilmember Chuck Beatty moved to award a bid to J & K Excavation for asphalt overlay associated with Broadhead Road in the amount of \$46,497.00. Mayor Pro Tem Mary Lou Shipley seconded, All Ayes.

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

Assistant City Manager Tommy Ludwig announced Public Works Director Jeff Chambers is retiring and staff is holding a celebration on Friday, September 6, 2019, at 2:00 p.m. in the Council Chamber and invited Council to attend. He stated Mr. Chambers is just shy of 27 years with the city. Mr. Ludwig stated the Public Works Department and Engineering Department will

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be restructured with City Engineer James Gaertner overseeing both divisions. Mr. Kip Dernovich will serve as the Assistant Director overseeing the finances for both departments. He stated staff will be posting for a position to replace Mr. Chambers and a position to oversee construction.

City Manager Michael Scott stated he appreciates the feedback from the community on the tax rate and on the budget noting it is good to have the forums where people can share their concerns. Mr. Scott referenced the tax rate and clarified the 11.5% number that was mentioned several times. He stated the city is limited by a rollback rate of 8% on those types of values so the comparison of how it hits their home as far as a rate of 3% versus 11.5% is a little misleading because it is about 5.5% of new improvements that would not affect them. He stated a little more accurate would be more like 6% versus a 3% raise that a man spoke of during the tax rate hearing. Mr. Scott encouraged Councilmember Olson to share with her constituents in the community that she is in touch with and make sure that they are clear on what those rollback rates mean noting the Truth-in-Taxation is a little deceiving on how it is worded. He stated if Councilmember Olson could help clarify that her constituents, it would be appreciated.

Mayor Pro Tem Mary Lou Shipley stated it would really be nice for those in the audience and community who are unhappy with the tax rate that has been set to see participation in the city activities noting there are probably three people in the audience that she recognizes that attends meetings. Mayor Pro Tem Shipley stated when the audience gives Council feedback it would be nice if they could contribute some of their time, effort, experiences, and wisdom. She stated she is tired of people complaining but they never really give anything back.

Councilmember Melissa Olson thanked people for coming out and speaking and appreciates their attendance.

Mayor David Hill stated with the recent incident of losing a young life in the city, it was difficult for first responders and asked everyone to keep them in prayer. He referenced previous comments on the budget and explained the \$18,000 for chairs is not in the budget, noting Council removed it. Mayor Hill stated the beautification throughout the city is one of our biggest compliments Council and Staff receive. He explained that is all due to sales tax money that our 4B Board utilizes.

32. Adjourn

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(5b)

City Council
September 3, 2019

A briefing session of the Mayor and City Council of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers, Waxahachie, Texas, on Tuesday, September 3, 2019 at 6:30 p.m.

Council Members Present: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Melissa Olson, Councilmember

Councilmember Absent: Kevin Strength, Councilmember

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Terry Welch, City Attorney
Lori Cartwright, City Secretary

1. Call to Order

Mayor David Hill called the meeting to order.

2. Conduct a briefing to discuss agenda items for the 7:00 p.m. regular meeting

City Manager Michael Scott welcomed Mr. Terry Welch for sitting in for City Attorney Robert Brown. He stated Public Comments are back at the top of the agenda to satisfy a Legislative Bill recently passed. He reviewed items on the agenda noting the Mayor will open the second Public Hearing on the Tax Rate. Councilmember Melissa Olson stated she wants it to go down to \$.650000/100. Mr. Scott noted item 8 is the Public Hearing on the proposed budget.

Planning Director Shon Brooks reviewed the following cases:

- ZC-19-0089, applicant requested to continue to the City Council meeting of September 16, 2019.
- PP-19-0090, applicant requested to continue to the City Council meeting of September 16, 2019.
- SU-19-0098, applicant requested to continue to the City Council meeting of October 7, 2019.
- RP-19-0100, applicant proposed to create two lots from one lot. Staff recommended approval.
- RP-19-0101, applicant proposed to create one lot from two lots. Staff recommended approval.
- PP-19-0103, applicant proposes Preliminary Plat making one lot. Staff recommended approval.
- SU-19-0095, applicant proposes a roof top solar panel system. Staff recommended approval.
- SU-19-0096, applicant proposes a roof top solar panel system. Staff recommended approval.

(56)

- SU-19-0097, applicant proposes a multi-tenant building being part bank and other office areas. Applicant requested relief on landscape due to utility easement within required landscape buffer and waiver of tree requirements due to future road widening and required 6 foot wide sidewalk. Applicant request stacking of 4 vehicles at drive thru versus the required stacking of 5 vehicles. Staff recommended approval.
- SU-19-0099, applicant intends to construct a 165 foot monopole tower to provide additional capacity and adequate cell coverage for the surrounding area. Staff expressed concern with the fall zone/setbacks and height. Staff recommended to deny.

Director of Economic Development Doug Barnes referenced a proposed Ordinance approving the negotiated settlement between Atmos Cities Steering Committee and Atmos Energy Corporation Mid-Tex Division noting a rate increase was negotiated and filed and will become effective October 1, 2019. Mr. Barnes recommended to approve.

Mr. Scott reviewed a proposed Resolution designating a newspaper of record. He stated the City received notice that the Waxahachie Daily Light reduced to publishing twice a week and mailing newspapers versus throwing them.

Director of Utilities David Bailey reviewed the BNSF Water Line Project associated with the City's Capital Improvement Plan. He explained the contract is for engineering services to design, bid specification preparation, construction support services and right-of-way services to construct an 18" water line from the existing 24" water line on Butcher Road to the south property line of Owens Corning. The project will parallel the BNSF Railroad.

Assistant City Manager Tommy Ludwig referenced the section of Broadhead Road that goes down to two lanes noting staff removed pavement with the intention to contract asphalt with J&K Excavation. He stated because the project was below the value of \$50,000, it can be awarded administratively. However, State law prohibits awarding multiple informal bids to a single contractor, without City Council approval, if the total of the bids would exceed \$50,000 in a single year. Mr. Ludwig stated management determined that awarding this informal bid would exceed the \$50,000 threshold and therefore had to go out for bids. He explained ultimately staff determined for the best and financial use the city is to go with J&K Excavation and they can begin on September 16th. Mr. Ludwig stated staff received a quote from another contractor but never heard back from them. He stated the City has a water truck that is watering daily and explained it was not poor planning, staff just ran up against State law.

3. Adjourn

There being no further business, the meeting adjourned at 6:54 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

A Joint Work Session of the Mayor and City Council and Planning & Zoning Commission of the City of Waxahachie, Texas was held in the City Council Conference Room at City Hall, 401 S. Rogers on Tuesday, September 3, 2019 at 5:30 p.m.

Councilmembers Present: David Hill, Mayor
Mary Lou Shipley, Mayor Pro Tem
Chuck Beatty, Councilmember
Melissa Olson, Councilmember

Councilmember Absent: Kevin Strength, Councilmember

Planning & Zoning
Members Present: Bonney Ramsey
Jim Phillips
David Hudgins
Erik Test

Planning & Zoning
Members Absent: Rick Keeler, Chairman
Melissa Ballard, Chairman
Betty Square Coleman

Others Present: Michael Scott, City Manager
Albert Lawrence, Assistant City Manager
Tommy Ludwig, Assistant City Manager
Terry Welch, City Attorney
Lori Cartwright, City Secretary
Shon Brooks, Director of Planning

1. Call to Order by Mayor David Hill and P&Z Member Jim Phillips

Mayor David Hill called the City Council meeting to order.

Commissioner Jim Phillips called the Planning and Zoning Commission meeting to order.

2. Discussion regarding proposed amendments to the Subdivision Ordinance as a result of bills passed during the 2019 legislative session

Assistant City Manager Tommy Ludwig and Planning Director Shon Brooks reviewed amendments to the city's Subdivision Ordinance due to bills passed during the 2019 legislative session.

Highlights of the discussion included doing away with the term "final plat" and referencing "plat". Mr. Ludwig referenced House Bill 3167 noting the statutory 30-day time for plat approvals shall not commence until the application has been determined to be complete by City staff. He stated staff will be required to respond to the applicant that the application is approved, approved with conditions or denied. The applicant will have an undetermined amount of time to respond. He stated applications can no longer be approved "per staff comments".

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Mr. Brooks referenced fire flow requirements noting for platting of properties in the City's Extra Territorial Jurisdiction (ETJ), a subdivision of four (4) or fewer lots is not required to have a water system with mains of sufficient size and have a sufficient number of outlets to furnish fire protection to all lots. Subdivisions of greater than four (4) lots in the City's ETJ must have a water system with mains of sufficient size and have a sufficient number of outlets to furnish fire protection to all lots unless a fire flow waiver is granted for the development by the City Council. The plats must provide a disclaimer that the development does not have adequate water flow to allow for firefighting and fire suppression services to any improved properties.

Discussion was held on infrastructure and Mr. Ludwig stated currently a letter of credit is provided by the developer for \$100,000.00 noting his concern is a letter of credit is not guaranteed for tomorrow. He discussed an Escrow Account or forms of bonds provided by a contractor that protects the City until the infrastructure has been accepted from defects and faults in materials, workmanship, and design for a special period of time. Mr. Ludwig proposed using an Escrow Account established by the applicant requiring the developer to put \$100,000.00 in an Escrow Account and the developer can draw down the monies to build the infrastructure.

3. Adjourn

There being no further business, the meeting adjourned at 6:21 p.m.

Respectfully submitted,

Lori Cartwright
City Secretary

(5d)



Memorandum

To: Honorable Mayor and City Council

From: Ricky Boyd, Fire Chief

Thru: Michael Scott, City Manager

Date: September 10, 2019

Re: ILA with Cedar Hill for the First Responder Resiliency Program

Honorable Mayor and City Council,

Recent studies have shown that the constant exposure to traumatic situations and the physical strain of working long hours with little to no rest can negatively impact the overall mental health of first responders. As such, reports of depression, alcohol and drug abuse, PTSD and suicide attempts are on the rise in the fire and police professions.

Cedar Hill has been awarded a grant for the First Responder Resiliency Program (FRRP) that will enable them to positively address the aforementioned mental health issues that can potentially affect their firefighters and police officers. They have graciously offered to allow the City of Waxahachie to enter into an Interlocal Agreement (ILA) to participate in the grant. The maximum annual cost for our participation is anticipated to be \$5,000 which is included in the proposed FY20 budget. Therefore, I respectfully request your approval of an ILA with Cedar Hill to participate in the FRRP so that we can protect the mental wellbeing of the first responders who have dedicated their lives to serve the City of Waxahachie.

A handwritten signature in blue ink that reads 'Ricky Boyd'.

Respectfully submitted,
Ricky Boyd, Fire Chief

(5d)

INTERLOCAL AGREEMENT

This Interlocal Agreement ("Agreement") is made and entered into by and between the City of Cedar Hill, Texas, and the City of _____, Texas, each acting by and through its duly authorized officials and is effective as of _____, 20__.

WHEREAS, Cedar Hill and _____ are both governmental entities engaged in the purchase of goods and services, which is a recognized governmental function; and

WHEREAS, Cedar Hill has entered into an agreement with Readiness Group, LLC, for the consultation and development of a trauma-based education and peer response program for first responders who have been vicariously traumatized by criminal acts (the "Consulting Agreement"), a true and correct copy of which is attached hereto as Exhibit A and is incorporated herein for all purposes; and

WHEREAS, the Consulting Agreement provides that other cities may join and participate with Cedar Hill as a client party under the said agreement; and

WHEREAS, the City of _____ desires to participate with Cedar Hill in and under the Consulting Agreement; and

WHEREAS, Chapter 791 of the Texas Government Code (the Interlocal Cooperation Act) provides that a local government may agree with another local government to purchase goods and services; and

WHEREAS, participation in the Consulting Agreement will be highly beneficial to the employees and citizens of Cedar Hill and _____ through the benefits to be derived under the Consulting Agreement and anticipated savings to be realized; and

WHEREAS, Cedar Hill and _____ have current funds available to satisfy any fees owed pursuant to this Agreement and the Consulting Agreement.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, covenants and obligations as set forth herein; Cedar Hill and _____ agree as follows:

1. Cedar Hill and _____ may cooperate in the purchase of services participate as parties in and to the Consulting Agreement.
2. Cedar Hill and _____ shall each be responsible for their proportion share of costs and fees owed to Readiness Group, LLC under the Consulting Agreement. Cedar Hill shall invoice _____ for its proportionate share of costs and fees on a _____ basis and such amounts shall be due and payable from _____ to _____

(5d)

Cedar Hill within 30 days of the date of each invoice.

3. Notwithstanding anything herein to the contrary, participation in this Agreement may be terminated by any party upon thirty (30) days written notice to the other participating party(ies).

4. This Agreement may not be assigned by any party hereto without the prior written unanimous consent of the other parties. No assignment, delegation of duties or subcontract under this Agreement shall be effective without the prior written unanimous consent of all parties hereto.

5. The validity of this Agreement and any of its terms and provisions, as well as the rights and duties of the parties, shall be governed by the laws of the State of Texas. Venue for any action arising from or relating to this Agreement shall be in the State District Courts of Dallas County, Texas.

6. In the event that 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 the other provisions, and the Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained in this Agreement.

7. This Agreement may be amended by the mutually written agreement of the parties hereto.

8. This Agreement constitutes the entire agreement between the parties, and there exist no other written or oral understandings, agreements or assurances with respect to any matters except as set forth herein. Unless expressly stated, this Agreement confers no rights to or upon any person or entity that is not a party hereto.

9. In the event that any party shall be prevented from performing any of its obligations under this Agreement by any act of God, war, riot, civil commotion, strikes, fires, flood or by the occurrence of any other event beyond the control of such party, then such party shall be excused from the performance of the obligations in this Agreement but only during such periods of Force Majeure.

10. This Agreement may be executed separately by the participating entities, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

11. This Agreement shall become effective on the day and year first written above (the "Effective Date"). The primary term of this Agreement shall be for one (1) year, commencing

(5d)

on the Effective Date and terminating on _____, and shall thereafter automatically renew for successive one-year terms, unless terminated according to the terms set forth in Paragraph 3.

12. To the extent allowed by law, each party agrees to release and hold harmless the other (and its officers, agents, and employees) from and against all claims or causes of action for injuries (including death), property damages (including loss of use), and any other losses, demands, suits, judgments and costs, including reasonable attorneys' fees and expenses, in any way arising out of, related to, or resulting from its performance under this agreement, or caused by its negligent acts or omissions (or those of its respective officers, agents, employees, or any other third parties for whom it is legally responsible) in connection with performing this Agreement.

13. It is expressly understood and agreed that, in the execution of this Agreement, neither party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the parties do not create any obligations, express or implied other than those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

EXECUTED this ____ day of _____, 20____.

CITY OF CEDAR HILL, TEXAS

By: _____
_____, Mayor

ATTEST:

Belinda Berg, City Secretary

APPROVED AS TO FORM:

Ron G. MacFarlane, Jr., City Attorney

(5d)

CITY OF _____, TEXAS

By: _____
_____, Mayor

ATTEST:

_____, City Secretary

APPROVED AS TO FORM:

_____, City Attorney

(5e)



Memorandum

To: Honorable Mayor and City Council
From: Wade G. Goolsby, Chief of Police
Thru: Michael Scott, City Manager
Date: September 6, 2019
Re: Interlocal Agreement

In the upcoming budget, the police department has requested an improvement to the current radio system. The improved system would involve an upgrade of our current equipment and the integration into a multi-agency 700 MHz simulcast digital radio system. Currently, the cities to our west have joined the radio system and integrated with their surrounding cities. By joining this regional radio system, we are not only moving to an advanced radio system with better coverage, but we are also able to share costs of maintaining the system. The new radio system will not only enhance and improve current radio coverage, it would allow us to be truly interoperable with our surrounding cities. This is critical for all public safety entities and the radio system would be utilized by police, fire, and emergency medical services.

If the radio project is approved by Council, we would be utilizing multiple radio towers to achieve the simulcast functionality of the system. One tower is owned by Midlothian, and a second tower is owned by Red Oak. Both of these cities have already signed interlocal agreements to share equipment and costs. This interlocal agreement would add Waxahachie to the interlocal agreement that currently exists between the cities of Red Oak and Midlothian.

(5e)

The city of Midlothian currently holds the radio frequency licenses that are used in the new system and there is sufficient capacity in those frequencies to add additional cities into the system. This agreement would ensure that the radio frequencies are available for use by Waxahachie and other participating cities.

As part of the overall project, we intend to place equipment on the Joe White tower in the county and with the addition of that tower, every radio transmission will be simultaneously broadcast from the three towers. With the tower in Midlothian, the tower in Red Oak and the Joe White tower to our south, we would have radio signals being simultaneously broadcast from three different directions, providing better coverage and penetration into structures. An updated interlocal agreement between Ellis County and the City of Waxahachie will be presented for approval at a later date.

At this point in time, I am requesting approval of this interlocal agreement between Red Oak, Midlothian, and Waxahachie in order to facilitate the implementation of the new radio system. The proposed agreement has been reviewed and approved by the City Attorney and has been reviewed by the City Manager.

I respectfully request approval of the proposed interlocal agreement.

(5e)

PUBLIC SAFETY RADIO SYSTEM INTERLOCAL AGREEMENT

This Public Safety Radio System Interlocal Agreement (“Agreement”) is made between the **City of Midlothian, Texas**, a home-rule municipal corporation, with the authorization of its governing body (“Midlothian”), the **City of Red Oak, Texas**, a home-rule municipal corporation, with the authorization of its governing body (“Red Oak”), and the **City of Waxahachie, Texas**, a home-rule municipal corporation, with the authorization of its governing body (“Waxahachie”), (sometimes referred to collectively as “Cities” or the “Parties” or individually as a “City” or a “Party”).

RECITALS

WHEREAS, the Cities are political subdivisions within the State of Texas engaged in the provision of governmental services for the benefit of their citizens; and

WHEREAS, the Interlocal Cooperation Act, Texas Government Code, Chapter 791, as amended (the “Act”) provides authority for local governments of the State of Texas to enter into interlocal agreements with each other for the purpose of performing governmental functions and services as set forth in the Act; and

WHEREAS, in order to increase the functional radio system coverage area for use by the Cities and their respective users (which radio system coverage is essential and a necessary component of providing certain vital governmental services by each City, including, without limitation, police, fire, emergency medical, and public works protection provided by each City for its citizens); the Cities of Midlothian and Red Oak retained the services of Motorola Solutions, Inc. (“Motorola”) to implement a two-site ASTRO 25 Simulcast Sub-System (“Original System”) to be connected to the City of Forth Worth/City of Irving (“CFW/Irving”) ASTRO 25 System (the “System”); and

WHEREAS, Midlothian and Red Oak each own a ½ undivided interest in the Original System; and

WHEREAS, Midlothian is responsible for the licensing of all frequencies at each of the remote sites and holds title for all licensed frequencies; and

WHEREAS, Waxahachie desires to join the Midlothian and Red Oak Original System by engaging Motorola to construct a third site in Waxahachie at their sole expense, thereby converting the Original System to a three-site ASTRO 25 Simulcast System (“New System”) and adding all Waxahachie subscriber units as full users; and

WHEREAS, the Cities desire to enter this Agreement for the purpose of establishing the agreement of the Cities regarding the sharing of costs for maintenance, operation, management, and use of the New System.

NOW, THEREFORE, for and in consideration of the mutual benefits and obligations set forth in this Agreement, the Cities agree as follows:

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Article I Definitions

Unless the context clearly indicates a different meaning, the words and phrases set forth in this Article I shall have the following meanings when used in this Agreement:

“Acceptance Date” shall have the same meaning as set forth in the System Purchase Agreement (“SPA”) between Waxahachie and Motorola.

“Business Day” means any day other than a Saturday, Sunday, or official city holiday in which Midlothian’s city hall offices are closed for business.

“FCC Licenses” means the radio communications licenses granted by the FCC to Midlothian.

“Effective Date” means the date this Agreement has been approved by the governing bodies of the Cities and signed by the authorized representatives of each City.

“Motorola” means Motorola Solutions, Inc., a Delaware corporation.

“Non-Shared Components” means the subscriber equipment, materials, hardware, firmware, structures, and other items comprising a portion of the New System which may be purchased separately by each of the respective Cities.

“Non-Shared Costs” means the expenses to be incurred by the respective Cities relating to Non-Shared Components purchased by the respective.

“Shared Components” means the equipment, materials, hardware, firmware, structures, and other items necessary for the proper functioning of each site of the New System.

“Shared Costs” means those costs relating to operation, repair, and/or maintenance of the New System.

“New System” means the expanded three-site, six channel, ASTRO 25 Simulcast Sub-System connected to the City of Fort Worth/City of Irving (“CFW/Irving”) ASTRO 25 System, utilizing 700 MHz.

“System Maintenance Agreement” or **“SMA”** for the New System means a separate System Maintenance Agreement between Motorola (as Seller) and Midlothian (as Customer) for years following the initial one-year warranty period of the third site in Waxahachie.

“Term” means, collectively, the Initial Term as defined in Section 2.01, together with each Renewal Term, as defined in Section 2.02.

(5e)

Article II Term

2.01 Initial Term. This Agreement shall commence on the Effective Date and end at 11:59:59 p.m. Central Time on the day prior to the tenth (10th) anniversary of the Acceptance Date (“the Initial Term”), unless extended or terminated earlier as provided in this Agreement.

2.02 Renewal Term. This Agreement shall be extended automatically for an additional period of five (5) years (“Renewal Term”), the Renewal Term commencing on the tenth (10th) anniversary of the Acceptance Date.

2.03 Early Termination. Notwithstanding anything to the contrary herein, a City may terminate without cause its participation as a party to this Agreement subject to the following:

- A. The termination date must fall on September 30 of the year of termination;
- B. The City desiring to terminate its participation in this Agreement must deliver notice to the other Cities not later than one (1) year prior to the date of termination;
- C. The City terminating its participation in this Agreement shall not be entitled to reimbursement from the non-terminating Cities for expenditures related to the purchase, installation, or maintenance of the New System; provided, however:
 - (1) the terminating City shall be entitled to a proportionate share of the proceeds from the sale of any of the Shared Components by the non-terminating Cities to any third parties; and
 - (2) the terminating City shall be entitled to receive a refund of payments for any pre-paid preventative maintenance services, if applicable, but only to the extent such refunds may be obtained and received from Motorola or other person or entity providing maintenance services for the New System; and
- D. The non-terminating Cities shall have the right to continue to access, use, maintain, and repair the Shared Components located on property owned or leased by the terminating City without compensation to or interference by the terminating City for a period of fifteen (15) years; and
- E. Prior to the date of termination, the terminating City must pay any remaining financial obligations related to its share of Shared Costs incurred or accrued prior to the date of the termination of the terminating City’s participation in this Agreement.

Except as set forth in this Section 2.03, the terminating City shall have no obligation to pay any amounts which come due under this Agreement following the effective date of said City’s termination of its participation in this Agreement.

(5e)

**Article III
Operation and Maintenance of New System**

3.01 Ratification of Prior Acts of Midlothian. The Cities understand, acknowledge, and agree that Midlothian will continue to oversee the operation and maintenance of the New System and represent the New System in all dealings with the City of Fort Worth.

3.02 On Going Maintenance Expenses. Midlothian and Red Oak hereby warrant and represent they have each identified and appropriated current funds as of the Effective Date to pay their respective portions of the Shared Costs relating to the maintenance of the New System. Waxahachie hereby warrants and represents that they have identified and appropriated current funds as of the Effective Date to pay for the addition of the third site and the necessary modifications to convert the Original System to the New System. Waxahachie hereby agrees to join Midlothian and Red Oak in sharing the cost of funding the SMA with Motorola for maintenance of the New System in years following their initial warranty period for the third site. The Cities understand, acknowledge, and agree that, unless the Cities agree among themselves subsequent to the Effective Date of this Agreement to prepay Motorola the amounts due for maintenance of the New System for the full term of the SMA, the funds for maintenance of the New System each year of the term of future SMAs will be subject to annual appropriations by each of the Cities. The Cities further agree to equally share the expense of maintaining New System software support (SUAI) through the City of Fort Worth. Waxahachie shall be responsible for their share of the SUAI effective on the Acceptance Date of the third site.

3.03 Invoices from Motorola; Payments to Midlothian. Red Oak and Waxahachie agree to pay to Midlothian their portion of the Shared Cost for the SMA and SUAI, as identified in Section 3.02, upon receipt of an invoice from Midlothian. Midlothian shall furnish invoices from Motorola and Fort Worth to substantiate such payments.

3.04 Disputed Invoices. If Red Oak or Waxahachie dispute any amount appearing on an invoice from Motorola or Fort Worth that constitutes their portion of Shared Costs, they shall provide a written notice to Midlothian, not later than ten (10) days following receipt of the invoice, identifying the amount(s) disputed and the basis for the dispute. Red Oak and Waxahachie shall pay any undisputed amount as required by Section 3.03, above, in accordance within the due date for such amount. If any amount that is disputed by Red Oak or Waxahachie shall, in fact, be determined to be due, the City disputing the amount shall be solely responsible for also paying any late fees and/or interest accrued on delinquent payments pursuant to the SMA or SUAI, which amounts Red Oak and Waxahachie shall pay directly to Motorola or Fort Worth respectively.

3.05 Cooperation Regarding Installation, etc.; Mutual Right of Entry. During the term of this Agreement, or for fifteen (15) years, whichever is greater, each City agrees to reasonably cooperate with Motorola and the other Cities with respect to the installation and operation, and maintenance of the New System and to take such actions that are reasonable and necessary to ensure that Motorola is able to timely perform its obligations under the SPA and SMA. Each City hereby grants to each other City the right to enter those portions of each City's property on which is located any component of the New System for the purpose of securing the installation, repair, and/or operation, and/or maintenance of the New System. The Parties further

(5e)

agree to grant Motorola, its employees, agents, and/or subcontractors entry onto the City's property for the purpose of installing and, as long as the SMA is in effect, operating, repairing, and maintaining the New System. Notwithstanding the foregoing, each City may enforce reasonable and necessary security measures with respect to access to the City's facilities (including, without limitation, requirements that reasonable notice be given prior to such access) to the extent necessary to protect the City's property or facilities, the health and safety of the City's employees, residents, citizens, and/or businesses, or to comply with applicable state and/or federal laws and/or regulations. In the event access to a City's particular facility or property requires an escort, the City on whose property the New System component is located shall provide, at said City's sole cost, an employee or other authorized person for such escort within a reasonable time after the request for an escort is received.

3.06 Ownership of New System. The Cities agree that title to the New System shall be as follows:

A. Shared Components shall be jointly owned by the Cities in the following shares:

- (1) Midlothian: 1/3 undivided interest.
- (2) Red Oak: 1/3 undivided interest.
- (3) Waxahachie: 1/3 undivided interest

B. A Non-Shared Component shall be owned 100% by the City paying for the purchase of the Non-Shared Component.

C. Midlothian shall at all times maintain ownership of all radio communication licenses granted by the FCC for operation of the New System.

Nothing herein shall be construed as (i) granting a City any interest in real property owned by another City merely because a component of the New System is located on or attached to the real property of one of the Cities or (ii) granting a City an ownership interest in personal property paid entirely for and owned by another City merely because said personal property constitutes a component of the New System or the cost for operation, maintenance, or repair of the personal property constitutes a Shared Cost.

3.07 Division of Costs for Shared Components. The Cities agree that the costs for payment of the maintenance of the Shared Components shall be allocated as follows:

- A. Midlothian: 1/3 cost
- B. Red Oak: 1/3 cost
- C. Waxahachie: 1/3 cost

(5e)

Red Oak and Waxahachie agree to forward funds to Midlothian for their respective shares of the cost of maintaining the Shared Components in a timely manner in accordance with Section 3.02 to Section 3.04, above.

3.08 Non-Shared Costs. The Cities agree to pay in a timely manner their respective Non-Shared Costs directly to the vendors with whom the Cities contract to provide services, equipment, or facilities related to operation, repair, and/or maintenance of the New System.

3.09 Right to Use Property for New System Facilities. During the term of this Agreement, or for fifteen (15) years, whichever is greater, the Cities warrant and represent they each own, respectively, a sufficient real property interest (including, but not limited to, a fee simple interest, a fee simple determinable interest, a leasehold interest, and/or an easement) or a license and/or right of entry which will allow the New System to be operated and maintained in accordance with the SPA and the SMA (If applicable). The Cities agree to retain such real property interest at the sole cost of the respective Cities, which cost shall be considered a Non-Shared Cost. If after installation of the New System it becomes necessary to relocate any New System facilities or equipment because a City loses the right to use the City's property for location of those New System facilities or equipment, such City shall be responsible for all costs related to relocating those New System facilities or equipment and any expenses related to modifying the New System so that the New System continues to provide substantially the same coverage and work in substantially the same manner as designed and accepted by the Cities pursuant to this Agreement.

3.10 FCC Licenses; Frequency Assignment. Red Oak and Waxahachie agree that during the Term of this Agreement, they shall be jointly authorized to use the FCC Licenses granted to Midlothian for the purpose of communicating through the New System without compensation to Midlothian. Midlothian shall allocate and assign to Red Oak and Waxahachie the frequency or frequencies that Red Oak and Waxahachie will use for transmitting and receiving radio communications with the respective City's police, fire, and such other departments.

3.11 Waxahachie System Project Representatives. Not later than five (5) days after the Effective Date, Waxahachie shall designate a New System Project Representative who shall be the City's primary contact person with Motorola and the other Cities during the installation and acceptance testing of the expanded New System.

Article IV New System Maintenance and Operation

4.01 Maintenance. The Parties agree that all costs incurred as a result of routine maintenance or any necessary repairs to the New System shall be shared equally by the Parties. Each Party agrees to enter into a Systems Maintenance Agreement for all years following the initial warranty period on the third (Waxahachie) site. Such costs shall be shared equally by the Parties.

4.02 Right to Access and Use New System. During the term of this Agreement, or for fifteen (15) years, whichever is longest, provided Red Oak and Waxahachie have complied with the provisions of this Agreement including, but not limited to, payment of all their share of Shared Costs as required by this Agreement, Red Oak and Waxahachie shall have the right to access and

(5e)

use the New System. At no time shall Midlothian exclude either Red Oak or Waxahachie from accessing or using the New System as long as neither is in default (after notice of such default has been received by Red Oak or Waxahachie and the defaulting City has been provided a reasonable opportunity to cure the default) of this Agreement.

4.03 Line of Site Protection. During the term of this Agreement, or for fifteen (15) years, whichever is longest, the Cities understand, acknowledge, and agree that the proper operation of the New System is dependent on maintaining the line of site between and among the various microwave transmitter/receiver dishes installed as part of the New System. The Cities agree to review their respective ordinances governing the location and height of buildings and other structures, and, as soon as reasonably possible after the Effective Date, adopt such ordinances and regulations governing the development of property within their respective Cities to the extent such ordinances and regulations are reasonable and necessary to protect and maintain the New System's microwave signal transmission and reception, provided, however that the City has determined that the adoption of such ordinances and/or regulations is authorized, valid and lawful.

Article V Non-Shared Components

5.01 Selection and Purchase. Each City shall have the right under this Agreement, and shall at its sole cost, select and purchase the Non-Shared Components to be used by that City's employees and other people authorized by the City to transmit and receive communications using the New System. Each City shall be solely responsible for determining the compatibility of the Non-Shared Components selected by the City with the New System.

5.02 Maintenance and Installation. Each City shall have the right to install and/or maintain its own User Equipment or to contract with a third party to perform such maintenance and/or installation. Nothing herein shall be construed as prohibiting the Cities from negotiating and signing an agreement pursuant to the Act to provide maintenance and/or installation services relating to the User Equipment.

5.03 Programming & Management of Subscribers. The City of Midlothian shall maintain a Radio Management System (RMS) that provides tracking and over-the-air programming of all subscribers (mobile and portable radios) that use the New System on a daily basis. Each City shall purchase RMS licenses for each of their subscriber units so that the City of Midlothian may enter them into the RMS database and provide on-going management and programming services for all of them.

Article VI Future Expansion of this Agreement

6.01 Addition of Users. Upon the approval of the Parties, additional users may utilize the New System for daily, routine use. In such event that additional routine users are identified a new and separate agreement must be approved unanimously by the Cities of Midlothian, Red Oak, and Waxahachie as well as the new user(s). Intermittent non-routine use of the New System for mutual aid and interoperability shall be exempt from this provision.

(5e)

**Article VII
Miscellaneous**

7.01 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received when sent in the United States Mail, Postage Prepaid, Certified Mail, Return Receipt Requested, by hand-delivery or facsimile transmission and addressed to the respective City at the following address:

If intended for:

With copy(ies) to:

City of Red Oak
Attn: City Manager
P. O. Box 393
Red Oak, Texas 75154
Phone: 972-617-3638

Robert E. Hager
Nichols, Jackson, Dillard, Hager & Smith, LLP
500 N. Akard, Suite 1800
Dallas, Texas 75201
Phone: 214-965-9900

If intended for City of Midlothian:

With copy(ies) to:

City of Midlothian
Attn: City Manager
104 West Avenue E
Midlothian, Texas 76065
Phone: 972-775-3481

Joseph J. Gorfida, Jr.
Nichols, Jackson, Dillard, Hager & Smith, LLP
500 N. Akard, Suite 1800
Dallas, Texas 75201
Phone: 214-965-9900

If intended for City of Waxahachie:

With copy(ies) to:

City of Waxahachie
Attn: City Manager
401 S. Rogers
Waxahachie, TX 75165
Phone: 469-309-4002

Robert F. Brown
Brown & Hofmeister L.L.P.
740 E. Campbell Rd., Suite 800
Richardson, TX 75081
Phone: 214-747-6100

7.02 Governing Law. The validity of this Agreement and any of its terms and provisions as well as the rights and duties of the Cities shall be governed by the laws of the State of Texas; and venue for any action concerning this Agreement shall be in the State District Court of Ellis County, Texas. The Cities agree to submit to the personal and subject matter jurisdiction of said court.

7.03 Party Responsibility. To the extent allowed by law, and without waiving any governmental immunity available to the Cities under Texas law, or any other defenses the Cities are able to assert under Texas law, each City agrees to be responsible for its own negligent or otherwise tortious acts or omissions in the course of performance of this Agreement.

(5e)

7.04 Immunity. It is expressly understood and agreed that, in the performance of this Agreement, none of the Cities waive, nor shall be deemed hereby to have waived, any immunity or defense that would otherwise be available to them against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the Cities do not create any obligations, express or implied, other than those set forth herein, and this Agreement shall not create any rights in any persons or entities who are not parties to this Agreement.

7.05 Entire Agreement. This Agreement represents the entire agreement among the Cities with respect to the subject matter covered by this Agreement. There is no other collateral, oral or written agreement between the parties that in any manner relates to the subject matter of this Agreement.

7.06 Exhibits. All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

7.07 Recitals. The recitals to this Agreement are incorporated herein.

7.08 Amendment. This Agreement may be amended by the unanimous mutual written agreement of the Cities.

7.09 Place of Performance. Performance and all matters related thereto shall be in Ellis County, Texas.

7.10 Authority to Enter Agreement. Each City has the full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each City has been properly authorized and empowered to sign this Agreement. The persons signing this Agreement hereby represent that they have authorization to sign on behalf of their respective City.

7.11 Severability. 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 the other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

7.12 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

7.13 Assignment. No City may assign, transfer, or otherwise convey this Agreement without the prior written unanimous consent of the other Cities.

7.14 Consents. Unless expressly stated otherwise, whenever the consent or the approval of a City is required herein, such City shall not unreasonably withhold, delay or deny such consent or approval.

(5e)

7.15 Good Faith Negotiation; Dispute Mediation. Whenever a dispute or disagreement arises under the provisions of this Agreement, the Cities agree to enter into good faith negotiations to resolve such disputes. If the matter continues to remain unresolved, the Cities shall refer the matter to outside mediation, the costs of which shall be shared equally, prior to engaging in litigation (unless delaying the filing of a lawsuit might result in the lawsuit being barred, including but not limited to a bar by a statute of limitations). The provisions of this Section 7 shall survive termination.

7.16 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the Cities, shall endure for the term of the agreement or for fifteen (15) years following execution, whichever is longer.

7.17 Source of Payment. Each City paying for the performance of governmental functions or services pursuant to this Agreement must make those payments from current revenues available to the paying City or from funds otherwise lawfully available to the City for use in the payment of the City's obligations pursuant to this Agreement.

7.18 Force Majeure. No City shall be liable to any or all of the other Cities for any failure, delay, or interruption in the performance of any of the terms, covenants, or conditions of this Agreement due to causes beyond the City's respective control or because of applicable law, including, but not limited to, war, nuclear disaster, strikes, boycotts, labor disputes, embargoes, acts of God, acts of the public enemy, acts of superior governmental authority, floods, riots, rebellion, sabotage, terrorism, or any other circumstance for which a party is not legally responsible or which is not reasonably within its power to control. The affected City's obligation shall be suspended during the continuance of the inability then claimed, but for no longer period. To the extent possible, the City shall endeavor to remove or overcome the inability claimed with all reasonable dispatch.

(Signature Page to Follow)

(5e)

EXECUTED this _____ day of _____, 2019.

City of Midlothian, Texas

By: _____
Chris Dick, City Manager

Approved as to form:

By: _____
Joseph J. Gorfida, Jr.
(10-05-2016/80018)

EXECUTED this _____ day of _____, 2019.

City of Red Oak, Texas

By: _____
Todd Fuller, City Manager

Approved as to form:

By: _____
Robert E. Hager, City Attorney

EXECUTED this _____ day of _____, 2019.

City of Waxahachie, Texas

By: _____
Michael Scott, City Manager

Approved as to form:

By: _____
Robert F. Brown, City Attorney

(5A)



Memorandum

To: Honorable Mayor and City Council
From: Amy Borders, Director of Communications and Marketing
Thru: Michael Scott, City Manager 
Date: September 11, 2019
Re: Hachie Heart Commission - Desmond Mason

On Monday, September 9, 2019, the Tax Increment Reinvestment Zone Board approved a request for a custom art commission with Desmond Mason to paint the "Hachie Heart" that will be located in Freedman's Memorial Plaza, with a cost not to exceed \$12,500. The \$12,500 includes \$10,000 for the painting of the heart, and travel and supplies not to exceed \$2,500.

Additionally, Desmond and his family have generously offered to sponsor the heart that will be located in Lee Penn Park. With this, the City has the opportunity to have two hearts painted by an incredible artist who is excited to give back to his hometown. While well-known for his successful career with the NBA, Desmond is equally, if not even more renowned for his art. He has had art exhibitions all over the globe, and his incredible work has been embraced by many.

This proposed commission is an incredible opportunity to have a work of art from not only a Waxahachie native, but also a world-famous artist. Thank you for your consideration.

(5P)



ARTIST COMMISSION CONTRACT

Desmond Mason (hereafter "Artist") and City of Waxahachie (hereafter "Purchaser") hereby enter into an Art Commission Contract under the following terms:

Description of Commission: Heart Art Piece

Materials: Mixed Media on the Heart Art Piece

Dimensions: Unknown

The Artist will consult with the Purchaser on the Heart layout, colors, design and materials. The Artist will use his own materials and a workspace provided by Purchaser to create the commissioned art heart. The Artist will contact the Purchaser 2 times throughout the process: 1) to discuss overall direction of commissioned art heart. 2) to look and measure the potential space where the commissioned art heart will potentially be displayed, unless directed differently by Purchaser. ALL out of state and out of country travel expenses for the Artist will be the responsibility of the Purchaser (whether booked by Purchaser or full reimbursement to the Artist).

The Purchaser will pay the Artist a total of \$ \$10,000.00 (flat fee) for this commissioned art heart. Before the project begins, the Purchaser will pay 100% of the total cost of commission art heart at the agreement's signed completion. The Purchaser will also pay for packaging, shipping and insurance if necessary.

If the Purchaser chooses not to purchase the art piece at the end of the commission art heart, the Artist will keep the piece and the 100% nonrefundable deposit for the commission art heart. The Purchaser will have no claims or interests on the Artist and the Artist in return will owe the Purchaser nothing further.

The Purchaser also agrees to:

- Reimburse the Artist 100% of material costs (Artist will provide expenses to Purchaser)
- Install, transport and reinstall the commission art heart
- Reimburse the Artist 100% of gas mileage (54.5 cents/mile), hotel for 2 nights, and daily per diem

The Artist will not be responsible for installing the commissioned art heart, unless discussed prior to the agreement completion.

The Artist reserves the common-law copyright to all works commissioned by the Purchaser that are created by the Artist, including all reproduction rights and the rights to claim statutory copyright.

In witness to their agreement to the terms of this contract, the parties affix their signatures below:

 / 9/10/19

Artists: Signature & Date

_____ / _____

Purchaser: Signature & Date

Checks payable to DMason Art, LLC.

(5f)



DMASON ART

CITY OF WAXAHACHIE HEART COMMISSION

DMASON ART. LLC ESTIMATED EXPENSES:

1. Art Supplies: \$600.00
2. Hotel for 2 nights: \$600/night estimate; Total: \$1,200.00
3. Mileage (Based on 54.5% mileage rate):
 - a. 560 miles (rt): Total: \$305.20
Oklahoma City, OK to Waxahachie, TX
 - b. Day 1 / 60 miles (rt): Total: \$32.70
Day 2 / 60 miles (rt): Total: \$32.70
Day 3 / 60 miles (rt): Total: \$32.70
Hotel ZaZa to Waxahachie, TX

TOTAL EXPENSES NOT TO EXCEED \$2,200.00

POSSIBLE HOTELS:

Hotel Crescent Court
400 Crescent Court, Dallas, Texas 75201

Hotel ZaZa
2332 Leonard Street Dallas, Texas, 75201

(59)



Memorandum

To: City Council
From: Michael Scott, City Manager 
Thru:
Date: September 13, 2019
Re: Civil Service Appointment – Bob Aday

As you know, per LGC 143, the Civil Service Commission is made up of three members from the community. These positions each serve a three year term with one term expiring each year. The City Manager is charged with making these appointments.

This year Bob Aday's position is up for consideration. Bob has served in this capacity and has done a fantastic job. He has agreed to serve in this important capacity for another term. As such, I am recommending his reappointment to the Commission.

(5h)



Memorandum

To: Honorable Mayor and City Council

From: Ricky Boyd, Fire Chief

Thru: Michael Scott, City Manager

Date: September 12, 2019

Re: Request for Approval to Accept the 2018 SAFER Grant

Honorable Mayor and City Council,

I hereby request your approval to accept the 2018 SAFER Grant that we were recently awarded. As you know, this grant provides partial funding to add three (3) additional firefighters to our staff. The total value of the grant over the next three (3) years is \$478,665.30. Your support in this matter will greatly improve our capabilities as we continually strive to provide exceptional service to the community.

Respectfully submitted,

Ricky Boyd, Fire Chief

(51)

Application for a Festival or Event Permit

Event Name and Description: Cycling for Veterans
Cycling for Homeless Veterans

Applicant Information

Name: Brian Warren
Address: 105 Kirksey St
City, State, Zip: Waxahachie Tx 75165 Phone: 469 773 8712
E-mail Address: bwarren@kw.com

Organization Information

Organization Name: _____
Address: _____
Authorized Head of Organization: Brian Warren
Phone: 469 773 8712 E-mail Address: bwarren@kw.com

Event Chairperson/Contact

Name: Brian Warren
Address: 105 Kirksey St
City, State, Zip: Waxahachie Tx 75165 Phone: 469 773 8712
E-mail Address: bwarren@kw.com

Event Information

Event Location/Address: Getzendanner Park, 400 S grand ave, Waxahachie
Purpose: Raise money for the homeless
Event Start Date and Time: November 10, 10AM

(5i)

Event End Date and Time: November 10 2019 5pm

Approximate Number of Persons Attending Event Per Day: ~~100~~ 10+

Site Preparation and Set-Up Date and Time: MM1 e Getzender Park 0800

Clean-Up Completion Date and Time: Nov 10 2019 3-5pm

List all activities that will be conducted as a part of this event including street closures, traffic control, vendor booths, etc. ~~Street closures: S College St, W Main St~~

Will food and/or beverages be available and/or sold? YES/ NO maybe just water

Will alcohol be available and/or sold? YES/ NO

If food will be prepared on-site, a Temporary Food Permit must be obtained by the Environmental Health Department.

Will dumpsters be needed? no

Please submit a site plan showing the layout of the event including equipment, stages, and street locations

I THE UNDERSIGNED APPLICANT, AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF WAXAHACHIE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

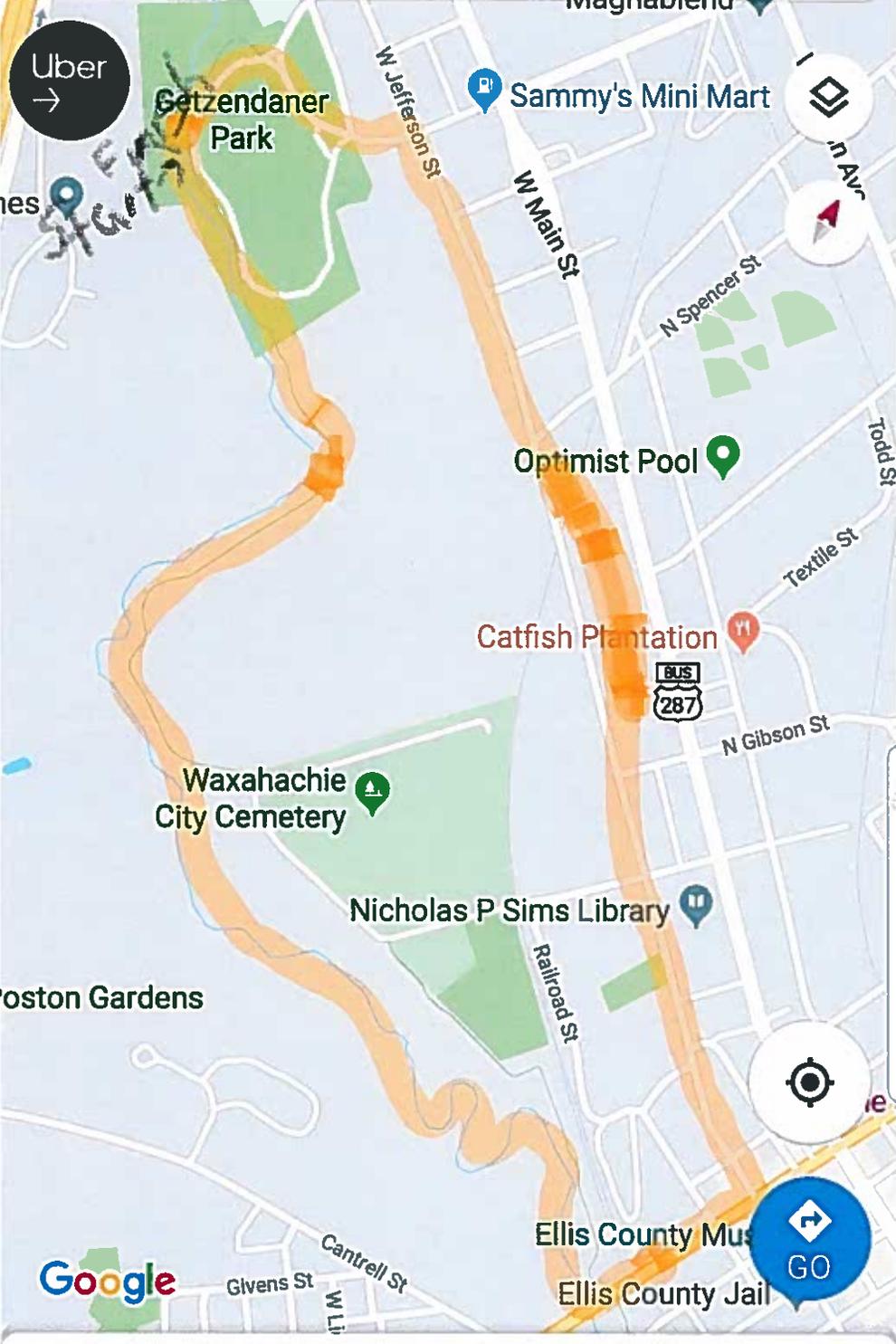


5 September 2019

Signature of Applicant

Date

Search here (5i)



Explore Waxahachie

- Explore
- Commute
- For you

(51)

Villarreal, Amber

From: Brian Warren <bwarren@kw.com>
Sent: Friday, September 06, 2019 12:36 PM
To: Villarreal, Amber
Cc: Smith, John
Subject: Re: App on creating my event
Attachments: Screenshot_20190906-122910_Maps.jpg

[EXTERNAL SENDER] – This email may be from an untrusted source. Links and attachments within this email may be at greater risk of being malicious or threatening in nature. If this is an unexpected email, please contact the sender via phone to verify authenticity prior to opening or accessing contents.

Start at Getzandaner, go through the park and come out downtown
Turn left on S. Rogers to
Turn left on Jefferson to
Turn left on S Grande then
Back through park to finish where started inside park.
Should take less than 2 hours.
Brian Warren

On Fri, Sep 6, 2019, 11:36 AM Villarreal, Amber <avillarreal@waxahachie.com> wrote:

Good morning Brian,

John Smith forwarded me your event application. Please provide a copy of the site plan layout/route and elaborate on your street closure request. Main Street is a TxDOT highway and cannot be closed.

Let me know if you have any questions.

Thank you,

Amber Villarreal, TRMC, CMC

Assistant City Secretary

City of Waxahachie

Direct (469) 309-4008 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168

(51)

Villarreal, Amber

From: Boyd, Ricky <RBoyd@waxahachiefire.org>
Sent: Friday, September 06, 2019 1:15 PM
To: Villarreal, Amber
Subject: RE: Event Application-Cycling for Veterans

The concerns I have involve traffic control. As long as the intersections of the streets they want to be closed are controlled, I am ok with the request.

Ricky Boyd, Fire Chief

Waxahachie Fire-Rescue
214-463-9335

From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, September 6, 2019 1:02 PM
To: Boyd, Ricky <RBoyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <Imosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-Cycling for Veterans

[EXTERNAL SENDER] – This email may be from an untrusted source. Links and attachments within this email may be at greater risk of being malicious or threatening in nature. If this is an unexpected email, please contact the sender via phone to verify authenticity prior to opening or accessing contents.

Good afternoon,

Please review the attached event application and send me your comments/concerns.

Thank you,

Amber Villarreal, TRMC, CMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing or other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the sender immediately and delete the material.

From: Brian Warren <bwarren@kw.com>

Start at Getzandaner, go through the park and come out downtown
Turn left on S. Rogers to
Turn left on Jefferson to
Turn left on S Grande then

(51)

Villarreal, Amber

From: Simpson, Anita
Sent: Friday, September 06, 2019 2:10 PM
To: Villarreal, Amber; Ricky Boyd; Wade Goolsbey; Smith, John; Martinez, Gumaro; Mosley, Laurie
Cc: Scott, Michael; Lawrence, Albert; Ludwig, Tommy; Cartwright, Lori
Subject: RE: Event Application-Cycling for Veterans

Hey, Amber,

I'm confused by this application. The map of the route doesn't correspond to the written directions in the email he sent you (below). And on the application he is asking for street closures that are not even part of the route. I don't think he actually needs street closures for this event—probably just traffic control for cyclists to cross the main streets.

Those are my concerns. Since not much takes place downtown I will defer to the others and their input.



From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, September 6, 2019 1:02 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Scott, Michael <mScott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-Cycling for Veterans

Good afternoon,

Please review the attached event application and send me your comments/concerns.

Thank you,

Amber Villarreal, TRMC, CMC
Assistant City Secretary
City of Waxahachie
Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168
www.waxahachie.com

(51)

Villarreal, Amber

From: Mosley, Laurie
Sent: Monday, September 09, 2019 2:46 PM
To: Villarreal, Amber
Subject: RE: Event Application-Cycling for Veterans

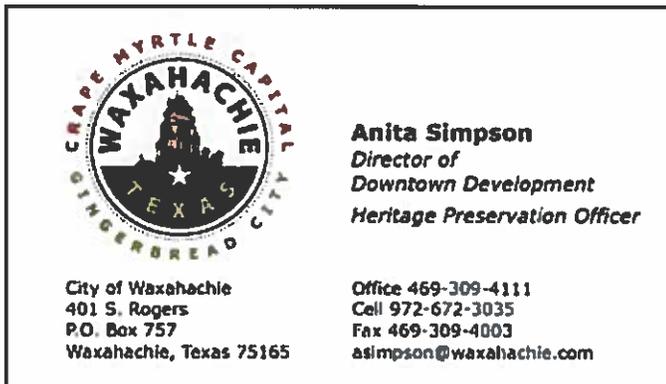
I'll defer to the public safety folks on this application. Let me know if it looks like they have approved, and I'll add it to our event listings. Thanks!

From: Simpson, Anita <asimpson@waxahachie.com>
Sent: Friday, September 6, 2019 2:10 PM
To: Villarreal, Amber <avillarreal@waxahachie.com>; Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: RE: Event Application-Cycling for Veterans

Hey, Amber,

I'm confused by this application. The map of the route doesn't correspond to the written directions in the email he sent you (below). And on the application he is asking for street closures that are not even part of the route. I don't think he actually needs street closures for this event—probably just traffic control for cyclists to cross the main streets.

Those are my concerns. Since not much takes place downtown I will defer to the others and their input.



From: Villarreal, Amber <avillarreal@waxahachie.com>
Sent: Friday, September 6, 2019 1:02 PM
To: Ricky Boyd <rboyd@waxahachiefire.org>; Wade Goolsbey <wgoolsby@waxahachiepd.org>; Smith, John <jsmith@waxahachie.com>; Martinez, Gumaro <gmartinez@waxahachie.com>; Mosley, Laurie <lmosley@waxahachiecvb.com>; Simpson, Anita <asimpson@waxahachie.com>
Cc: Scott, Michael <msscott@waxahachie.com>; Lawrence, Albert <alawrence@waxahachie.com>; Ludwig, Tommy <tludwig@waxahachie.com>; Cartwright, Lori <lcartwright@waxahachie.com>
Subject: Event Application-Cycling for Veterans

Good afternoon,

Villarreal, Amber

(51)

From: Wade Goolsby <wgoolsby@waxahachiepd.org>
Sent: Thursday, September 12, 2019 9:26 AM
To: Villarreal, Amber
Subject: RE: FW: Event Application-Cycling for Veterans

OK... In the 5K races that we have that follow the same basic route, the crossing of Elm (77) occurs at the beginning of the race, so we can use an on-duty officer for about 10 mins. to get everyone across 77. My concern with this one is that the bikes will be spread out and if they want traffic control, it may require a longer time frame than we can commit to for an on-duty officer. I doubt if they want to pay for an off-duty officer because we have a minimum time frame, so as long as they understand that we can only have an officer there for a short time (dependent on call demand), I am good with it.

Wade G. Goolsby
Chief of Police
Waxahachie Police Department
630 Farley St.
Waxahachie, TX 75165
469-309-4411



From: Villarreal, Amber [mailto:avillarreal@waxahachie.com]
Sent: Wednesday, September 11, 2019 8:19 AM
To: Wade Goolsby <wgoolsby@waxahachiepd.org>
Subject: FW: FW: Event Application-Cycling for Veterans

The response below is from the applicant.

Ok it will be a casual ride. Roads dont have to be closed, perhaps just traffic control that was mentioned.

Will they need to pay for traffic control?

On Wed, Sep 11, 2019, 8:03 AM Villarreal, Amber <avillarreal@waxahachie.com> wrote:

Please see the questions below from our Police Chief and the comments from our Downtown Development Director:

Police Chief: With the start of the race being in the park, the riders are going to be spread out by the time they get to Jefferson. We just need to visit and determine if this is a casual ride where the riders will obey the traffic signals or if they want to road blocked to allow them to ride without interruption.

(51)

Villarreal, Amber

From: Brian Warren <bwarren@kw.com>
Sent: Thursday, September 12, 2019 10:02 AM
To: Villarreal, Amber
Subject: Re: FW: Event Application-Cycling for Veterans

No problem

On Thu, Sep 12, 2019, 9:53 AM Villarreal, Amber <avillarreal@waxahachie.com> wrote:

Below is the response from the Police Chief:

OK... In the 5K races that we have that follow the same basic route, the crossing of Elm (77) occurs at the beginning of the race, so we can use an on-duty officer for about 10 mins. to get everyone across 77. My concern with this one is that the bikes will be spread out and if they want traffic control, it may require a longer time frame than we can commit to for an on-duty officer. I doubt if they want to pay for an off-duty officer because we have a minimum time frame, so as long as they understand that we can only have an officer there for a short time (dependent on call demand), I am good with it.

Let me know if you are okay with his response.

Amber Villarreal, TRMC, CMC

Assistant City Secretary

City of Waxahachie

Direct (469) 309-4006 | Fax (469) 309-4003 | PO Box 757, Waxahachie, Texas 75168

www.waxahachie.com

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From: Brian Warren <bwarren@kw.com>
Sent: Wednesday, September 11, 2019 2:48 PM
To: Villarreal, Amber <avillarreal@waxahachie.com>
Subject: Re: FW: Event Application-Cycling for Veterans

(1)

PROCLAMATION

WHEREAS, September 17, 2019 marks the two hundred and forty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, public law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as constitution week; and

NOW THEREFORE, I, David Hill, Mayor of the City of Waxahachie, along with the entire City Council, do hereby proclaim September 17-23, 2019 as

“CONSTITUTION WEEK”

in Waxahachie, Texas and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

DATED this 16th day of September, 2019.

MAYOR

ATTEST:

CITY SECRETARY

(8)

CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS
COUNTY OF ELLIS
CITY OF WAXAHACHIE

We, the undersigned officers of the City of Waxahachie, Texas (the "City"), hereby certify as follows:

1. The City Council of said City convened in Regular Meeting on September 16, 2019, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

David Hill	Mayor
Mary Lou Shipley	Mayor Pro Tem
Chuck Beatty	Council Member
Kevin Strength	Council Member
Melissa Olson	Council Member
Lori Cartwright	City Secretary

and all of said persons were present except: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

ORDINANCE PROVIDING FOR THE ISSUANCE OF CITY OF WAXAHACHIE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$31,525,000, AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Ordinance be adopted and, after due discussion, said motion, carrying with it the adoption of said Ordinance, prevailed and carried by the following vote:

AYES: _____ NOES: _____ ABSTAIN: _____

2. That a true, full and correct copy of the aforesaid Ordinance adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

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SIGNED AND SEALED ON SEPTEMBER 16, 2019.

City Secretary,
City of Waxahachie, Texas

Mayor,
City of Waxahachie, Texas

(CITY SEAL)

(8)

ORDINANCE NO. _____

ORDINANCE PROVIDING FOR THE ISSUANCE OF CITY OF WAXAHACHIE, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2019, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$31,525,000, AND ORDAINING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, on July 15, 2019, the City Council of the City of Waxahachie (the "City" or the "Issuer") passed a resolution authorizing and directing notice of its intention to issue certificates of obligation in a maximum principal amount of \$31,525,000, with such notice to be published in a newspaper as required by Section 271.049 of the Texas Local Government Code ("Section 271.049"); and

WHEREAS, a notice was published in the *Waxahachie Daily Light*, a "newspaper" of the type described in Section 2051.044 of the Texas Government Code, as required by Section 271.049, on July 26, 2019 and August 2, 2019; and

WHEREAS, said notice stated that the City Council of the City tentatively proposed to adopt an ordinance authorizing the issuance of the certificates of obligation at a regular meeting to commence at 7:00 o'clock, p.m., on the 16th day of September, 2019; and

WHEREAS, no petition, signed by at least 5% of the qualified electors of the City as permitted by Section 271.049 protesting the issuance of such certificates of obligation, has been filed; and

WHEREAS, the certificates of obligation hereinafter authorized are to be issued and delivered pursuant to the Texas Constitution and the laws of the State of Texas, including specifically Subchapter C of Chapter 271 of the Texas Local Government Code; Now, Therefore

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

Section 1. AUTHORIZATION OF CERTIFICATES OF OBLIGATION. That the City's certificates of obligation, to be designated the "City of Waxahachie, Texas Combination Tax and Revenue Certificate of Obligation, Series 2019" (the "Certificates"), are hereby authorized to be issued and delivered in an aggregate principal amount of \$[31,525,000] for the purpose of paying contractual obligations to be incurred by the City for the following purposes, to-wit,

- 1) improvements to streets and public mobility infrastructure, including the acquisition of right-of-way throughout the City;
- 2) the construction of improvements and extensions to the City's water and wastewater system;
- 3) acquiring, constructing, installing and equipping park and recreational improvements in the City, including to the City's Lee Penn Park and George Brown Plaza; and
- 4) the payment of fiscal, engineering and legal fees incurred in connection therewith.

The term "Certificates" as used in this Ordinance shall mean and include collectively the certificates of obligation initially issued and delivered pursuant to this Ordinance and all substitute certificates of obligation exchanged therefor, as well as all other substitute certificates of obligation and replacement certificates of obligation issued pursuant hereto, and the term "Certificate" shall mean any of the Certificates.

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Section 2. DATE, DENOMINATIONS, NUMBERS, MATURITIES, AND INTEREST RATES. That the Certificates shall initially be issued, sold, and delivered hereunder as fully registered certificates, without interest coupons, dated the Delivery Date (as hereinafter defined), shall be in principal denominations of \$5,000 or any integral multiple thereof (an "Authorized Denomination"), shall be numbered consecutively from R-1 upward, payable to the respective initial registered owner thereof, or to the registered assignee or assignees of the Certificates or any portion thereof (in each case, the "registered owner") in the manner provided and on the dates stated in the FORM OF CERTIFICATE, and shall mature on August 1 in each of the years in the principal amounts, respectively, bearing interest from the Delivery Date to their respective dates of maturity or redemption prior to maturity at the rates per annum, as set forth in the following schedule:

<u>Year</u>	<u>Principal Amount (\$)</u>	<u>Interest (%)</u>	<u>Year</u>	<u>Principal Amount (\$)</u>	<u>Interest (%)</u>

Section 3. REDEMPTION. (a) *Optional Redemption.* That the City reserves the right to redeem the Certificates maturing on and after August 1, 20[30], in whole, or in part, in Authorized Denominations, on August 1, 20[29], or on any date thereafter, at the redemption price of par plus accrued interest thereon to the date fixed for redemption. If less than all of the Certificates are to be redeemed by the City, the City shall determine the maturity or maturities and the amounts thereof to be redeemed and shall direct the Paying Agent/Registrar (hereinafter defined) to call by lot Certificates, or portions thereof, within such maturity or maturities and in such principal amounts, for redemption; provided that during any period in which ownership of the Certificates is determined only by a book entry at a securities depository for the Certificates, if fewer than all of the Certificates of the same maturity and bearing the same interest rate are to be redeemed, the particular Certificates of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the City and the securities depository. The City shall notify the Paying Agent/Registrar at least forty-five (45) days prior to the scheduled redemption date that a redemption of the Certificates is to be effected.

(b) *Mandatory Sinking Fund Redemption.* [The Certificates are not subject to mandatory sinking fund redemption prior to their scheduled maturities.][The Certificates scheduled to mature on August 1, in the years [] (the "Term Certificates") are subject to scheduled mandatory redemption by the Paying Agent/Registrar by lot, or by any other customary method that results in a random selection, at a price equal to the principal amount thereof, plus accrued interest to the redemption date, out of moneys available for such purpose in the interest and sinking fund for the Certificates, on dates and in the respective principal amounts, set forth in the following schedule:

Term Certificates due August 1, 20[]:

- Mandatory Redemption Date: 8/1/20[] Principal Amount: \$[]
- Mandatory Redemption Date: 8/1/20[] Principal Amount: \$[]
- Mandatory Redemption Date: 8/1/20[]* Principal Amount: \$[]

Term Certificates due August 1, 20[]:

- Mandatory Redemption Date: 8/1/20[] Principal Amount: \$[]

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Mandatory Redemption Date: 8/1/20[] Principal Amount: \$[]
Mandatory Redemption Date: 8/1/20[]* Principal Amount: \$[]

* Stated Maturity

The principal amount of Term Certificates of a stated maturity required to be redeemed on any mandatory redemption date pursuant to the operation of the mandatory sinking fund redemption provisions shall be reduced, at the option of the Issuer, by the principal amount of any Term Certificates of the same maturity which, at least forty-five (45) days prior to a mandatory redemption date (1) shall have been acquired by the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, (2) shall have been purchased and canceled by the Paying Agent/Registrar at the request of the Issuer at a price not exceeding the principal amount of such Term Certificates plus accrued interest to the date of purchase, or (3) shall have been redeemed pursuant to the optional redemption provisions and not theretofore credited against a mandatory redemption requirement.]

(c) *Notice.* At least thirty (30) days prior to the date fixed for any such redemption the City shall cause a written notice of such redemption to be deposited in the United States mail, first-class postage prepaid, addressed to each such registered owner at the address shown on the Registration Books (hereinafter defined) of the Paying Agent/Registrar on the forty-fifth (45th) day before such redemption date. By the date fixed for any such redemption, due provision shall be made by the City with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates or the portions thereof which are to be so redeemed, plus accrued interest thereon to the date fixed for redemption. Except as provided in subsection (d) of this Section with respect to a conditional redemption of Certificates, if such notice of redemption is given, and if due provision for such payment is made, all as provided above, the Certificates, or the portions thereof which are to be so redeemed, thereby automatically shall be redeemed prior to their scheduled maturities, and shall not bear interest after the date fixed for their redemption, and shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price of par plus accrued interest thereon to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. The Paying Agent/Registrar shall record in the Registration Books all such redemptions of principal of the Certificates or any portion thereof. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in one or (at the written request of the registered owner) more Authorized Denominations, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the City, all as provided in this Ordinance. Each redemption notice, whether required in the FORM OF CERTIFICATE or otherwise by this Ordinance, shall contain a description of the Certificates to be redeemed, including: the complete name of the Certificates, the series, the date of issue, the interest rate, the maturity date, the CUSIP number, the amounts called for redemption, the publication and mailing date for the notice, the date of redemption, the redemption price, the name of the Paying Agent/Registrar (including a contact person and telephone number), and the address at which the Certificates may be redeemed. All redemption payments made by the Paying Agent/Registrar to the registered owners of the Certificates shall include CUSIP numbers relating to each amount paid to such registered owner.

(d) *Notice of Conditional Redemption.* With respect to any optional redemption of the Certificates, unless certain prerequisites to such optional redemption required by this Ordinance have been met and money sufficient to pay the principal of, premium, if any, and interest on the Certificates to be redeemed will have been received by the Paying Agent/Registrar prior to giving such notice, such notice may state that the optional redemption may, at the option of the City, be conditional upon the satisfaction of such prerequisites and receipt of such money by the Paying Agent/Registrar on or prior to the date fixed for such redemption or upon any prerequisite set forth in the notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption are not satisfied, such notice will be of no

force and effect, the City will not redeem such Certificates, and the Paying Agent/Registrar will give notice in the manner in which the notice of redemption was given, to the effect that such Certificates have not been redeemed.

Section 4. CHARACTERISTICS OF THE CERTIFICATES. (a) *Registration of Certificates.* That the Issuer shall keep or cause to be kept at the designated corporate trust office of The Bank of New York Mellon Trust Company, N.A., or such other bank, trust company, financial institution, or other agency named in accordance with the provisions of subsection (g) of this Section (the "Paying Agent/Registrar"), books or records for the registration and transfer of the Certificates (the "Registration Books"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such transfers and registrations under such reasonable regulations as the Issuer and the Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such transfers and registrations as herein provided. The place of payment so designated by the Paying Agent/Registrar shall be referred to herein as the "Designated Trust Office" of the Paying Agent/Registrar. It shall be the duty of the Paying Agent/Registrar to obtain from the registered owner and record in the Registration Books the address of the registered owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided. The Issuer or its designee shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar at its Designated Trust Office, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. Registration of each Certificate may be transferred in the Registration Books only upon presentation and surrender thereof to the Paying Agent/Registrar at its Designated Trust Office for transfer of registration and cancellation, together with proper written instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing the assignment of such Certificate, or any portion thereof in an Authorized Denomination, to the assignee or assignees thereof, and the right of such assignee or assignees to have such Certificate or any such portion thereof registered in the name of such assignee or assignees. Upon the assignment and transfer of any Certificate or any portion thereof, a new substitute Certificate or Certificates shall be issued in exchange therefor in the manner herein provided. As of the date this Ordinance is approved by the Issuer, the Designated Trust Office is the Dallas, Texas office of The Bank of New York Mellon Trust Company, N.A., set forth in the "Paying Agent/Registrar Agreement" executed by the City and the Paying Agent/Registrar in connection with the sale and delivery of the Certificates.

(b) *Registration Books; Ownership.* The entity in whose name any Certificate shall be registered in the Registration Books at any time shall be treated as the absolute owner thereof for all purposes of this Ordinance, whether such Certificate shall be overdue, and the City and the Paying Agent/Registrar shall not be affected by any notice to the contrary; and payment of, or on account of, the principal of, premium, if any, and interest on any such Certificate shall be made only to such registered owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Certificate to the extent of the sum or sums so paid.

(c) *Paying Agent.* The City hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, and to act as its agent to exchange or replace Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the City and the Paying Agent/Registrar with respect to the Certificates, and of all exchanges thereof, and all replacements thereof, as provided in this Ordinance.

(d) *Exchange, Assignment and Transfer of Certificates.* Each Certificate may be exchanged for fully registered certificates in the manner set forth herein. Each Certificate issued and delivered pursuant to this Ordinance, to the extent of the unredeemed principal amount thereof, may, upon surrender thereof at the Designated Trust Office of the Paying Agent/Registrar, together with a written request therefor duly executed by the registered owner or the assignee or assignees thereof, or its or their duly authorized attorneys or representatives, with guarantee of signatures satisfactory to the Paying Agent/Registrar, at the option of the registered owner or such assignee or assignees, as appropriate, be exchanged for fully registered certificates, without interest coupons, in the form prescribed in the FORM OF CERTIFICATE,

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in an Authorized Denomination (subject to the requirement hereinafter stated that each substitute Certificate shall have a single stated maturity date), as requested in writing by such registered owner or such assignee or assignees, in an aggregate principal amount equal to the principal amount of any Certificate or Certificates so surrendered, and payable to the appropriate registered owner, assignee, or assignees, as the case may be. If a portion of any Certificate shall be redeemed prior to its scheduled maturity as provided herein, a substitute certificate or certificates having the same maturity date, bearing interest at the same rate, in one or (at the request of the registered owner) more Authorized Denominations, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation. If any Certificate or portion thereof is assigned and transferred, each Certificate issued in exchange therefor shall have the same principal maturity date and bear interest at the same rate as the Certificate for which it is being exchanged. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate. The Paying Agent/Registrar shall exchange or replace Certificates as provided herein, and each fully registered certificate or certificates delivered in exchange for or replacement of any Certificate or portion thereof as permitted or required by any provision of this Ordinance shall constitute one of the Certificates for all purposes of this Ordinance, and may again be exchanged or replaced. It is specifically provided, however, that any Certificate delivered in exchange for or replacement of another Certificate prior to the first scheduled interest payment date on the Certificates (as stated on the face thereof) shall be dated the same date as such Certificate, but each substitute Certificate so delivered on or after such first scheduled interest payment date shall be dated as of the interest payment date on which interest due on the respective Certificate was paid in full, next preceding the date on which such substitute Certificate is delivered, unless such substitute Certificate is delivered on an interest payment date, in which case it shall be dated as of such delivery date; provided, however, that if at the time of delivery of any substitute Certificate the interest on the Certificate for which it is being exchanged has not been paid, then such substitute Certificate shall be dated as of the date to which such interest has been paid in full, and if no interest has been paid on the Certificate, then such substitute Certificate will be dated as of the Delivery Date. On each substitute Certificate issued in exchange for or replacement of any Certificate or Certificates issued under this Ordinance there shall be printed thereon a Paying Agent/Registrar's Authentication Certificate, in the form set forth in the FORM OF CERTIFICATE (the "Authentication Certificate"). An authorized representative of the Paying Agent/Registrar shall, before the delivery of any such substitute Certificate, date such substitute Certificate in the manner set forth above, and manually sign and date the Authentication Certificate, and no such substitute Certificate shall be deemed to be issued or outstanding unless the Authentication Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all Certificates surrendered for exchange or transfer. No additional ordinances, orders, or resolutions need be passed or adopted by the City Council so as to accomplish the foregoing exchange, assignment or transfer of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Certificates in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of exchange and transfer of any Certificate as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of the Authentication Certificate, the substitute Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificates which were originally issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(e) *General.* All Certificates issued in exchange for or, pursuant to Section 11 hereof, replacement of any other Certificate or portion thereof (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificates to be payable only to the registered owners thereof, (ii) may be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be exchanged for other Certificates, (v) shall have the characteristics, (vi) shall be signed and sealed, and (vii) shall be payable as to the principal of and interest on the Certificates, all as provided, and in the manner required or indicated, in the FORM OF CERTIFICATE.

(f) *Fees of Paying Agent/Registrar.* The City shall pay the Paying Agent/Registrar's reasonable and customary fees and charges for making transfers of Certificates, but the registered owner of any Certificate requesting such transfer shall pay any taxes or other governmental charges required to be paid

with respect thereto. The registered owner of any Certificate requesting any exchange shall pay the Paying Agent/Registrar's reasonable and standard or customary fees and charges for exchanging any such Certificate or portion thereof, together with any taxes or governmental charges required to be paid with respect thereto, all as a condition precedent to the exercise of such privilege of exchange, except, however, that in the case of the exchange of an assigned and transferred Certificate or any portion thereof in any Authorized Denomination, and in the case of the exchange of the unredeemed portion of a Certificate which has been redeemed in part prior to maturity, as provided in this Ordinance, such fees and charges will be paid by the City. In addition, the City hereby covenants with the registered owners of the Certificates that it will pay the (i) reasonable and standard or customary fees and charges of the Paying Agent/Registrar for its services with respect to the payment of the principal of and interest on Certificates, when due, and (ii) fees and charges of the Paying Agent/Registrar for services with respect to the transfer or registration of Certificates solely to the extent above provided, and with respect to the exchange of Certificates solely to the extent above provided.

(g) *Change in Paying Agent/Registrar.* The City covenants with the registered owners of the Certificates that at all times while the Certificates are outstanding the City will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be one entity. The City reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than sixty (60) days written notice to the Paying Agent/Registrar. In the event that the entity at any time acting as the Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the City covenants that it will promptly appoint a competent and legally qualified bank, trust company, financial institution, or other agency which shall be a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers, subject to supervision or examination by federal or state authority, and whose qualifications are substantially similar to the those of the previous Paying Agent/Registrar, to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver to the new Paying Agent/Registrar, designated and appointed by the City, the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates. Upon any change in the Paying Agent/Registrar, the City promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Certificates, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(h) *Form 1295 Filing.* The Paying Agent/Registrar has confirmed to the City that it is exempt from the disclosure form filing requirements of the Texas Ethics Commission in accordance with Section 2252.908(c)(4), Texas Government Code.

Section 5. FORM OF CERTIFICATE. That the Certificates, including the form of the Comptroller's Registration Certificate to accompany the Certificates initially issued and delivered to the Purchaser pursuant to Section 22 of this Ordinance, and both the forms of the Authentication Certificate and of Assignment to be printed on each of the Certificates authorized to be issued and delivered hereunder, shall be substantially in the form as set forth in Exhibit A to this Ordinance, with such appropriate variations, omissions, or insertions as are permitted or required by this Ordinance. The printer of the Certificates is hereby authorized to print on the Certificates (i) the form of bond counsel's opinion relating to the Certificates, and (ii) an appropriate statement of insurance furnished by a municipal bond insurance company providing municipal bond insurance, if any, covering all or any part of the Certificates.

Section 6. DEFINITIONS. That the term "Available Revenues" shall have the meaning given said term in Section 7 hereof; the term "Business Day" means any day that is not a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Designated Trust Office of the Paying

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Agent/Registrar is located are authorized by law or executive order to close; the term “Code” means the Internal Revenue Code of 1986; the term “Delivery Date” means the day on which the Certificates initially issued are delivered to the Purchaser or the Purchaser’s nominee in consideration of the payment by the Purchaser of the agreed purchase price of the Certificates; “MSRB” means the Municipal Securities Rulemaking Board; the term “Rule” means SEC Rule 15c2-12; the term “SEC” means the United States Securities and Exchange Commission; and the term “Surplus Revenues” means the revenues pledged herein from the operation of the City’s combined waterworks and sewer system (not to exceed \$1,000) remaining after payment of all operation and maintenance expenses thereof and other obligations heretofore or hereafter incurred to which such revenues have been or shall be encumbered by a lien on and pledge of such revenues superior to the lien on and pledge of such revenues to the Certificates.

Section 7. INTEREST AND SINKING FUND. That a special fund or account, to be designated the “City of Waxahachie, Texas Series 2019 Certificate of Obligation Interest and Sinking Fund” (the “Interest and Sinking Fund”) is hereby created and shall be established and maintained by the City. The Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the City, and shall be used only for paying principal of and interest on the Certificates as such principal and interest comes due. All ad valorem taxes levied and collected for and on account of the Certificates shall be deposited, as collected, to the credit of the Interest and Sinking Fund. During each year while any Certificate is outstanding and unpaid, the City Council shall compute and ascertain the rate and amount of ad valorem tax, based on the latest approved tax rolls of the City, with full allowances being made for tax delinquencies and costs of tax collections, which will be sufficient to raise and produce the money required to pay the interest on the Certificates as such interest comes due, and to provide and maintain a sinking fund to pay the principal of the Certificates as such principal matures (including principal maturing due to mandatory sinking fund redemption, if any), but never less than 2% of the outstanding principal amount of the Certificates as a sinking fund each year. The rate and amount of ad valorem tax is hereby ordered to be levied against all taxable property in the City for each year while any Certificate is outstanding and unpaid, and the ad valorem tax shall be assessed and collected each such year and deposited to the credit of the Interest and Sinking Fund. The ad valorem taxes necessary to pay the interest on and principal of the Certificates, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. Notwithstanding the foregoing, if the City deposits or budgets to be deposited in the Interest and Sinking Fund any other revenues, income or resources, including without limitation, Surplus Revenues (the “Available Revenues”), in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes which otherwise would have been required to be levied may be reduced to the extent and by the amount of the Available Revenues then on deposit or budgeted to be deposited in the Interest and Sinking Fund.

Section 8. REVENUES. That the Certificates are additionally secured by and shall be payable from the Surplus Revenues. The Surplus Revenues are pledged by the City pursuant to authority of Chapter 1502, Texas Government Code. The City shall promptly deposit the Surplus Revenues upon their receipt to the credit of the Interest and Sinking Fund created pursuant to Section 7, to the principal of and interest on the Certificates.

Section 9. CONSTRUCTION FUND. (a) *Construction Fund Established.* The City hereby creates and establishes and shall maintain on the books of the City a separate fund to be entitled “City of Waxahachie, Texas Series 2019 Certificate of Obligation Construction Fund” (the “Construction Fund”), for use by the City for payment of all lawful costs associated with the acquisition and construction of the projects described in clauses (1), (2), and (3) of Section 1, and the payment of the costs described in clause (4) of Section 1. Upon payment of all such costs, any money remaining on deposit to the credit of the Construction Fund shall be transferred to the Interest and Sinking Fund. Amounts so deposited to the credit of the Interest and Sinking Fund shall be used in the manner described in Section 7.

(b) *Investment of Moneys.* The City may invest proceeds of the Certificates (including investment earnings thereon) and amounts deposited to the credit of the Interest and Sinking Fund in investments authorized by the Public Funds Investment Act, Chapter 2256, Government Code, and the City’s investment

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policy. The City covenants that the proceeds of the sale of the Certificates will be used as soon as practicable for the purposes for which the Certificates are issued.

Section 10. TRANSFER. That the City shall do any and all things necessary to accomplish the transfer funds from Interest and Sinking Fund of this issue to the Paying Agent/Registrar in a manner sufficient to effectuate the timely payment of principal of and interest on the Certificates as such principal and interest become due and payable.

Section 11. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.

(a) *Replacement Certificates.* That in the event any outstanding Certificate is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new certificate of the same principal amount, maturity, and interest rate, as the damaged, mutilated, lost, stolen, or destroyed Certificate, in replacement for such Certificate in the manner hereinafter provided.

(b) *Application for Replacement Certificates.* Application for replacement of damaged, mutilated, lost, stolen, or destroyed Certificates shall be made only by the registered owner thereof (or such registered owner's designee) to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Certificate, the applicant for a replacement Certificate shall furnish to the City and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Certificate, the applicant shall furnish to the City and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Certificate, as the case may be. In every case of damage or mutilation of a Certificate, the applicant shall surrender to the Paying Agent/Registrar for cancellation the Certificate so damaged or mutilated.

(c) *No Default Occurred.* Notwithstanding the foregoing provisions of this Section, in the event any such Certificate shall have matured, and no default has occurred which is then continuing in the payment of the principal of, premium, if any, or interest on the Certificate, the City may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Certificate) instead of issuing a replacement Certificate, provided security or indemnity is furnished as above provided in this Section.

(d) *Charge for Issuing Replacement Certificates.* Prior to the issuance of any replacement Certificate, the Paying Agent/Registrar shall charge the registered owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement Certificate issued pursuant to the provisions of this Section, by virtue of the fact that any Certificate is lost, stolen, or destroyed, shall constitute a contractual obligation of the City whether the lost, stolen, or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) *Authority for Issuing Replacement Certificates.* In accordance with Chapter 1206, Texas Government Code, this Section of this Ordinance shall constitute authority for the issuance of any such replacement Certificate without necessity of further action by the City Council of the City or any other body or person, and the duty of the replacement of such Certificates is hereby authorized and imposed upon the Paying Agent/Registrar, subject to the conditions imposed by this Section 11 of this Ordinance, and the Paying Agent/Registrar shall authenticate and deliver such Certificates in the form and manner and with the effect, as provided in paragraphs (d) and (e) of Section 4(d) of this Ordinance for Certificates issued in exchange or transfer of other Certificates.

Section 12. FEDERAL INCOME TAX MATTERS. That the City covenants to take such action as to ensure, or refrain from any action which would adversely affect, the treatment of the Certificates as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the City covenants as follows:

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(a) to take any action to assure that no more than 10 percent of the proceeds of the Certificates or the projects financed or refinanced therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use", as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds are so used, that amounts, whether or not received by the City, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Certificates, in contravention of section 141(b)(2) of the Code;

(b) to take any action to assure that in the event that the "private business use" described in subsection (a) hereof exceeds 5 percent of the proceeds of the Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate", within the meaning of section 141(b)(3) of the Code, to the governmental use;

(c) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Certificates (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(d) to refrain from taking any action which would otherwise result in the Certificates being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(e) to refrain from taking any action that would result in the Certificates being "federally guaranteed" within the meaning of section 149(b) of the Code;

(f) to refrain from using any portion of the proceeds of the Certificates, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Certificates, other than investment property acquired with –

(1) proceeds of the Certificates invested for a reasonable temporary period of three (3) years or less, until such proceeds are needed for the purpose for which the Certificates are issued,

(2) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and

(3) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed ten percent (10%) of the proceeds of the Certificates;

(g) to otherwise restrict the use of the proceeds of the Certificates or amounts treated as proceeds of the Certificates, as may be necessary, so that the Certificates do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage);

(h) to refrain from using the proceeds of the Certificates or the proceeds of any prior bonds to pay debt service on another issue more than ninety (90) days after the issuance of the Certificates in contravention of section 149(d) of the Code (relating to advance refunding); and

(i) to pay to the United States of America at least once during each five-year period (beginning on the Delivery Date of the Certificates) an amount that is at least equal to 90 percent of the "Excess Earnings", within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than sixty (60) days after the Certificates have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code.

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For purposes of the foregoing clauses (a) and (b) above, the Issuer understands that the term “proceeds” includes “disposition proceeds” as defined in the Treasury Regulations. It is the understanding of the City that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Certificates, the City will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally-recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Certificates, the City agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally-recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In furtherance of such intention, the City hereby authorizes and directs the Mayor, the City Manager, any Assistant City Manager, and the Director of Finance to execute any documents, certificates or reports required by the Code, and to make such elections on behalf of the City which may be permitted by the Code as are consistent with the purpose for the issuance of the Certificates.

Unless superseded by another action of the City, to ensure compliance with the covenants contained herein regarding private business use, remedial actions, arbitrage and rebate, the written procedures adopted by the City in the ordinance authorizing the issuance of City of Waxahachie, Texas Combination Tax and Revenue Certificates of Obligation, Series 2011, adopted by the City Council on December 19, 2011, apply to the Certificates.

In order to facilitate compliance with clause (i) above, a “Rebate Fund” is hereby established by the City for the sole benefit of the United States of America, and such Fund shall not be subject to the claim of any other person, including without limitation the registered owners of the Certificates. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

The resolution adopted by the City Council on July 15, 2019, described in the preamble to this Ordinance was intended to satisfy the official intent requirements set forth in section 1.150-2 of the Treasury Regulations.

Section 13. ALLOCATION OF, AND LIMITATION ON, EXPENDITURES FOR THE PROJECT. That the Issuer covenants to account for the expenditure of proceeds from the sale of the Certificates and any investment earnings thereon to be used for the purposes described in Section 1 of this Ordinance (such purpose referred to herein and Section 14 hereof as a “Project”) on its books and records by allocating proceeds to expenditures within eighteen (18) months of the later of the date that (a) the expenditure on a Project is made or (b) such Project is completed. The foregoing notwithstanding, the Issuer shall not expend such proceeds or investment earnings more than sixty (60) days after the earlier of (a) the fifth anniversary of the delivery date of the Certificates or (b) the date the Certificates are retired. For purposes hereof, the Issuer shall not be obligated to comply with this covenant if it obtains a legal opinion, from nationally-recognized bond counsel, that such failure to comply will not adversely affect the excludability of interest on the Certificates from gross income for federal income tax purposes.

Section 14. DISPOSITION OF PROJECT. That the Issuer covenants that the property constituting a Project will not be sold or otherwise disposed in a transaction resulting in the receipt by the Issuer of cash or other compensation, unless the Issuer obtains an opinion of nationally-recognized bond counsel substantially to the effect that such sale or other disposition will not adversely affect the tax-exempt status of the Certificates. For purposes of this Section, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes of this Section, the Issuer shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

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Section 15. DEFAULT AND REMEDIES.

(a) *Events of Default.* That each of the following occurrences or events, for the purposes of this Ordinance, is hereby declared to be an Event of Default:

(i) the failure to make funds available to the Paying Agent/Registrar sufficient to make payment of the principal of or interest on any Certificate when the same becomes due and payable; or

(ii) except as provided in Section 18(c)(iv) of this Ordinance, default in the performance or observance of any other covenant, agreement or obligation of the City, which the failure to perform materially, adversely affects the rights of the registered owners of the Certificates, including, but not limited to, their prospect or ability to be repaid in accordance with this Ordinance, and the continuation thereof for a period of sixty (60) days after notice of such default is given by any registered owner to the City.

(b) *Remedies for Default.*

(i) Upon the happening of any Event of Default, then and in every case, any registered owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the City, or any official, officer or employee of the City in their official capacity, for the purpose of protecting and enforcing the rights of the registered owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the registered owners hereunder or any combination of such remedies.

(ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all registered owners of Certificates then outstanding.

(c) *Remedies Not Exclusive.*

(i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Certificates or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Certificates shall not be available as a remedy under this Ordinance.

(ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy.

(iii) By accepting the delivery of a Certificate authorized under this Ordinance, such registered owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or members of the City or the City Council.

(iv) None of the members of the City Council, nor any other official or officer, agent, or employee of the City, shall be charged personally by the registered owners with any liability, or be held personally liable to the registered owners under any term or provision of this Ordinance, or because of any Event of Default or alleged Event of Default under this Ordinance.

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Section 16. CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATES. That the Mayor of the City or the designee thereof is hereby authorized to have control of the Certificates initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Certificates pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Certificates, said Comptroller (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Certificates, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Registration Certificate.

Section 17. DTC REGISTRATION. That the Certificates initially shall be issued and delivered in such manner that no physical distribution of the Certificates will be made to the public, and the Depository Trust Company ("DTC"), New York, New York, initially will act as depository for the Certificates. DTC has represented that it is a limited purpose trust company incorporated under the laws of the State of New York, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered under Section 17A of the Securities Exchange Act of 1934, as amended, and the City accepts, but in no way verifies, such representations. Upon the receipt of payment from the Purchaser for the Certificates originally issued and delivered as authorized by this Ordinance, the Paying Agent/Registrar shall cancel the initial Certificates and issue and deliver to DTC, separate single definitive Certificates for each maturity of the Certificates, in the aggregate principal amount of the Certificates of such maturity, fully registered in the name of CEDE & CO., as the nominee of DTC. It is expected that DTC will hold the Certificates on behalf of the Purchaser and DTC's participants. So long as each Certificate is registered in the name of CEDE & CO., the Paying Agent/Registrar shall treat and deal with DTC the same in all respects as if it were the actual and beneficial owner thereof. It is expected that DTC will maintain a book-entry system which will identify beneficial ownership of the Certificates in Authorized Denominations, with transfers of beneficial ownership being effected on the records of DTC and its participants pursuant to rules and regulations established by DTC and its participants, and that the definitive Certificates initially deposited with DTC shall be immobilized and not be further exchanged for substitute Certificates except as hereinafter provided. The City is not responsible or liable for any functions of DTC, will not be responsible for paying any fees or charges with respect to its services, will not be responsible or liable for maintaining, supervising, or reviewing the records of DTC or its participants, or protecting any interests or rights of the beneficial owners of the Certificates. It shall be the duty of the DTC Participants, as defined in the Official Statement herein approved, to make all arrangements with DTC to establish this book-entry system, the beneficial ownership of the Certificates, and the method of paying the fees and charges of DTC. The City does not represent, and does not in any way covenant that the initial book-entry system established with DTC will be maintained in the future. Notwithstanding the initial establishment of the foregoing book-entry system with DTC, if for any reason any of the originally delivered Certificates is duly filed with the Paying Agent/Registrar with proper request for transfer and substitution, as provided for in this Ordinance, substitute Certificates will be duly delivered as provided in this Ordinance, and there will be no assurance or representation that any book-entry system will be maintained for such Certificates. In connection with the initial establishment of the foregoing book-entry system with DTC, the previous execution and delivery of the Blanket Letter of Representations shall apply to the Certificates.

Section 18. CONTINUING DISCLOSURE OBLIGATION. (a) *Annual Reports.* (i) That the City shall provide annually to the MSRB, in an electronic format prescribed by the MSRB, certain updated financial information and operating data of City, being the following (1) the City's financial statements; and (2) the information found in Tables 1 through 6 and 8 through 15 in the Official Statement authorized by Section 22 of this Ordinance. The City will update and provide the information in Tables 1 through 6 and 8 through 15 of the Official Statement within six (6) months after the end of each fiscal year ending in and after 2019. The City's financial statements so to be provided shall be (1) prepared in accordance with the accounting principles described in the financial statements of the City appended to the Official Statement and attached as Exhibit B hereto, or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and (2) audited, if the City commissions an audit of such statements and the audit is completed within twelve (12) months after the end of each fiscal

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year ending in or after 2019. If audited financial statements are not available by the end of the twelve (12) month period, then the City shall provide notice that the audited financial statements are not available, shall provide unaudited financial statements by the required time, and the City shall provide audited financial statements for the applicable fiscal year to the MSRB, when and if the audit report on such statements becomes available.

(ii) If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section. The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB or filed with the SEC. All filings shall be made electronically, in the format specified by the MSRB.

(b) *Disclosure Event Notices.* The City shall notify the MSRB, in a timely manner not in excess of ten (10) Business Days after the occurrence of the event, of any of the following events with respect to the Certificates:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Certificates, or other events affecting the tax status of the Certificates;
7. Modifications to rights of holders of the Certificates, if material;
8. Certificate calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Certificates, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the City;
13. The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. Appointment of a successor Paying Agent/Registrar or change in the name of the Paying Agent/Registrar, if material;
15. Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and
16. Default, event of acceleration, termination event, modification of terms, or other similar event under the terms of a Financial Obligation of the City, and which reflect financial difficulties.

As used in clause 12 above, the phrase “bankruptcy, insolvency, receivership or similar event” means the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets of the City, or if jurisdiction has been assumed by leaving the City Council and official or officers of the City in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or

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jurisdiction over substantially all of the assets or business of the City. As used in clauses 15 and 16 above, the term “Financial Obligation” means: (i) a debt obligation; (ii) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) a guarantee of (i) or (ii), however, the term Financial Obligation shall not include Municipal Securities as to which a final official statement has been provided to the MSRB consistent with the Rule; and the term “Municipal Securities” means securities which are direct obligations of, or obligations guaranteed as to principal or interest by, a state or any political subdivision thereof, or any agency or instrumentality of a state or any political subdivision thereof, or any municipal corporate instrumentality of one or more states and any other Municipal Securities described by Section 3(a)(29) of the Securities Exchange Act of 1934, as the same may be amended from time to time.

In addition, the City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with subsection (a) of this Section by the time required by such subsection.

(c) *Limitations, Disclaimers, and Amendments.* (i) The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an “obligated person” with respect to the Certificates within the meaning of the Rule, except that the City in any event will give notice of any deposit made in accordance with this Ordinance or applicable law that causes Certificates no longer to be outstanding.

(ii) The provisions of this Section are for the sole benefit of the registered owners and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

(iii) UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE REGISTERED OWNER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

(iv) No default by the City in observing or performing its obligations under this Section shall comprise a breach of or default under the Ordinance for purposes of any other provision of this Ordinance. Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

(v) Should the Rule be amended to obligate the City to make filings with or provide notices to entities other than the MSRB, the City agrees to undertake such obligation in accordance with the Rule as amended.

(vi) The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of

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the Rule since such offering as well as such changed circumstances and (2) either (A) the registered owners of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Certificates consent to such amendment or (B) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interest of the registered owners and beneficial owners of the Certificates. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (a) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The City may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates.

Section 19. DEFEASANCE. (a) *Deemed Paid*. That any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a “Defeased Certificate”) within the meaning of this Ordinance, except to the extent provided in subsection (e) of this Section, when payment of the principal of such Certificate, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the “Future Escrow Agreement”) for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the City with the Paying Agent/Registrar for the payment of its services until all Defeased Certificates shall have become due and payable. At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes or revenues herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, the City hereby reserves the option, to be exercised at the time of the defeasance of the Certificates, to call for redemption at an earlier date Defeased Certificates, provided that in the proceedings providing for the Defeased Certificates, the City: (1) expressly reserves the right to call the Defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Certificates immediately following the making of the firm banking and financial arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) *Investment in Defeasance Securities*. Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the City be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Certificates and interest thereon, with respect to which such money has been so deposited, shall be turned over to the City, or deposited as directed in writing by the City. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Certificates may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection (a)(i) or (ii) above. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Securities, with respect to which such money has been so deposited, shall be remitted to the City or deposited as directed in writing by the City.

(c) *Selection of Defeased Certificates*. In the event that the City elects to defease less than all of the principal amount of Certificates of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Certificates by such random method as it deems fair and appropriate.

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(d) *Defeasance Securities.* The term “Defeasance Securities” means any securities or obligations now or hereafter authorized by the laws of the State of Texas as eligible to discharge obligations such as the Certificates. The laws of the State of Texas currently permit defeasance of obligations such as the Certificates with the following types of securities: (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America; (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the City Council approves the proceedings authorizing the defeasance of the Certificates or the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent; and (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the City Council approves the proceedings authorizing the defeasance of the Certificates or the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

(e) *Continuing Duty of Paying Agent/Registrar.* Until all Defeased Certificates shall become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the City shall make proper arrangements to provide and pay for such services.

Section 20. AMENDMENTS. That the City hereby reserves the right to amend this Ordinance subject to the following terms and conditions.

(a) *Amendments Not Requiring Consent.* The City may from time to time, without the consent of any holder of the Certificates, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance in order to (1) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interest of the holders of the Certificates, (2) grant additional rights or security for the benefit of the holders of the Certificates, (3) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interest of the holders of the Certificates, (4) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (5) make such other provisions in regard to matters or questions arising under this Ordinance that are not inconsistent with the provisions hereof and which, in the opinion of nationally-recognized bond counsel selected by the City, do not materially adversely affect the interests of the holders of the Certificates.

(b) *Amendments With Consent.* Except as provided in paragraph (a) above, the holders of the Certificates aggregating in principal amount a majority of the aggregate principal amount of the Certificates then outstanding shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the City; provided, however, that without the consent of 100% of the holders in aggregate principal amount of the Certificates then outstanding, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or in any of the Certificates so as to:

- (1) Make any change in the maturity of any of the outstanding Certificates,
- (2) Reduce the rate of interest borne by any of the outstanding Certificates,
- (3) Reduce the amount of the principal of, or redemption premium, if any, payable on any outstanding Certificates,
- (4) Modify the terms of payment of principal of, redemption premium, if any, or interest on the outstanding Certificates, or imposing any condition with respect to such payment, or

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(5) Change the minimum percentage of the principal amount of the Certificates necessary for consent to such amendment.

(c) *Notice.* If at any time the City shall desire to amend this Ordinance, the City shall provide notice of such amendment to the registered owners of the Certificates then outstanding by sending via United States mail, first-class postage prepaid, to each registered owner of the affected Certificates a copy of the proposed amendment.

(d) *Receipt of Consents.* Whenever at any time within one (1) year from the date of the first mailing of said notice of the proposed amendment the City shall receive an instrument or instruments executed by the owners of at least a majority in aggregate principal amount of all the Certificates then outstanding, which instrument or instruments shall refer to the proposed amendment and that shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) *Effect of Amendments.* Upon the adoption by the City of any ordinance to amend this Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be amended in accordance with the amendatory ordinance, and the respective rights, duties, and obligations of the City and all the owners of then outstanding Certificates and all future Certificates shall thereafter be determined, exercised, and enforced under this Ordinance, as amended.

(f) *Consent Irrevocable.* Any consent given by any owner of Certificates pursuant to the provisions of this Section shall be irrevocable for a period of six (6) months from the date of such consent, and shall be conclusive and binding upon all future owners of the same Certificates during such period. Such consent may be revoked at any time after six (6) months from the date such consent was given by the owner, or by a successor in title, by filing notice thereof with the Paying Agent/Registrar and the City, but such revocation shall not be effective if the owners of a majority in aggregate principal amount of the Certificates then outstanding, prior to the attempted revocation, consented to and approved the amendment.

(g) *Ownership.* For the purpose of establishing ownership of the Certificates, the City shall rely solely upon the registration of the ownership of such Certificates on the Registration Books kept by the Paying Agent/Registrar.

Section 21. SECURITY FOR FUNDS. That the Interest and Sinking Fund and the Construction Fund created by this Ordinance shall be secured in the manner and to the fullest extent permitted or required by law for the security of public funds, and the Interest and Sinking Fund and the Construction Fund shall be used only for the purposes and in the manner permitted or required by this Ordinance.

Section 22. SALE OF CERTIFICATES. (a) *Sale.* That the Certificates are hereby sold and shall be delivered to [PURCHASER] (the "Purchaser") for the purchase price of par, plus premium in the amount of \$[PREMIUM], pursuant to the terms and provisions of an Official Notice of Sale and Official Bid Form, in substantially the form presented at this meeting, which the Mayor (or in the Mayor's absence the Mayor Pro Tem) is hereby authorized to execute and deliver. Certificates, one for each principal amount and maturing on the respective maturity date as set forth in Section 2 hereof, shall be delivered to the Purchaser, and the Purchaser shall have the right to exchange such Certificates as provided in Section 4 hereof without cost. The Certificates shall be initially registered in the name of the Purchaser or the Purchaser's nominee.

(b) It is hereby officially found, determined and declared that the Certificates have been sold in a public sale to the Purchaser, after receiving sealed bids pursuant to an Official Notice of Sale and Official Bid Form. Before being awarded the winning bid, the Purchaser certified to the City in the Official Bid Form that either it filed the disclosure form required under Section 2252.908, Texas Government Code, or that it is exempt from the disclosure form filing requirements of the Texas Ethics Commission pursuant to Section 2252.908(c)(4), Texas Government Code. The sale of the Certificates to the Purchaser was on

terms that are most advantageous to the City reasonably obtained and, upon the advice of the City's financial advisor, is in the best interests of the City.

(c) *Offering Documents.* The City Council hereby approves the form and content of the Official Statement relating to the Certificates and any addenda, supplement or amendment thereto (the "Official Statement"), and approves the distribution of such Official Statement in the reoffering of the Certificates by the Purchaser in final form, with such changes therein or additions thereto as the officer executing the same may deem advisable, such determination to be conclusively evidenced by his execution thereof. The distribution and use of the Preliminary Official Statement prior to the date hereof is hereby ratified and confirmed. The City Council also hereby approves the form and content of both the Official Notice of Sale and the Official Bid Form, and hereby ratifies and confirms the use of the Notice of Sale and Official Bid Form for the solicitation of bids on the Certificates prior to the date hereof.

Section 23. FURTHER PROCEDURES. That the Mayor, the City Secretary, the City Manager, any Assistant City Manager, the Director of Finance, and all other officers, employees, and agents of the City, and each of them, shall be and they are hereby expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, and the sale and delivery of the Certificates and fixing all details in connection therewith. In case any officer whose signature shall appear on any Certificate, or any document relating to the authorization, sale or issuance of the Certificates, shall cease to be such officer before the Delivery Date of the Certificates, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 24. USE OF PROCEEDS. That the proceeds from the sale of the Certificates may be used for the purposes described in Section 1 of this Ordinance, in the manner described in the letter of instructions executed by the City or on behalf of the City by its financial advisor. The foregoing notwithstanding, proceeds representing accrued interest on the Certificates shall be deposited to the credit of the Interest and Sinking Fund, and proceeds representing premium on the Certificates shall be used in a manner consistent with the provisions of Section 1201.042(d), Texas Government Code, as amended. Any amounts remaining after completion of the improvements described in Section 1 hereof shall be transferred FIRST to the Rebate Fund, to the extent required by Section 12 hereof and as further described in Section 25 hereof, and THEREAFTER to the Interest and Sinking Fund. The proceeds from the sale of the Certificates, including premium, to be deposited to the credit of the Construction Fund shall not exceed \$31,525,000.

Section 25. INTEREST EARNINGS. That the interest earnings derived from the investment of proceeds from the sale of the Certificates may be used along with other proceeds for the construction of the permanent improvements set forth in Section 1 hereof for which the Certificates are issued; provided, that after completion of such permanent improvements, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on proceeds which are required to be rebated to the United States of America pursuant to this Ordinance hereof in order to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

Section 26. MISCELLANEOUS PROVISIONS. (a) *Titles Not Restrictive.* That the titles assigned to the various sections of this Ordinance are for convenience only and shall not be considered restrictive of the subject matter of any section or of any part of this Ordinance.

(b) *Rules of Construction.* The words "herein", "hereof" and "hereunder" and other words of similar import refer to this Ordinance as a whole and not to any particular section or other subdivision. Except where the context otherwise requires, terms defined in this Ordinance to impart the singular number shall be considered to include the plural number and vice versa. References to any named person means that party and its successors and assigns. References to any constitutional, statutory or regulatory provision

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means such provision as it exists on the date this Ordinance is adopted by the City and any future amendments thereto or successor provisions thereof. Any reference to "FORM OF CERTIFICATE" shall refer to the form of the Certificates set forth in Exhibit A to this Ordinance. Any reference to the payment of principal in this Ordinance shall be deemed to include the payment of any mandatory sinking fund redemption payments as may be described herein.

(c) *Inconsistent Provisions.* All ordinances, orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed and declared to be inapplicable, and the provisions of this Ordinance shall be and remain controlling as to the matters prescribed herein.

(d) *Severability.* If any word, phrase, clause, paragraph, sentence, part, portion, or provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance shall nevertheless be valid and the City hereby declares that this Ordinance would have been enacted without such invalid word, phrase, clause, paragraph, sentence, part, portion, or provisions.

(e) *Governing Law.* This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas.

(f) *Open Meeting.* The City officially finds and determines that the meeting at which this Ordinance is adopted was open to the public; and that public notice of the time, place, and purpose of such meeting was given, all as required by Chapter 551, Texas Government Code.

(g) *Application of Chapter 1208, Government Code.* Chapter 1208, Texas Government Code, applies to the issuance of the Certificates and the pledge of ad valorem taxes and the Surplus Revenues granted by the City under Sections 7 and 8 hereof, and such pledge is therefore valid, effective, and perfected. If Texas law is amended at any time while the Certificates are outstanding and unpaid such that the pledge of the ad valorem taxes and Surplus Revenues granted by the City is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, then in order to preserve to the registered owners of the Certificates the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

(h) *Section 271.047, Local Government Code.* No bond proposition to authorize the issuance of bonds for the same purpose as the Certificates was submitted to the voters of the City during the preceding three (3) years and failed to be approved.

(i) *Section 252.051, Local Government Code.* The City has satisfied or will satisfy the appraisal requirements of Section 252.051, Texas Local Government Code, in the acquisition of real property with proceeds of the Certificates.

(j) *Payment of Attorney General Fee Authorized.* The City Council hereby authorizes the payment of the fee of the Office of the Attorney General of the State of Texas for the examination of the proceedings relating to the issuance of the Certificates, in the amount determined in accordance with the provisions of Section 1202.004, Texas Government Code.

(k) *Preamble.* The preamble to this Ordinance is incorporated by reference and made a part hereof for all purposes.

(l) *Immediate Effect.* In accordance with the provisions of Section 1201.028, Texas Government Code, this Ordinance shall be effective immediately upon its adoption by the City Council.

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**Exhibit A
to
Ordinance**

FORM OF CERTIFICATE

NO. R-

\$ _____

UNITED STATES OF AMERICA
STATE OF TEXAS
COUNTY OF ELLIS
CITY OF WAXAHACHIE, TEXAS
COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION
SERIES 2019

<u>MATURITY DATE</u>	<u>INTEREST RATE</u>	<u>DELIVERY DATE</u>	<u>CUSIP</u>
August 1, [-]	%	October [19], 2019	

ON THE MATURITY DATE SPECIFIED ABOVE, THE CITY OF WAXAHACHIE, TEXAS, in Ellis County (the "City" or the "Issuer"), being a political subdivision of the State of Texas, hereby promises to pay to _____, or to the registered assignee hereof (either being hereinafter called the "registered owner") the principal amount of

_____ DOLLARS

and to pay interest thereon, from the Delivery Date specified above, to the Maturity Date specified above, or the date of its redemption prior to scheduled maturity, at the interest rate per annum specified above, with said interest payable on February 1, 2020, and semiannually on each August 1 and February 1 thereafter; except that if this Certificate is required to be authenticated and the date of its authentication is later than February 1, 2020, such interest is payable semiannually on each August 1 and February 1 following such date.

THE PRINCIPAL OF AND INTEREST ON this Certificate are payable in lawful money of the United States of America, without exchange or collection charges. At maturity, or upon the date fixed for its redemption prior to maturity, the principal of this Certificate shall be paid to the registered owner hereof upon presentation and surrender of this Certificate at the designated corporate trust office in Dallas, Texas (the "Designated Trust Office") of The Bank of New York Mellon Trust Company, N.A., which is the "Paying Agent/Registrar" for this Certificate. The payment of interest on this Certificate shall be made by the Paying Agent/Registrar to the registered owner hereof on each interest payment date by check, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Issuer required by the ordinance authorizing the issuance of this Certificate (the "Certificate Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the registered owner hereof, at its address as it appeared at the close of business on fifteenth (15th) calendar day of the month next preceding such interest payment date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. Any accrued interest due at maturity or redemption prior to maturity, as provided herein, shall be paid to the registered owner upon presentation and surrender of this Certificate for payment at the Designated Trust Office of the Paying Agent/Registrar.

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The Issuer covenants with the registered owner of this Certificate that on or before each principal and interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Certificate Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

IN THE EVENT OF NON-PAYMENT of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest ("Special Payment Date", which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each registered owner of a Certificate appearing on the Registration Books kept by the Paying Agent/Registrar at the close of business on the business day next preceding the date of mailing such notice.

IF THE DATE for the payment of the principal of or interest on this Certificate shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Designated Trust Office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS CERTIFICATE is one of a Series of Certificates dated the Delivery Date, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$[PRINCIPAL], for the purpose of paying contractual obligations to be incurred by the City, to-wit, improvements to streets and public mobility infrastructure, including the acquisition of right-of-way, throughout the City; the construction of improvements and extensions to the City's water and wastewater system; acquiring, constructing, installing and equipping park and recreational improvements in the City, including to the City's Lee Penn Park and George Brown Plaza; and the payment of fiscal, engineering and legal fees incurred in connection therewith.

THE CERTIFICATES of this Series scheduled to mature on and after August 1, 20[30] may be redeemed prior to their scheduled maturities, in whole, or in part in principal amounts of \$5,000 or any integral multiple thereof, at the option of the City, on August 1, 20[29], or on any date thereafter, at the redemption price of par plus accrued interest to the date fixed for redemption. If less than all of the Certificates are to be redeemed by the City, the City shall determine the maturity or maturities and the amounts therewith to be redeemed and shall direct the Paying Agent/Registrar to call by lot Certificates, or portions thereof, within such maturity or maturities and in such principal amounts, for redemption; *provided*, that during any period in which ownership of the Certificates is determined only by a book entry at a securities depository for the Certificates, if fewer than all of the Certificates of the same maturity and bearing the same interest rate are to be redeemed, the particular Certificates of such maturity and bearing such interest rate shall be selected in accordance with the arrangements between the City and the securities depository.

A WRITTEN NOTICE OF redemption shall be sent to the registered owner of each Certificate or a portion thereof being called for redemption at least thirty (30) days prior to the date fixed for such redemption by depositing such notice in the United States mail, first-class postage prepaid, addressed to each such registered owner at his address shown on the Registration Books of the Paying

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Agent/Registrar. If such notice of redemption is mailed, and if due provision for such payment is made, all as provided above, this Certificate, or the portion hereof which is to be so redeemed, thereby automatically shall be redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for its redemption, and shall not be regarded as being outstanding except for the right of the registered owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. The Paying Agent/Registrar shall record in the Registration Books all such redemptions of principal of this Certificate or any portion hereof. If a portion of any Certificate shall be redeemed a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the registered owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the registered owner upon the surrender thereof for cancellation, at the expense of the Issuer, all as provided in the Ordinance.

THE FOREGOING NOTWITHSTANDING, with respect to any optional redemption of the Certificates, unless certain prerequisites to such optional redemption required by the Certificate Ordinance have been met and money sufficient to pay the principal of, premium, if any, and interest on the Certificates to be redeemed will have been received by the Paying Agent/Registrar prior to giving such notice, such notice may state that the optional redemption will, at the option of the City, be conditional upon the satisfaction of such prerequisites and receipt of such money by the Paying Agent/Registrar on or prior to the date fixed for such redemption or upon any prerequisite set forth in the notice of redemption. If a notice of conditional redemption is given and such prerequisites to the redemption are not satisfied, such notice will be of no force and effect, the City will not redeem such Certificates and the Paying Agent/Registrar will give notice in the manner in which the notice of redemption was given, to the effect that such Certificates will not be redeemed.

ALL CERTIFICATES OF THIS SERIES are issuable solely as fully registered Certificates, without interest coupons, in the denomination of any integral multiple of \$5,000. As provided in the Certificate Ordinance, this Certificate may, at the request of the registered owner or the assignee or assignees hereof, be assigned, transferred, and exchanged for a like aggregate principal amount of fully registered Certificates, without interest coupons, payable to the appropriate registered owner, assignee, or assignees, as the case may be, having the same maturity date, and bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate registered owner, assignee, or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar at its Designated Trust Office for cancellation, all in accordance with the form and procedures set forth in the Certificate Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar at its Designated Trust Office, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be transferred and registered. The form of Assignment printed or endorsed on this Certificate may be executed by the registered owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the registered owner. The one requesting such exchange shall pay the Paying Agent/Registrar's reasonable standard or customary fees and charges for exchanging any Certificate or portion thereof. The foregoing notwithstanding, in the case of the exchange of an assigned and transferred Certificate or Certificates or any portion or portions thereof, such fees and charges of the Paying Agent/Registrar will be paid by the Issuer. In any circumstance, any taxes or

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governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, or exchange as a condition precedent to the exercise of such privilege. In any circumstance, both the City and the Paying Agent/Registrar shall not be required (i) to make any such transfer or exchange during the period beginning at the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date; or (ii) to transfer or exchange any Certificates so selected for redemption when such redemption is scheduled to occur within forty-five (45) calendar days; provided, however, such limitation of transfer shall not be applicable to an exchange by the registered owner of an unredeemed balance of a Certificate called for redemption in part.

WHENEVER the beneficial ownership of this Certificate is determined by a book entry at a securities depository for the Certificates, the foregoing requirements of holding, delivering or transferring this Certificate shall be modified to require the appropriate person or entity to meet the requirements of the securities depository as to registering or transferring the book entry to produce the same effect.

IN THE EVENT any Paying Agent/Registrar for the Certificates is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and promptly will cause written notice thereof to be mailed to the registered owners of the Certificates.

IT IS HEREBY certified, recited and covenanted that this Certificate has been duly and validly authorized, issued, and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the authorization, issuance, and delivery of this Certificate have been performed, existed, and been done in accordance with law; that this Certificate is a direct obligation of said Issuer, issued on the full faith and credit thereof; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer, in the manner provided in the Certificate Ordinance, and have been pledged for such payment, within the limit prescribed by law; and that a limited pledge (not to exceed \$1,000) of the surplus revenues from the operation of the City's combined waterworks and sewer system remaining after payment of all operation and maintenance expenses thereof and any other obligations heretofore or hereafter incurred to which such revenues have been or shall be encumbered by a lien on and pledge of such revenues superior to the lien on and pledge of such revenues to the Certificates, have been pledged as additional security for the Certificates.

BY BECOMING the registered owner of this Certificate, the registered owner thereby acknowledges all of the terms and provisions of the Certificate Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Certificate Ordinance is duly recorded and available for inspection in the official minutes and records of the Issuer, and agrees that the terms and provisions of this Certificate and the Certificate Ordinance constitute a contract between the Issuer and each registered owner hereof.

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IN WITNESS WHEREOF, this Certificate has been signed with the manual or facsimile signature of the Mayor of the City (or in the Mayor's absence, of the Mayor Pro-Tem of the City), attested by the manual or facsimile signature of the City Secretary, and the official seal of the Issuer has been duly affixed to, or impressed, or placed in facsimile, on this Certificate.

XXXXX
City Secretary

XXXXX
Mayor

(SEAL)

FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

It is hereby certified that this Certificate has been issued under the provisions of the proceedings adopted by the City as described in the text of this Certificate; and that this Certificate has been issued in exchange for or replacement of a Certificate of an issue which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated _____

The Bank of New York Mellon Trust Company,
N.A., Paying Agent/Registrar

By _____
Authorized Representative

*FORM OF COMPTROLLER'S CERTIFICATE ATTACHED TO
THE CERTIFICATES UPON INITIAL DELIVERY THEREOF

OFFICE OF COMPTROLLER :
STATE OF TEXAS : REGISTER NO. _____

I hereby certify that this Certificate has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Certificate has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY HAND and seal of office at Austin, Texas this _____.

(SEAL)

Comptroller of Public Accounts of
the State of Texas

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FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

(Please insert Social Security or Taxpayer Identification Number of Transferee)

/ _____ /

(Please print or typewrite name and address, including zip code of Transferee)

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to register the transfer of the within Certificate on books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever.

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**Exhibit B
to
Ordinance**

DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

The following information is referred to in Section 18 of this Ordinance.

Annual Financial Statements and Operating Data

The financial information and operating data with respect to the City to be provided annually in accordance with such Section are as specified below (and included in the Appendix or under the headings of the Official Statement referred to):

1. The information included in the Official Statement under the following captions, but for the most recently concluded fiscal year: Tables 1 through 6 and 8 through 15, inclusive.

2. Appendix B to the Official Statement, "Excerpts from the Annual Financial Report of the City of Waxahachie, Texas for the Fiscal Year Ended September 30, 2019".

Accounting Principles

The accounting principles referred to in such Section are the accounting principles described in the notes to the Annual Financial Report referred to above.

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Planning & Zoning Department Plat Staff Report



Case: RP-19-0088

MEETING DATE(S)

Planning & Zoning Commission: September 10, 2019
City Council: September 16, 2019

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 10, 2019, the Commission voted 4-0 to recommend approval of plat no. RP-19-0088, as presented.

CAPTION

Consider request by DeeAnne Row for a Replat of Lots 19 and 20, Green Meadow, to create Lots 19R and 20R, Green Meadow, 8.922 acres (Property ID 150722) in the Extra Territorial Jurisdiction – Owner: BRIAN & DEEANNE ROW (RP-19-0088)

CASE INFORMATION

Applicant: DeeAnne Row
Property Owner(s): DeeAnne and Brian Row
Site Acreage: 8.922 acres
Number of Lots: 2 lots
Number of Dwelling Units: 1 existing unit
Park Land Dedication: N/A (ETJ)
Adequate Public Facilities: A water letter was received from Buena Vista-Bethel SUD stating that adequate public facilities are available for this property. Adequate fire flow can be provided.

SUBJECT PROPERTY

General Location: 102 Link Crest Lane
Parcel ID Number(s): 150722
Current Zoning: N/A (ETJ)
Existing Use: A house is located on the property with 3 additional accessory buildings.
Platting History: A plat for Lot 19 and Lot 20 was approved by the Ellis County Commissioner Court on May 2, 1969.

Site Aerial:



RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat drawing
2. Water Letter

APPLICANT REQUIREMENTS

If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

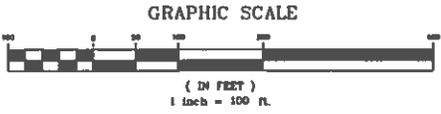
1. All utilities, infrastructure, and other required improvements have been installed and a letter of acceptance associated with the utilities and infrastructure installation has been received from the Public Works Department;
2. A drainage study has been conducted and/or a traffic impact analysis has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

STAFF CONTACT INFORMATION

Prepared by:
 Chris Webb
 Planner
cwebb@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com

NO.	BEARING	LENGTH
L1	S21°36'41"E	17.28'
L2	S43°14'36"W	8.08'
L3	S21°43'40"E	8.02'
L4	S56°54'27"E	3.22'
L5	S28°44'03"E	12.77'
L6	S48°00'31"W	13.57'
L7	S26°47'36"W	24.42'
L8	S63°04'57"W	6.53'



LOT 11
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 18
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 21
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 4
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 10
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 19R
(3.041 ACRES / 129,801 SQUARE FEET)
LOT 19
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 20R
(3.061 ACRES / 133,035 SQUARE FEET)
LOT 20
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 5
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 9
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 7
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOT 6
GREEN MEADOW
CABINET A, SLIDE 443
P.R.E.C.T.

LOCATION MAP
"NOT TO SCALE"

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Brian and DeeAnne Row, acting herein by and through its duly authorized officers, does hereby verify and adopt this plat designating the herein above described property as Lots 19R and 20R, Green Meadows Addition, an addition to the Ellen County, and does hereby dedicate to the public use forever, the streets and alleys shown thereon. The owner does herein certify the following:

- The streets and alleys are dedicated to be sample for street and alley purposes.
- All public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances.
- The easements and public use areas, as shown, and created by this plat, are dedicated for the public use forever for the purposes indicated on this plat.
- No buildings, fences, trees, shrubs or other improvements or growth shall be constructed or placed upon, over or across the easements as shown.
- Ellen County is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair.
- Utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use in particular utilities, and use by public utilities being subordinate to the public's and Ellen County's use thereof.
- Ellen County and/or public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growth which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in the easements.
- Ellen County and public utilities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, painting, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.
- All modifications to this document shall be by means of plat and approved by Ellen County.

This plat is approved subject to all planning ordinances, rules, regulations and resolutions of the Ellen County, Texas.

WITNESS, my hand, this _____ day of _____, 2019

By: _____
Brian Row
DeeAnne Row

STATE OF TEXAS
COUNTY OF ELLIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Brian and DeeAnne Row, known to me to be the persons whose names is subscribed in the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein GIVEN under my hand and seal of office, this _____ day of _____, 2019.

Notary Public in and for the State of Texas

**CASE NUMBER: RP-19-0088
REPLAT**

**LOTS 19R AND 20R,
GREEN MEADOWS
2 RESIDENTIAL LOTS**

BEING AN 8.922 ACRE RESIDENTIAL ADDITION OUT OF THE ELLEN BALLARD SURVEY, ABSTRACT NO. 120

CITY OF WAXAHACHIE ETJ, ELLIS COUNTY, TEXAS

BRIAN AND DEEANNE ROW OWNER/DEVELOPER

102 Linkcrest Lane Waxahachie, Texas 75167 (972) 643-8755

Contact: DeeAnne Row

3B LAND SURVEYING, INC SURVEYOR

656 Bacok Rd Ennis, Texas 75119 (972) 825-7849

Contact: Edward Scott Bacok TBPLS No. 10194480

Revised: August 30, 2019
Date: August 08, 2019 Sheet 1 of 1

STATE OF TEXAS
COUNTY OF ELLIS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS Brian and DeeAnne Row are the owners of that parcel of land in City of Waxahachie, ETJ, Ellis County, Texas, being a part of the Ellen Ballard Survey, Abstract No. 120 and being all of Lots 19 and 20, Green Meadows, an addition to Ellen County, recorded in Cabinet A, Slide 443, Plat Records Ellis County, Texas, being further described as follows:

BEGINNING at a one-half inch iron rod found at the southeast corner of said Lot 20 and said point being at the intersection of the west right-of-way line of Meadowcrest Drive (a 60' right-of-way) with north line of Linkcrest Lane (a 60' wide right-of-way),

THENCE South 59 degrees 40 minutes 21 seconds West, 1,009.44 feet to a one-half inch iron rod with cap stamped "3B Land Surveying" set at the southwest corner of said Lot 19 and said point being at the intersection of the north right-of-way line of Linkcrest Lane with the east right-of-way line of Green Meadows Drive (a 60' right-of-way);

THENCE North 30 degrees 28 minutes 50 seconds West, 385.00 feet along the east right-of-way line of Green Meadows Drive to a one-half inch iron rod found at the southeast corner of said Lot 19 and said point being the southwest corner of Lot 18 of said Green Meadows;

THENCE North 59 degrees 40 minutes 21 seconds East, 1,009.44 feet to a one-half inch iron rod found at the northeast corner of said Lot 20, said point being at the southeast corner of Lot 21 of said Green Meadows, and said point being in the west right-of-way line of Meadowcrest Drive;

THENCE South 30 degrees 28 minutes 50 seconds East, 385.00 feet along the west right-of-way line of Meadowcrest Drive to the POINT OF BEGINNING and containing 388,630 square feet or 8.922 acres of land.

Based of bearing is derived from GPS observations relative to the Texas WGS 84 NAD83 Texas State Plane Coordinate System, North Central Zone (4203), NAD83.

FLOOD STATEMENT: According to Community Panel No. 48190D175P, dated June 3, 2013, of the Federal Emergency Management Agency, National Flood Insurance Program Map, this property is within Flood Zone "X" (areas determined to be outside 100-year flood-plains), which is not a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This statement shall not create liability on the part of the Surveyor.

GENERAL NOTES:

- A drainage / utility easement (D.U.E.) is only required, as necessary, to show any existing / future easements or drainage easements to help with the flow of water or placement of easements.
- Ellen County will not be responsible for the maintenance of drainage easements or diversion areas.
- Coordinates shown herein are relative to the Texas State Plane Coordinate system, North Central Zone (4203). All distances shown herein are surface distances.

EASEMENT NOTE:

30' easement to Utrana Vista-Hitchel Special Utility District recorded in County Clerk's Instrument Number 1703732, Real Property Records & Ellis County, Texas is blanket in nature and does affect the subject tract.

SURVEY CERTIFICATION

This is to certify that I, Edward Scott Bacok, a Registered Public Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground and that all lot corners, angle points, and points of curve have been properly marked on the ground, and that this plat correctly represents that survey made by me.

Edward Scott Bacok
Edward Scott Bacok, R.P.L.S. No. 6248



This plat has been approved by the Department of Development of Ellis County, Texas for on-site sewage facilities, providing any and all information as may be required by the Ellis County Department of Development.

Department of Development Director _____ Approved Date _____

STATE OF TEXAS
COUNTY OF ELLIS

Certificate of approval by the Commissioners' Court of Ellis County, Texas Approved this date, the _____ day of _____, 2019.

- Attest:
- | | |
|-------------------------------------|------------------------------------|
| _____ Todd Little, County Judge | _____ Krystal Valdez, County Clerk |
| _____ Randy Stinson, Precinct No. 1 | _____ Lane Grayson, Precinct No. 2 |
| _____ Paul Perry, Precinct No. 3 | _____ Kyle Butler, Precinct No. 4 |

**CITY ETJ SIGNATURE BLOCK INFORMATION
CITY OF WAXAHACHIE, TEXAS PLAT APPROVAL**

Approved by: _____	Planning & Zoning Commission City of Waxahachie
By: _____	Chairperson Date _____
Approved by: _____	City Council City of Waxahachie
By: _____	Mayer Date _____
Attest: _____	Date _____

LEGEND

- IR IRON ROD SET
- OR IRON ROD FOUND
- BL BUILDING LINE SETBACK
- P.R.E.C.T. PLAT RECORDS ELLIS COUNTY, TEXAS

(9)



PLANNING & ZONING DEPARTMENT
401 South Rogers Street | Waxahachie, Texas 75168
(469) 309-4290 | www.waxahachie.com/Departments/PlanningandZoning



WATER UTILITY PROVIDER'S ENDORSEMENT

Applicant Name: Dee Anne Row & Brian Row Parcel ID #: 150722
Subdivision Name: Green Meadow

The City of Waxahachie requires new lots in subdivisions have adequate water flow and pressure to comply with TCEQ and latest Insurance Service Office (ISO) guidelines. Subdivisions served by water providers outside of the City of Waxahachie will need to ensure they can provide water flow/pressure per TCEQ and fire flow per the latest ISO guidelines.

Applicants, please submit this form to your water provider for completion. This completed form must be turned in at the time you submit your application packet to the Planning Department.

Contact Information:

- Buena Vista-Bethel SUD (972) 937-1212 312 S Oak Branch Rd.
- Carroll Water Company (972) 617-0817
- Mountain Peak SUD (972) 775-3765
- Rockett SUD (972) 617-3524
- Sardis-Lone Elm WSC (972) 775-8566
- Nash Foreston WSC (972) 483-3039

To be completed by the water utility provider:

	Yes	No
1. I have reviewed a copy of the proposed plat.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The platted lots fall within our CCN area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Our water system can provide water flow and pressure for domestic service per TCEQ regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Our water system can provide the water flow and pressure for firefighting per ISO guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. The water line size servicing the lots is <u>6" # 3"</u> inches.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Joe Buchanan
Print Name of General Manager of water provider or Designee

BVB SUD.
Name of water provider company

Joe Buchanan
Signature of General Manager of water provider or Designee

7-12-19
Date

(11)

Planning & Zoning Department

Zoning Staff Report



Case: SU-19-0104

MEETING DATE(S)

Planning & Zoning Commission: September 10, 2019

City Council: September 16, 2019

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 10, 2019, the Commission voted 4-0 to recommend approval of zoning change SU-19-0104, as presented.

CAPTION

Public Hearing on a request by Amanda Doty, B&M Assessment Services, for a Specific Use Permit (SUP) for Rooftop Solar Panel System use within a Planned Development-27-Single Family-2 zoning district, located at 311 Choctaw Trail (Property ID 229213) – Owner: RICHARD S & PENNY P EWERS (SU-19-0104)

CASE INFORMATION

Applicant: Amanda Doty, B&M Assessment Services

Property Owner(s): Richard S. and Penny P. Ewers

Site Acreage: .467 acres

Current Zoning: Planned Development-27-Single Family-2

Requested Zoning: PD-27-SF2 with Specific Use Permit

SUBJECT PROPERTY

General Location: 311 Choctaw Trail

Parcel ID Number(s): 229213

Existing Use: The site is currently a residence.

Development History: N/A

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	PD-SF-2	Residential
East	PD-SF-2	Residential
South	PD-SF-2	Residential
West	PD-SF-2	Residential

Future Land Use Plan: Low Density Residential

(11)

Comprehensive Plan:

This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan:

The subject property is accessible via Choctaw Trail.

Site Image:



PLANNING ANALYSIS

The applicant seeks to install solar panels on the roof of the single family residence. Per the City of Waxahachie Zoning Ordinance, solar panels are permitted with a Specific Use Permit, and must be installed so that they do not front onto the right-of-way. According to the current site plan submitted by the applicant, there will be no solar panel systems facing the public ROW.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 27 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 08/21/2019.

PROPERTY OWNER NOTIFICATIONS

Staff received three (3) letters of support for the proposed rooftop solar panel system.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following comments:

(11)

ATTACHED EXHIBITS

1. Ordinance
2. Location Exhibit
3. Site plan
4. PON Responses

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(12)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A ROOFTOP SOLAR PANEL SYSTEM USE WITHIN A PLANNED DEVELOPMENT-27-SINGLE FAMILY – 2 (PD-27-SF-2) ZONING DISTRICT, LOCATED AT 311 CHOCTAW TRAIL, BEING PROPERTY ID 229213, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 6, BLOCK E IN THE INDIAN HILLS PHASE VIII SUBDIVISION, 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 heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as PD-27-SF-2; 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 SU-19-0104. 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 Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from PD-27-SF-2 to PD-27-SF-2, with an SUP in order to permit Rooftop Solar Panel System use on the following property: Lot 6, Block E of the Indian Hills Phase VIII subdivision, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B.

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 16th day of September, 2019.

(12)

MAYOR

ATTEST:

City Secretary

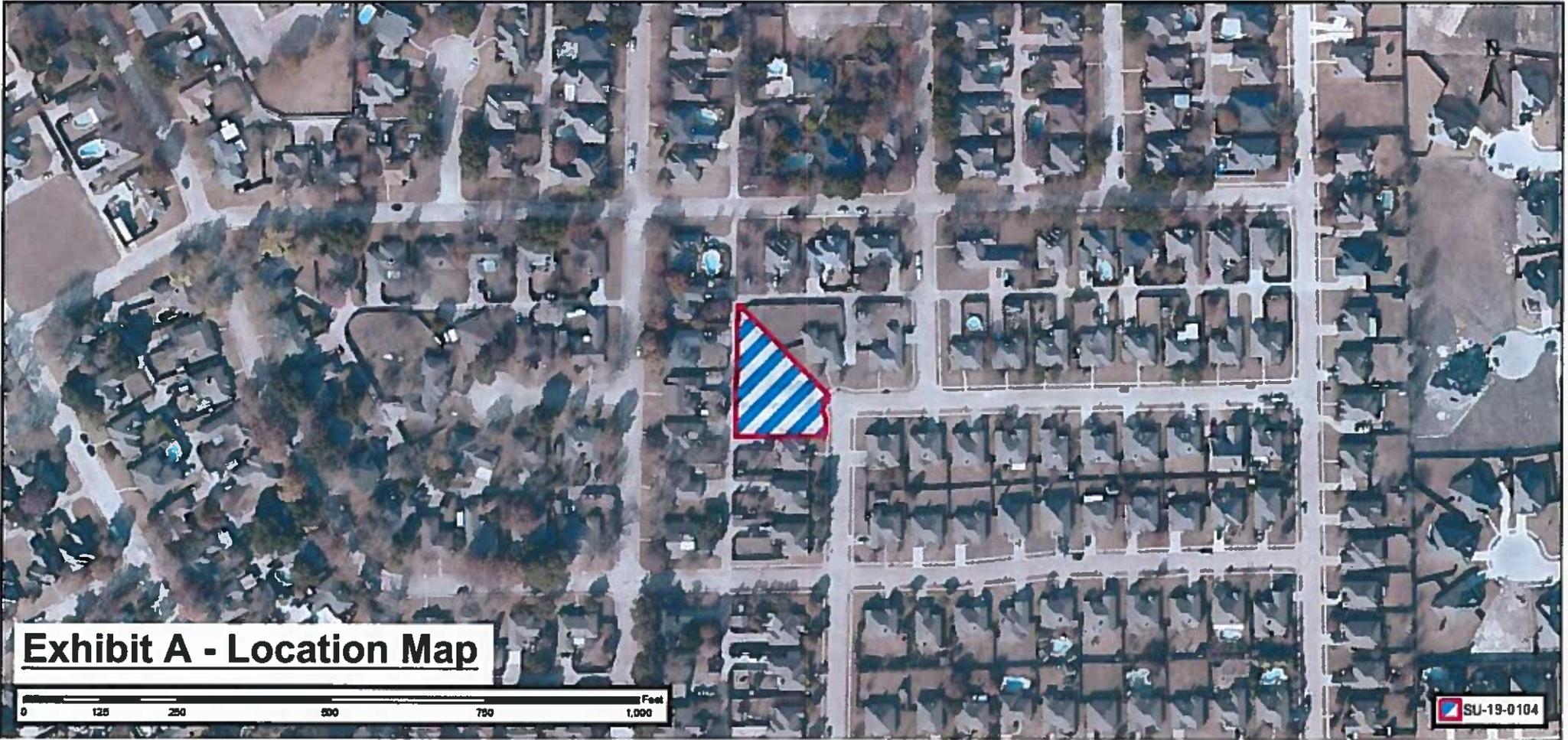


Exhibit A - Location Map

0 125 250 500 750 1,000 Feet

SU-19-0104

(12)

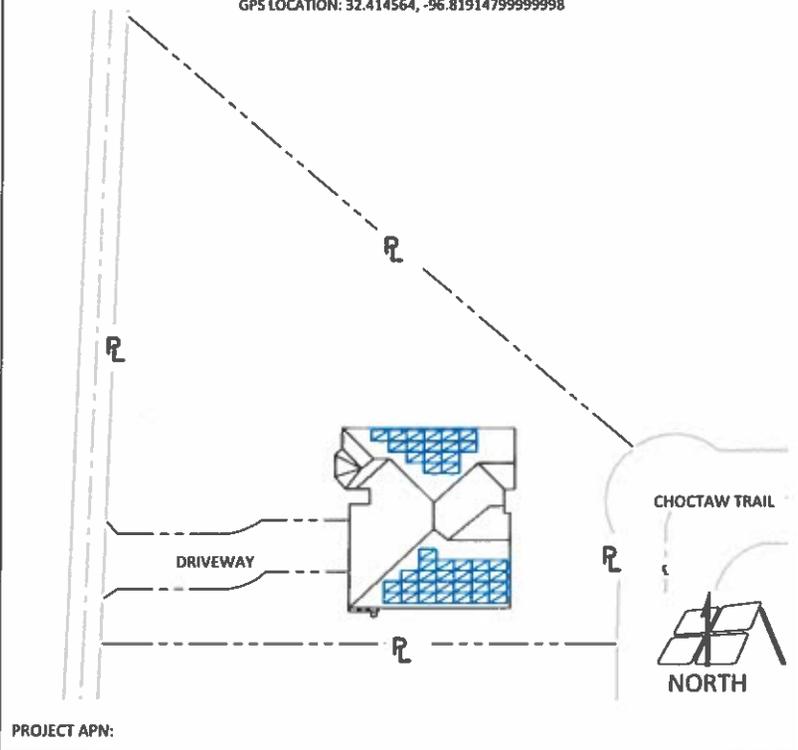
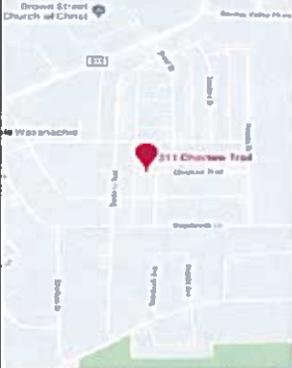
PARCEL MAP	GOVERNING CODES	DESIGN CRITERIA	PROJECT LOCATION																																													
<p>GPS LOCATION: 32.414564, -96.81914799999998</p>  <p>PROJECT APN:</p>	<p>APPLICABLE BUILDING CODES: 2015 INTERNATIONAL BUILDING CODE 2015 INTERNATIONAL RESIDENTIAL CODE 2015 INTERNATIONAL FIRE CODE 2017 NATIONAL ELECTRIC CODE</p>	<p>BUILDING OCCUPANCY: R-3 RISK CATEGORY: Risk Category II ASCE 7-10 WIND SPEED: 115 EXPOSURE CATEGORY: Exposure C SNOW LOAD: 5 SNOW EXPOSURE: N/A CONSTRUCTION TYPE: VB</p>																																														
SCOPE OF WORK																																																
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<p>CONTRACTOR: Daybreak Install LLC 2100 N Main St Ste. 212 Fort Worth, TX 76164 CONTRACTOR LIC #: TECL32815 PHONE: (817) 995-9572 CONTACT NAME: James Blakely PHONE: (817) 995-9572 EMAIL: james@daybreakinstall.com</p>		<p>ELECTRICAL UTILITY: Oncor Electric Delivery ESID NUMBER: 10443720007355261 PHONE: AUTHORITY HAVING JURISDICTION: BUILDING: County of Ellis PHONE: ENGINEERED BY: Scott Wyssling 76 North Meadowbrook Dr. Alpine, UT 84004 LICENSE #: 122669 LICENSE TYPE: PE PHONE: (201) 874-3483 EMAIL: scott.wyssling@gmail.com</p>																																														
GENERAL PROJECT & JURISDICTIONAL NOTES																																																
<p>INSPECTION REQUIREMENTS</p> <ol style="list-style-type: none"> A LADDER SHALL BE IN PLACE FOR INSPECTION IN COMPLIANCE WITH ALL OSHA REGULATIONS. PENDING LOCAL JURISDICTIONAL REQUIREMENTS AND WHEN APPLICABLE ALL ELECTRICAL ENCLOSURE DEAD FRONTS, COVERS, DOORS, ETC. SHALL BE OPEN AND ACCESSIBLE FOR INSPECTIONS. WHEN TRENCH AND ROOF INSPECTIONS ARE REQUIRED WORK SHALL BE OPEN AND ACCESSIBLE FOR INSPECTOR. 	<p>JURISDICTIONAL & LISTING REQUIREMENTS</p> <ol style="list-style-type: none"> WHEN APPLICABLE A SMOKE DETECTOR, APPROVED AND LISTED BY THE STATE FIRE MARSHAL OR AHJ/S/LR, 217 CERTIFIED TO NATIONAL FIRE ALARM AND SIGNALING CODE, NFPA 72 SHALL BE VERIFIED FUNCTIONAL OR INSTALLED IN ALL APPLICABLE CODE REQUIRED LOCATIONS. ALL APPLICABLE EQUIPMENT TO BE UL LISTED OR LISTED BY OTHER JURISDICTIONAL AND UTILITY APPROVED ASSOCIATION OR NATIONALLY RECOGNIZED ORGANIZATION. FULL SCOPE OF WORK SHALL COMPLY WITH ALL APPLICABLE CODES LISTED IN GOVERNING CODES SECTION, ALL MANUFACTURERS' LISTINGS, INSTALLATION INSTRUCTIONS AND SPECIFICATIONS AND JURISDICTIONAL REQUIREMENTS. REVISED PLANS WILL BE REQUIRED TO BE RESUBMITTED TO THE LOCAL JURISDICTION IF THE INSTALLED ARRAY AND ASSOCIATED EQUIPMENT DOES NOT MATCH THE APPROVED BUILDING PLANS. ADDITIONAL FEES MAY ALSO APPLY. THE PLACEMENT OF A UTILITY PV PRODUCTION METER SHALL BE PROVIDED AND PLACED BY THE CONTRACTOR AS PER APPLICABLE UTILITY OR AHJ REQUIREMENTS. 	<p>DESIGN BY: James Blakely PHONE: (817) 995-9572 EMAIL: james@daybreakinstall.com</p> <p>PROJECT DRAFTER: Advanced Solar Solutions 39650 Mallard Bass Lake, CA 93604</p> <p>ADVANCED SOLAR SOLUTIONS</p> <p>PHONE: 559-321-7000 EMAIL: info@advpermits.com</p> <p>HOME OWNER PROJECT LOCATION: Scott Ewers 311 Choctaw Trail, Waxahachie, TX 75165</p>																																														
COPYRIGHT NOTICE																																																
<p>1. UNAUTHORIZED USE OF THIS DRAWING SET WITHOUT EXPRESSED WRITTEN PERMISSION FROM THE CONTRACTOR AND ADVANCED SOLAR SOLUTIONS IS A VIOLATION OF U.S. COPYRIGHT LAWS AND WILL BE SUBJECT TO CIVIL DAMAGES AND PROSECUTION.</p>																																																

Exhibit B - Site Plan



REV DATE RELEASE 07/02/2019 SUBMIT FOR PERMIT	PV-001	COVER SHEET
13.02 KW PHOTOVOLTAIC PLANS NAME Scott Ewers ADDRESS 311 Choctaw Trail ADDRESS Waxahachie, TX 75165 APN		
TGL32815 2100 N Main St Ste. 212 Fort Worth, TX 76164 (817) 995-9572 Daybreak Install LLC		

Case SU-19-0104
 Responses Received Inside Required 200' Notification Area
 Support: 3 Oppose: 0

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
174236	MUIRHEAD BRADLEY	0.224	LOT 6 BLK 3 INDIAN HILLS 1 .224 AC	303 SANTE FE TRL	WAXAHACHIE	TX	75165	303 SANTA FE TRL WAXAHACHIE TX 75165
174297	BUTLER TOMMIE & GRACE	0.269	LOT 17 BLK 16 INDIAN HILLS 1 .269 AC	101 SANTA FE CIR	WAXAHACHIE	TX	75165	101 SANTA FE CIR WAXAHACHIE TX 75165
174242	HPA US1 LLC	0.278	LOT 1 BLK 3 INDIAN HILLS 1 .278 AC	180 N STETSON AVE STE 3650	CHICAGO	IL	60601	313 SANTA FE TRL WAXAHACHIE TX 75165
174243	MILLER BENITA F L/E, HILARY M LOCKE	0.224	LOT 2 BLK 3 INDIAN HILLS 1 0.224 AC	311 SANTA FE TRL	WAXAHACHIE	TX	75165	311 SANTA FE TRL WAXAHACHIE TX 75165
174293	CRIM JIMMIE L	0.269	23 16 INDIAN HILLS 1 0.269 ACRES	100 SANTA FE CIR	WAXAHACHIE	TX	75165	100 SANTA FE CIR WAXAHACHIE TX 75165
174311	BRANDT JUSTIN A & RAKEL R	0.269	LOT 1 BLK 16 INDIAN HILLS 1 .269 AC	212 IROQUOIS LN	WAXAHACHIE	TX	75165	212 IROQUOIS LN WAXAHACHIE TX 75165
174237	MANGAN CHARLES D JR & ROXANE	0.276	7 3 INDIAN HILLS 1 0.276 ACRES	301 SANTA FE TRL	WAXAHACHIE	TX	75165	301 SANTA FE TRL WAXAHACHIE TX 75165
174233	PALMER ELIZABETH T & GERRE P	0.224	LOT 3 BLK 3 INDIAN HILLS 1 .224 AC	309 SANTA FE TRL	WAXAHACHIE	TX	75165	309 SANTA FE TRL WAXAHACHIE TX 75165
174234	HARDIN JUSTIN	0.224	LOT 4 BLK 3 INDIAN HILLS 1 .224 AC	307 SANTA FE TRL	WAXAHACHIE	TX	75165	307 SANTA FE TRL WAXAHACHIE TX 75165
174235	DODD JAMES A & PHILLIS R	0.224	5 3 INDIAN HILLS 1 0.224 ACRES	305 SANTA FE TRL	WAXAHACHIE	TX	75165	305 SANTA FE TRL WAXAHACHIE TX 75165
203663	STEVENS FAMILY LIVING TRUST GARY L & JENNIFER L STEVENS TRUSTEES	0.251	LOT 1 BLK E INDIAN HILLS PH5 0.251 AC	304 IROQUOIS LN	WAXAHACHIE	TX	75165	304 IROQUOIS LN WAXAHACHIE TX 75165
203664	EDWARDS MATTHEW & RACHAEL	0.211	LOT 2 BLK E INDIAN HILLS PH5 .211 AC	302 IROQUOIS LN	WAXAHACHIE	TX	75165	302 IROQUOIS LN WAXAHACHIE TX 75165
203730	EVANS GARY & ALYCEE	0.522	LOT 25R BLK F INDIAN HILLS PH5 0.522 AC	303 IROQUOIS LN	WAXAHACHIE	TX	75165	303 IROQUOIS LN WAXAHACHIE TX 75165
203655	POE PAMELA A	0.264	LOT 3 BLK E INDIAN HILLS PH5 0.264 AC	300 IROQUOIS LN	WAXAHACHIE	TX	75165	300 IROQUOIS LN WAXAHACHIE TX 75165
203656	BROZOWSKI GEORGE P & VERONICA K	0.208	LOT 1 BLK F INDIAN HILLS PH5 0.208 AC	229 SANTA FE TRL	WAXAHACHIE	TX	75165	229 SANTA FE TRL WAXAHACHIE TX 75165
229260	M & B PASCHAL PROPERTIES LLC	0.215	LOT 1 BLK K INDIAN HILLS PH VIII .215 AC	134 OLD BRIDGE RD	WAXAHACHIE	TX	75165	315 HACIENDA DR WAXAHACHIE TX 75165
229261	KOTOWSKI DANIEL	0.188	2 K INDIAN HILLS PH VIII 0.188 ACRES	317 HACIENDA AVE	WAXAHACHIE	TX	75165	317 HACIENDA DR WAXAHACHIE TX 75165
229345	GARZA ROBERT D & KRIMSON R	0.185	LOT 18 BLK K INDIAN HILLS PH VIII .185 AC	320 CHOCTAW TRL	WAXAHACHIE	TX	75165	320 CHOCTAW TRL WAXAHACHIE TX 75165
229213	EWERS RICHARD S & PENNY P	0.467	LOT 6 BLK E INDIAN HILLS PH VIII .467 AC	311 CHOCTAW TRL	WAXAHACHIE	TX	75165	311 CHOCTAW TRL WAXAHACHIE TX 75165
229215	RESSLER LAURA MICHELLE	0.239	LOT 8 BLK E INDIAN HILLS PH VIII 0.239 AC	307 CHOCTAW TRL	WAXAHACHIE	TX	75165	307 CHOCTAW TRL WAXAHACHIE TX 75165
229222	MARSH CARL E & LYNDA A	0.271	LOT 4 BLK E INDIAN HILLS PH VIII .271 AC	315 CHOCTAW TRL	WAXAHACHIE	TX	75165	315 CHOCTAW TRL WAXAHACHIE TX 75165
229216	ZEIS KARL & BREANNA	0.254	LOT 9 BLK E INDIAN HILLS PH VIII 0.254 AC	305 CHOCTAW TRL	WAXAHACHIE	TX	75165	305 CHOCTAW TRL WAXAHACHIE TX 75165
229212	BURKS KENNETH A	0.39	LOT 5 BLK E INDIAN HILLS PH VIII 0.39 AC	313 CHOCTAW TRL	WAXAHACHIE	TX	75165	313 CHOCTAW TRL WAXAHACHIE TX 75165
229214	WHITE STEVEN D	0.238	LOT 7 BLK E INDIAN HILLS PH VIII 0.238 AC	309 CHOCTAW TRL	WAXAHACHIE	TX	75165	309 CHOCTAW TRL WAXAHACHIE TX 75165
229221	LENTZ MICHAEL W & JUDITH	0.239	LOT 15 BLK D INDIAN HILLS PH VIII 0.239 AC	319 CHOCTAW TRL	WAXAHACHIE	TX	75165	319 CHOCTAW TRL WAXAHACHIE TX 75165
229346	COLE FAMILY TRUST	0.188	LOT 19 BLK K INDIAN HILLS PH VIII .188 AC	323 CHOCTAW TRL	WAXAHACHIE	TX	75165	318 CHOCTAW TRL WAXAHACHIE TX 75165
229335	FORD EDDIE D & BRENDA J	0.205	LOT 20 BLK K INDIAN HILLS PH VIII 0.205 AC	316 CHOCTAW TRL	WAXAHACHIE	TX	75165	316 CHOCTAW TRL WAXAHACHIE TX 75165

(19)

113)

Planning & Zoning Department

Plat Staff Report

Case: RP-19-0105



MEETING DATE(S)

Planning & Zoning Commission: September 10, 2019

City Council: September 16, 2019

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 10, 2019, the Commission voted 4-0 to recommend approval of plat no. RP-19-0105, as presented.

CAPTION

Consider request by Hugo Monsanto for a **Replat** of Lot 3, Block 7, Nora Alexander's Subdivision, to create Lots 3AR and 3BR, Block 7, Nora Alexander's Subdivision, 0.232 acres (Property ID 172038) – Owner: VICTORINO G & PAULA G LUNA (RP-19-0105)

CASE INFORMATION

Applicant: Hugo Monsanto

Property Owner(s): Victorio G and Paula G Luna

Site Acreage: 0.232 acres

Number of Lots: 2 lots

Number of Dwelling Units: 1 Dwelling Unit

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$400.00** (1 residential dwelling at \$400.00 a dwelling).

Adequate Public Facilities: A utility investigation will be required to ensure the lot can be serviced with City water and sanitary sewer.

SUBJECT PROPERTY

General Location: 905 Kaufman Street

Parcel ID Number(s): 172038

Current Zoning: Single Family-2

Existing Use: Single Family Residence.

Platting History: A replat was conducted and approved by City Council on November 19, 2001 for this site.

(13)

Site Aerial:



PROPERTY OWNER NOTIFICATION

Staff received one (1) Incomplete Response letter for the proposed plat.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat drawing
2. PON Letter
 - a. 0 support|0 oppose|1 Incomplete Response

APPLICANT REQUIREMENTS

If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:
Chris Webb
Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

Case RP-19-0105
 Responses Received Inside Required 200' Notification Area
 Support: 0 Oppose: 0 Incomplete Response: 1

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
172000	MASSEY SANDRA	0.22	LOT 4 BLK 369 TOWN - WAXAHACHIE 0.22 AC	906 KAUFMAN	WAXAHACHIE	TX	75165	906 KAUFMAN ST WAXAHACHIE TX 75165
172007	BORDEN HENRIETTA	0.159	LOT 1 BLK 369 TOWN - WAXAHACHIE .159 AC	609 E ROSS ST	WAXAHACHIE	TX	75165	606 E ROSS ST WAXAHACHIE TX 75165
172030	BREWSTER PATSY L	0.272	LOT 2 & PT ALLEY BLK 8 NORA ALEXANDER-REV .272 AC	815 KAUFMAN ST	WAXAHACHIE	TX	75165	815 KAUFMAN ST WAXAHACHIE TX 75165
172039	HUFFMAN JOHN D & SHERYL L	0.1184	1AR 8 ALEXANDER-REV 0.1184 ACRES	208 JOSEPH ST	WAXAHACHIE	TX	75165	208 JOSEPH ST WAXAHACHIE TX 75165
172041	LANOUE DONALD J ET UX	0.357	5,6 5 ALEXANDER 0.357 ACRES	911 KAUFMAN ST	WAXAHACHIE	TX	75165	209 ROSA ST WAXAHACHIE TX 75165
172050	LAKES REGIONAL MHMR CENTER	0.293	4 & PT ALLEY 3 ALEXANDER 0.293 ACRES	PO BOX 747	TERRELL	TX	75160	206 JOSEPH ST WAXAHACHIE TX 75165
172059	LAYMON ANITA DIANE ALFORD	0.26	3 3 ALEXANDER 0.26 ACRES	204 JOSEPH ST	WAXAHACHIE	TX	75165	204 JOSEPH ST WAXAHACHIE TX 75165
172001	MULTIPLE OWNERS	0.255	LOT 5 BLK 369 TOWN - WAXAHACHIE 0.255 AC					904 KAUFMAN ST WAXAHACHIE TX 75165
172002	CANTU MARIA A	0.128	LOT 6A BLK 369 TOWN - WAXAHACHIE .128 AC	818 KAUFMAN ST	WAXAHACHIE	TX	75165	818 KAUFMAN ST WAXAHACHIE TX 75165
172003	DOUBEK PHYLLIS	0.128	LOT 6B BLK 369 TOWN - WAXAHACHIE .128 AC	213 ANDERSON ST	WAXAHACHIE	TX	75165	213 ANDERSON ST WAXAHACHIE TX 75165
172004	MASSEY TERRY G	0.169	LOT 7A BLK 369 TOWN - WAXAHACHIE .169 AC	816 KAUFMAN ST	WAXAHACHIE	TX	75165	816 KAUFMAN ST WAXAHACHIE TX 75165
172035	DEELSTRA RICHARD L & CYNTHIA A	0.472	1B,2B 6 ALEXANDER 0.472 ACRES	911 KAUFMAN ST	WAXAHACHIE	TX	75165	911 KAUFMAN ST WAXAHACHIE TX 75165
172036	FUDGE MICHAEL A	0.1089	LOT 1R BLK 7 NORA ALEXANDER-REV .1089 AC	212 ROSA ST	WAXAHACHIE	TX	75165	212 ROSA ST WAXAHACHIE TX 75165
172037	RICO JUAN P & MARISOL TAVERA	0.442	LOT 1B & 2 BLK 7 NORA ALEXANDER-REV .442 AC	907 KAUFMAN ST	WAXAHACHIE	TX	75165	907 KAUFMAN ST WAXAHACHIE TX 75165
172038	LUNA VICTORINO G & PAULA G	0.221	3 7 ALEXANDER 0.221 ACRES	905 KAUFMAN ST	WAXAHACHIE	TX	75165	905 KAUFMAN ST WAXAHACHIE TX 75165
172051	NUTT ANDY R & KATHRYN M	0.111	1 4 ALEXANDER 0.111 ACRES	200 ROSA ST	WAXAHACHIE	TX	75165	200 ROSA ST WAXAHACHIE TX 75165
172052	SNELL IRENE	0.145	2,3A 4 ALEXANDER 0.145 ACRES	1309 SYCAMORE ST	WAXAHACHIE	TX	75165	202 ROSA ST WAXAHACHIE TX 75165
172053	TENNYSON NOLA	0.1383	LOT 4R BLK 4 NORA ALEXANDER-REV .1383 AC	208 ROSA ST	WAXAHACHIE	TX	75165	208 ROSA ST WAXAHACHIE TX 75165
172054	RODRIGUEZ JUANA	0.11	5 4 ALEXANDER 0.11 ACRES	207 JOSEPH ST	WAXAHACHIE	TX	75165	207 JOSEPH ST WAXAHACHIE TX 75165
171997	ZAVALA ERASMO	0.169	LOT 7E BLK 369 TOWN - WAXAHACHIE .169 AC	812 KAUFMAN ST	WAXAHACHIE	TX	75165	812 KAUFMAN ST WAXAHACHIE TX 75165
172008	RODRIGUEZ RAYMOND	0.178	LOT 2 BLK 369 TOWN - WAXAHACHIE .178 AC	910 KAUFMAN ST	WAXAHACHIE	TX	75165	910 KAUFMAN ST WAXAHACHIE TX 75165
172031	GONZALEZ GENARO T	0.272	3 & PT ALLEY 8 ALEXANDER 0.272 ACRES	813 KAUFMAN ST	WAXAHACHIE	TX	75165	813 KAUFMAN ST WAXAHACHIE TX 75165
172042	SPENCE EDITH F	0.356	LOT 7-8 BLK 5 NORA ALEXANDER-REV .356 AC	205 ROSA ST	WAXAHACHIE	TX	75165	205 ROSA ST WAXAHACHIE TX 75165
172058	HERNANDEZ NARCISO & MARGARITA	0.26	2 3 ALEXANDER 0.26 ACRES	202 JOSEPH ST	WAXAHACHIE	TX	75165	202 JOSEPH ST WAXAHACHIE TX 75165
171994	HOWARD CLARA	0.169	LOT 7B BLK 369 TOWN - WAXAHACHIE .169 AC	211 ANDERSON ST	WAXAHACHIE	TX	75165	211 ANDERSON ST WAXAHACHIE TX 75165
171995	SNELL ALBERT & ALICE MAE	0.169	LOT 7C BLK 369 TOWN - WAXAHACHIE .169 AC	814 KAUFMAN ST	WAXAHACHIE	TX	75165	814 KAUFMAN ST WAXAHACHIE TX 75165
171996	RPS SCOTT HOLDINGS LLC	0.166	LOT 7D BLK 369 TOWN - WAXAHACHIE .166 AC	PO BOX 413	WAXAHACHIE	TX	75168	209 ANDERSON ST WAXAHACHIE TX 75165
172009	FOWLKES FAYE LYNN	0.22	LOT 3 BLK 369 TOWN - WAXAHACHIE .22 AC	908 KAUFMAN ST	WAXAHACHIE	TX	75165	908 N KAUFMAN ST WAXAHACHIE TX 75165
172045	VIEN LADD	0.111	LOT 7 BLK 4 NORA ALEXANDER-REV .111 AC	1015 FERRIS AVE	WAXAHACHIE	TX	75165	203 JOSEPH ST WAXAHACHIE TX 75165
172046	ZAVALA FEDERICO & ROMELIA	0.111	8 4 ALEXANDER 0.111 ACRES	201 JOSEPH ST	WAXAHACHIE	TX	75165	201 JOSEPH ST WAXAHACHIE TX 75165
223027	KAUFMAN TRUST, ALEXANDER D TRUSTEE	0.2079	LOT 1BR BLK 8 NORA ALEXANDER-REV 0.2079 AC	P O BOX 1649	RED OAK	TX	75154	817 KAUFMAN ST WAXAHACHIE TX 75165
242796	GONZALEZ CARLOS JOSE G & JUANA	0.11	LOT 6 BLK 4 NORA ALEXANDER-REV 0.11 AC	206 JOSEPH ST	WAXAHACHIE	TX	75165	205 JOSEPH ST WAXAHACHIE TX 75165

(10)

(15416)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: September 11, 2019
Re: PD-19-0106 Blue Bonnet Trails Phase 3

On September 11, 2019, the applicant requested to continue case no. PD-19-0106 to the November 4, 2019 City Council meeting agenda.

(17)

**Planning & Zoning Department
Plat Staff Report**

Case: FP-19-0107



MEETING DATE(S)

Planning & Zoning Commission: September 10, 2019

City Council: September 16, 2019

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 10, 2019, the Commission voted 4-0 to recommend approval of plat no. FP-19-0107, as presented.

CAPTION

Consider request by Sean Shropshire, RPLS, Axis Surveying, LLC, for a Final Plat of Blue Bonnet Trails Phases 1 and 2 for 223 residential lots and 2 open space lots being 40.510 acres situated in B.B. Davis Survey, Abstract 290 and the W.C. Calder Survey, Abstract 235 (Property ID 182266 and 182267) Owner: BLUE BONNET TRAILS LLC (FP-19-0107)

CASE INFORMATION

Applicant: Sean Shropshire, RPLS, Axis Surveying, LLC

Property Owner(s): Blue Bonnet Trails, LLC

Site Acreage: 40.510 acres

Number of Lots: 223 residential lots and 2 open space lots

Number of Dwelling Units: 223 dwelling units

Park Land Dedication: A cash in lieu of park land dedication for this case is estimated to be \$89,200.00 (223 dwellings at \$400.00 a dwelling).

Adequate Public Facilities: Adequate public facilities will be available to serve these properties.

SUBJECT PROPERTY

General Location: South of River Oaks at Farley Street

Parcel ID Number(s): 182266 and 182267

Current Zoning: Planned Development-Single Family-3 (Ordinances 2809 and 3103)

Existing Use: Currently undeveloped

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Platting History:

Submitted as a preliminary plat PLM2016-21 Blue Bonnet Trails Phase I and II. Approved by City Council on July 5, 2016.

Site Aerial:



RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:
 Chris Webb
 Planner
cwebb@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com



VICINITY MAP
LEGEND

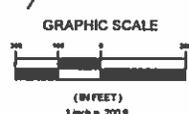
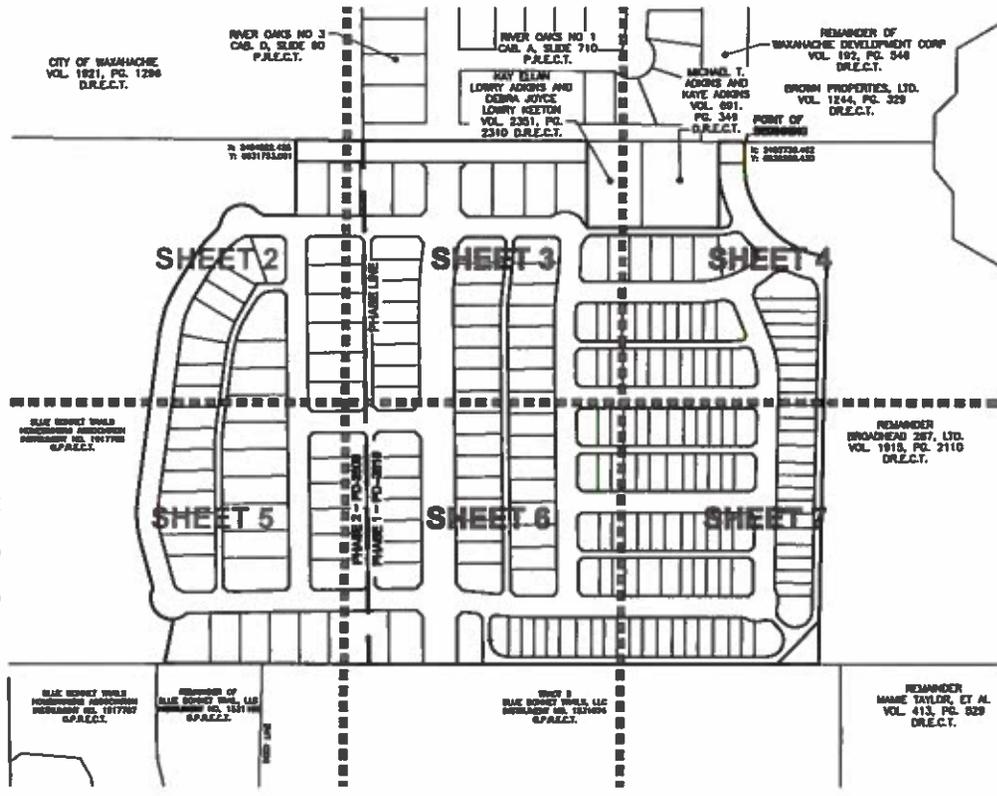
- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
 D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
 P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
 <CM> CONTROL MONUMENT
 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "PLS 5674" (UNLESS OTHERWISE NOTED)
 PK-HAL FOUND FOR CORNER
 IRON ROD FOUND
 VOLUME
 PAGE
 CABINET
 PUBLIC UTILITY EASEMENT
 DRAINAGE EASEMENT
 SANITARY SEWER EASEMENT
 ACCESS & DRAINAGE EASEMENT
 DRAINAGE & PUBLIC UTILITY EASEMENT
 SIDEWALK EASEMENT
 SWE DENOTES STREET NAME CHANGE

CURVE TABLE					
NUMBER	DELTA ANGLE	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C1	87°08'52"	230.00'	322.88'	S72°08'36"E	284.74'
C2	129°30'02"	90.00'	105.52'	N64°30'37"W	87.00'
C3	22°34'14"	275.00'	109.93'	N34°30'36"W	108.20'
C4	23°38'33"	275.00'	112.52'	N17°40'35"W	111.73'
C5	16°28'44"	275.00'	88.05'	N09°17'04"E	87.88'
C6	131°25'58"	90.00'	114.70'	N42°14'28"E	81.15'
C7	308°30'	750.00'	41.21'	N28°58'18"W	41.21'
C8	308°30'	750.00'	41.08'	N28°44'42"W	41.08'
C9	72°38'	750.00'	87.22'	S27°38'21"E	87.18'
C10	22°34'14"	250.00'	98.84'	S34°20'38"E	98.27'
C11	23°28'33"	250.00'	102.28'	S11°40'35"E	101.58'
C12	28°52'28"	250.00'	123.98'	S14°28'26"W	124.88'
C13	61°18'	900.00'	95.02'	N37°24'41"W	95.00'
C14	72°38'	900.00'	84.82'	S27°38'21"E	84.77'
C15	81°7'18"	500.00'	72.33'	S27°33'31"E	72.27'
C16	23°28'33"	250.00'	102.28'	S11°40'35"E	101.58'
C17	58°16'08"	88.50'	88.48'	S28°10'48"W	88.88'
C18	60°11'2"	750.00'	78.88'	N62°18'14"E	78.77'
C19	87°28'38"	48.30'	74.07'	N30°41'04"W	87.08'
C20	82°30'05"	48.30'	78.30'	N48°18'56"E	78.07'
C21	48°13'44"	48.30'	38.13'	N36°10'45"E	38.08'
C22	42°31'58"	48.30'	34.21'	N07°24'08"W	35.45'
C23	12°18'58"	120.00'	25.73'	N38°34'34"W	25.68'
C24	28°13'13"	120.00'	42.30'	S31°58'27"E	42.13'
C25	25°38'	250.00'	12.84'	N88°38'10"E	12.84'

CURVE TABLE					
NUMBER	DELTA ANGLE	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
C26	24°21'37"	250.00'	108.38'	N87°18'53"E	105.48'
C27	24°48'10"	250.00'	108.30'	S73°08'48"E	107.48'
C28	33°35'42"	250.00'	142.22'	S48°22'22"E	140.31'
C29	81°28'30"	250.00'	224.88'	N33°38'11"E	217.18'
C30	32°04'23"	85.00'	47.58'	N43°13'38"E	48.88'
C31	24°37'18"	150.00'	64.46'	N48°54'36"E	63.87'
C32	23°28'38"	250.00'	101.85'	N41°28'23"W	101.15'
C33	72°38'	241.50'	31.31'	S27°38'21"E	31.28'
C34	61°18'	258.50'	28.46'	N27°24'41"W	28.43'
C35	89°01'12"	48.30'	75.35'	S78°11'48"E	88.00'
C36	72°33'05"	30.00'	39.47'	S83°58'38"E	38.88'
C37	40°02'38"	80.00'	34.85'	S34°24'23"W	34.24'
C38	51°02'18"	35.00'	31.18'	S57°17'18"E	30.16'
C39	88°11'40"	90.00'	78.42'	N78°32'44"E	70.82'
C40	13°40'28"	50.00'	11.93'	N37°44'38"W	11.80'
C41	28°48'18"	30.00'	25.88'	S78°32'27"W	25.88'
C42	27°48'38"	90.00'	24.28'	S81°04'24"W	24.28'
C43	13°43'38"	40.00'	93.38'	S07°34'12"E	73.57'
C44	138°22'04"	40.00'	84.50'	N37°32'57"E	74.01'
C45	38°08'18"	90.00'	31.51'	S28°04'18"E	30.88'
C46	22°08'31"	50.00'	18.32'	S54°11'44"E	18.20'
C47	82°13'45"	35.00'	31.80'	N03°41'14"W	30.81'
C48	18°28'32"	90.00'	17.00'	S81°30'38"E	16.82'
C49	18°18'18"	88.50'	24.57'	S48°25'12"W	24.48'
C50	28°20'18"	280.00'	128.71'	S45°54'11"E	127.58'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	N04°33'28"W	18.22'
L2	N68°33'58"E	17.80'
L3	S58°18'50"W	58.88'
L4	N00°02'45"E	39.38'
L5	S14°28'28"W	20.00'
L6	S27°18'28"W	27.32'
L7	N37°51'50"W	8.80'
L8	N42°05'03"W	8.85'
L9	N72°15'14"W	22.06'
L10	S08°24'57"W	14.78'
L11	N78°07'30"W	14.28'
L12	N13°18'50"E	15.58'
L13	N78°41'10"W	15.58'
L14	N12°18'50"E	14.14'
L15	S29°17'00"E	14.80'
L16	N19°54'40"E	14.80'
L17	N73°33'18"W	21.21'
L18	N14°44'16"E	21.34'
L19	N72°35'34"W	20.88'
L20	S19°18'22"W	15.04'
L21	N78°05'15"W	15.22'
L22	S13°52'30"W	14.00'
L23	S78°41'10"E	14.14'
L24	N19°18'35"E	15.08'
L25	S78°07'02"E	15.18'
L26	N13°18'50"E	21.21'
L27	N78°41'10"W	21.21'
L28	S12°18'50"W	14.37'
L29	N78°41'10"W	13.82'
L30	S13°18'50"W	14.14'
L31	S78°41'10"E	14.14'
L32	N15°18'48"E	15.08'
L33	S78°07'02"E	15.18'
L34	N13°18'50"E	21.21'
L35	S73°11'10"E	22.47'
L36	N18°02'44"E	14.27'
L37	S78°44'48"E	15.74'
L38	N13°48'18"E	14.88'
L39	N30°33'50"W	20.33'
L40	N75°33'50"W	14.85'
L41	S15°22'02"W	15.18'
L42	N78°38'43"W	15.18'
L43	S17°07'11"W	22.18'
L44	S08°18'30"W	15.00'
L45	S31°41'10"E	18.00'
L46	S31°41'10"E	47.00'
L47	S18°30'28"E	25.87'
L48	S75°33'18"E	21.21'
L49	S14°28'42"W	21.22'
L50	S88°11'37"E	9.84'
L51	N78°41'10"W	21.21'
L52	S31°41'10"E	88.87'
L53	N08°18'50"E	10.00'
L54	N31°41'10"W	20.00'
L55	N39°18'35"E	20.00'
L56	S18°48'50"W	18.88'
L57	N74°25'38"W	18.04'
L58	S18°08'28"W	14.21'
L59	S08°40'15"E	28.80'
L60	N31°41'10"W	31.57'
L61	S87°07'00"W	18.58'
L62	S74°28'01"E	24.38'
L63	N74°31'18"W	81.77'

LINE TABLE		
NUMBER	BEARING	DISTANCE
L64	N74°31'42"W	57.53'
L65	S74°28'01"E	20.25'
L66	S38°26'08"E	18.72'
L67	S11°28'02"E	22.43'
L68	S50°33'44"W	24.28'
L69	N71°40'30"W	18.02'
L70	N14°44'48"E	14.71'
L71	S78°11'48"E	14.72'
L72	S12°23'33"W	15.06'
L73	N78°15'14"W	14.03'
L74	N14°44'48"E	14.28'
L75	S19°47'08"E	15.04'
L76	S12°48'14"W	14.47'
L77	N75°15'14"W	14.48'
L78	N14°44'48"E	14.71'
L79	S78°11'48"E	14.72'
L80	S12°23'33"W	15.06'
L81	N73°48'18"W	15.07'
L82	N13°18'47"E	18.31'
L83	S74°47'08"E	15.32'
L84	S13°48'14"W	14.47'
L85	N75°15'14"W	14.48'
L86	N14°38'57"E	14.30'
L87	S78°11'48"E	14.72'
L88	S12°22'21"W	18.06'
L89	S88°34'47"W	15.03'
L90	N31°29'56"W	12.87'
L91	S74°47'01"E	18.32'
L92	S18°25'33"W	14.31'
L93	S88°14'41"W	22.43'
L94	S31°01'34"E	18.70'
L95	S72°25'30"E	18.88'
L96	S18°38'22"W	17.08'
L97	N73°15'21"E	15.02'



- NOTES:
1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4202 AS DERIVED FROM GPS OBSERVATIONS.
 2. ALL LOT CORNERS ARE MONUMENTED WITH A 1/2-INCH IRON ROD WITH A YELLOW CAP STAMPED "PLS 5674" UNLESS OTHERWISE NOTED.
 3. DEVELOPMENT SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.

FLOOD STATEMENT:
 THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 48190C01P, DATED JUNE 3, 2015 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY THEREOF AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

PRELIMINARY
 This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

FINAL PLAT
BLUE BONNET TRAILS
PHASES 1 AND 2
 223 RESIDENTIAL LOTS - 2 OPEN SPACE LOTS
 40.510 ACRES - ZONED PD-SF-3 & MF-1
 B.B. DAVIS SURVEY, ABSTRACT NUMBER 290
 W.C. CALDER SURVEY, ABSTRACT NUMBER 235
 AN ADDITION TO THE CITY OF WAXAHACHE, TEXAS

OWNERS
BLUE BONNET TRAIL, LLC **BLUE BONNET TRAILS, LLC**
 11015 ROYALSHORE DRIVE 6255 WOOLAND DRIVE
 DALLAS, TX 75230 DALLAS, TX 75230

SURVEYOR
AXIS SURVEYING
 P.O. BOX 575 | WAXAHACHE, TEXAS 75188
 214.933.8200 | TPLS FIRM NO. 10194387
 INFO@AXIS-SURVEY.COM

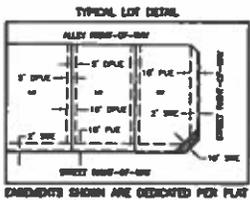
AXIS SURVEYING, LLC

BLUE BONNET TRAILS PHASES 1 AND 2



VICINITY MAP
LEGEND

- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- <CM> CONTROL MONUMENT
- 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 5674" (UNLESS OTHERWISE NOTED)
- PI-NAIL FOUND FOR CORNER
- IRON ROD FOUND
- VOL. VOLUME
- PG. PAGE
- CAB. CABINET
- PUE PUBLIC UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- SSE SANITARY SEWER EASEMENT
- ADE ACCESS & DRAINAGE EASEMENT
- DPULE DRAINAGE & PUBLIC UTILITY EASEMENT
- SWE SIDEWALK EASEMENT
- ⊕ DENOTES STREET NAME CHANGE



DIMENSIONS SHOWN ARE DEDICATED PER PLAT

NOTES:

1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE 4303 AS DERIVED FROM GPS OBSERVATIONS.
2. ALL LOT CORNERS ARE MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" UNLESS OTHERWISE NOTED.
3. DEVELOPMENT SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.

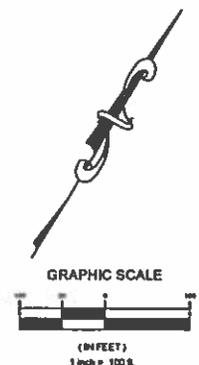
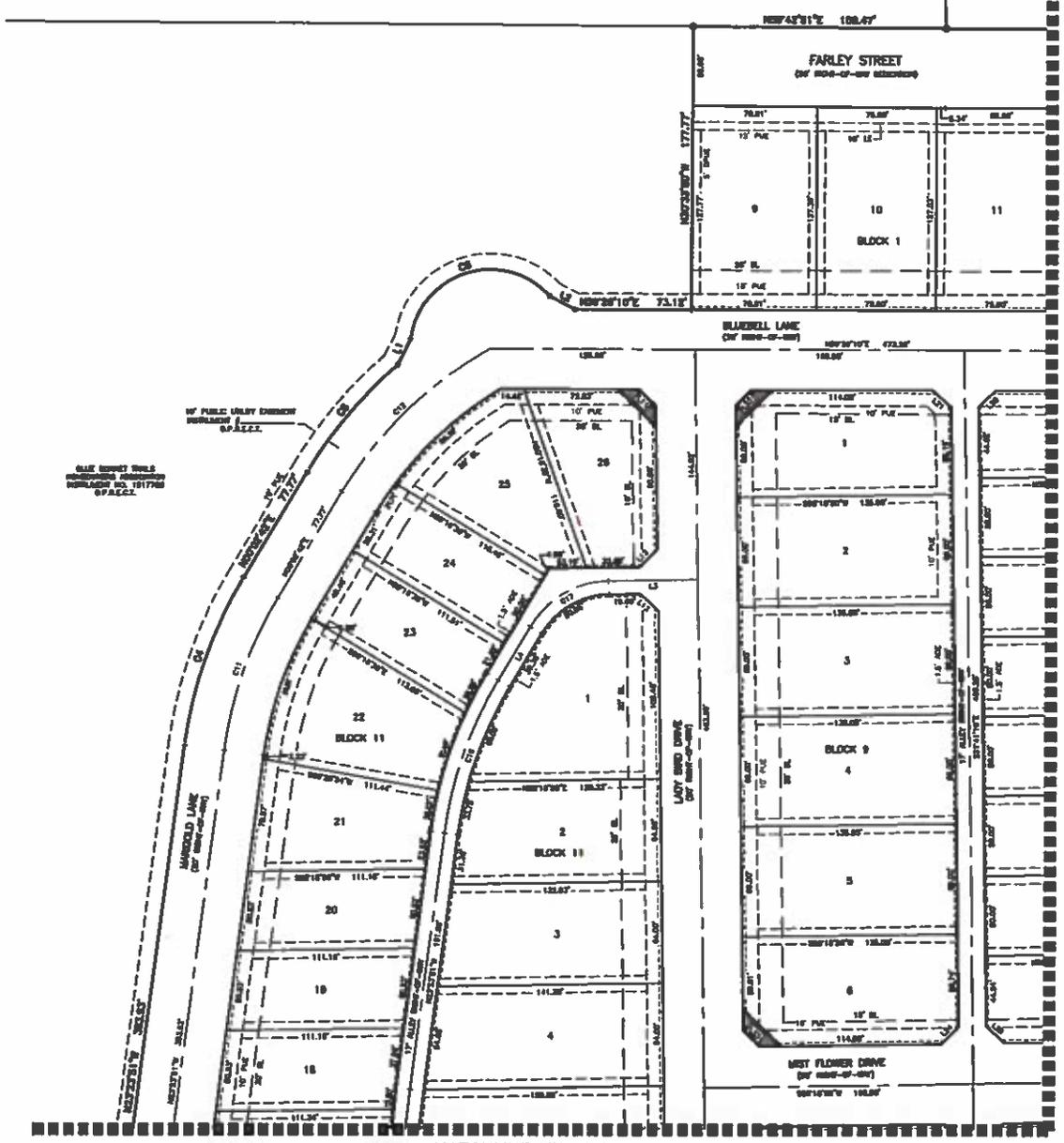
FLOOD STATEMENT:

THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMERCE PANEL NO. 481302100F DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY THEREOF AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

REVISED: 180830 CASE NO.: FP-19-0102

CITY OF WAXAHACHE
VOL. 1821, PG. 1298
D.R.E.C.T.

RIVER OAKS NO 3
CAL. D. SLIDE 80
P.R.E.C.T.



MATCHLINE SEE SHEET 3

MATCHLINE SEE SHEET 5

PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

FINAL PLAT
BLUE BONNET TRAILS
PHASES 1 AND 2
223 RESIDENTIAL LOTS - 2 OPEN SPACE LOTS
40.510 ACRES - ZONED PD-SF-3 & MF-1
B.B. DAVIS SURVEY, ABSTRACT NUMBER 290
W.C. CALDER SURVEY, ABSTRACT NUMBER 235
AN ADDITION TO THE CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS

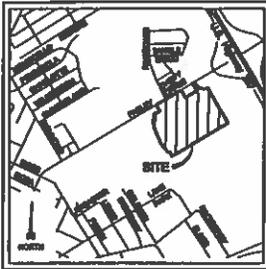
OWNERS
BLUE BONNET TRAIL, LLC BLUE BONNET TRAILS, LLC
11015 ROYALSHIRE DRIVE 6255 WOODLAND DRIVE
DALLAS, TX 75230 DALLAS, TX 75230

SURVEYOR



AXIS SURVEYING, LLC

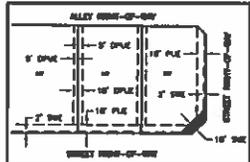
BLUE BONNET TRAILS PHASES 1 AND 2



VICINITY MAP
LEGEND

- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- C.M. CONTROL MONUMENT
- <C> 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 0474" (UNLESS OTHERWISE NOTED)
- ⊙ PR-NAIL FOUND FOR CORNER
- ⊙ IRON ROD FOUND
- VOL. VOLUME
- PG. PAGE
- CAB. CABINET
- PUE PUBLIC UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- SSE SANITARY SEWER EASEMENT
- ADE ACCESS & DRAINAGE EASEMENT
- DPLE DRAINAGE & PUBLIC UTILITY EASEMENT
- SDEW SIDEWALK EASEMENT
- SNZ DENOTES STREET NAME CHANGE

TYPICAL LOT BEARS



EASEMENTS SHOWN ARE DEDICATED PER PLAT

NOTES:

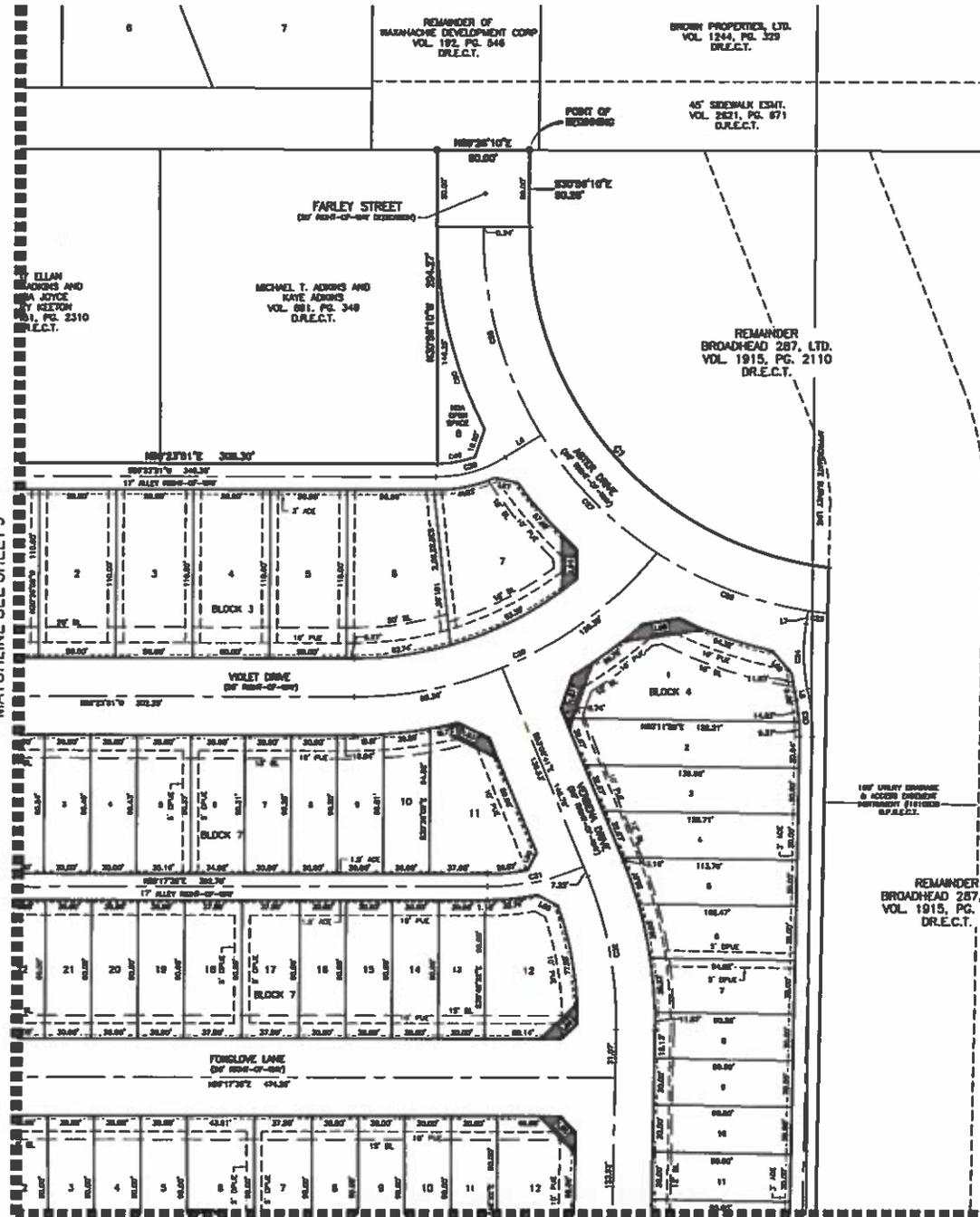
1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, HAD 83, NORTH CENTRAL ZONE, 4202 AS DERIVED FROM GPS OBSERVATIONS.
2. ALL LOT CORNERS ARE MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 0474" UNLESS OTHERWISE NOTED.
3. DEVELOPMENT SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.

FLOOD STATEMENT:

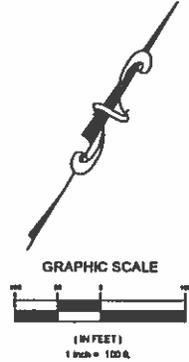
THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 48130C0007, DATED JUNE 3, 2015 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY THEREOF AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

REVISED: 19/09/20 CASE NO. FP-19-0107

MATCHLINE SEE SHEET 3



MATCHLINE SEE SHEET 7



PRELIMINARY
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

FINAL PLAT
BLUE BONNET TRAILS
PHASES 1 AND 2
223 RESIDENTIAL LOTS - 2 OPEN SPACE LOTS
40.510 ACRES - ZONED PD-SF-3 & MF-1
B.B. DAVIS SURVEY ABSTRACT NUMBER 290
W.C. CALDER SURVEY ABSTRACT NUMBER 235
AN ADDITION TO THE CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS
OWNERS
BLUE BONNET TRAIL, LLC BLUE BONNET TRAILS, LLC
11015 ROYALSHIRE DRIVE 6255 WOODLAND DRIVE
DALLAS, TEXAS 75230 DALLAS, TEXAS 75230

SURVEYOR
AXIS SURVEYING
P.O. BOX 575 | WAXAHACHE, TEXAS 75108
214.303.8200 | TPLS FIRM NO. 10184357
INFO@AXIS-SURVEY.COM

AXIS SURVEYING, LLC

BLUE BONNET TRAILS PHASES 1 AND 2

(119)

MATCHLINE SEE SHEET 2



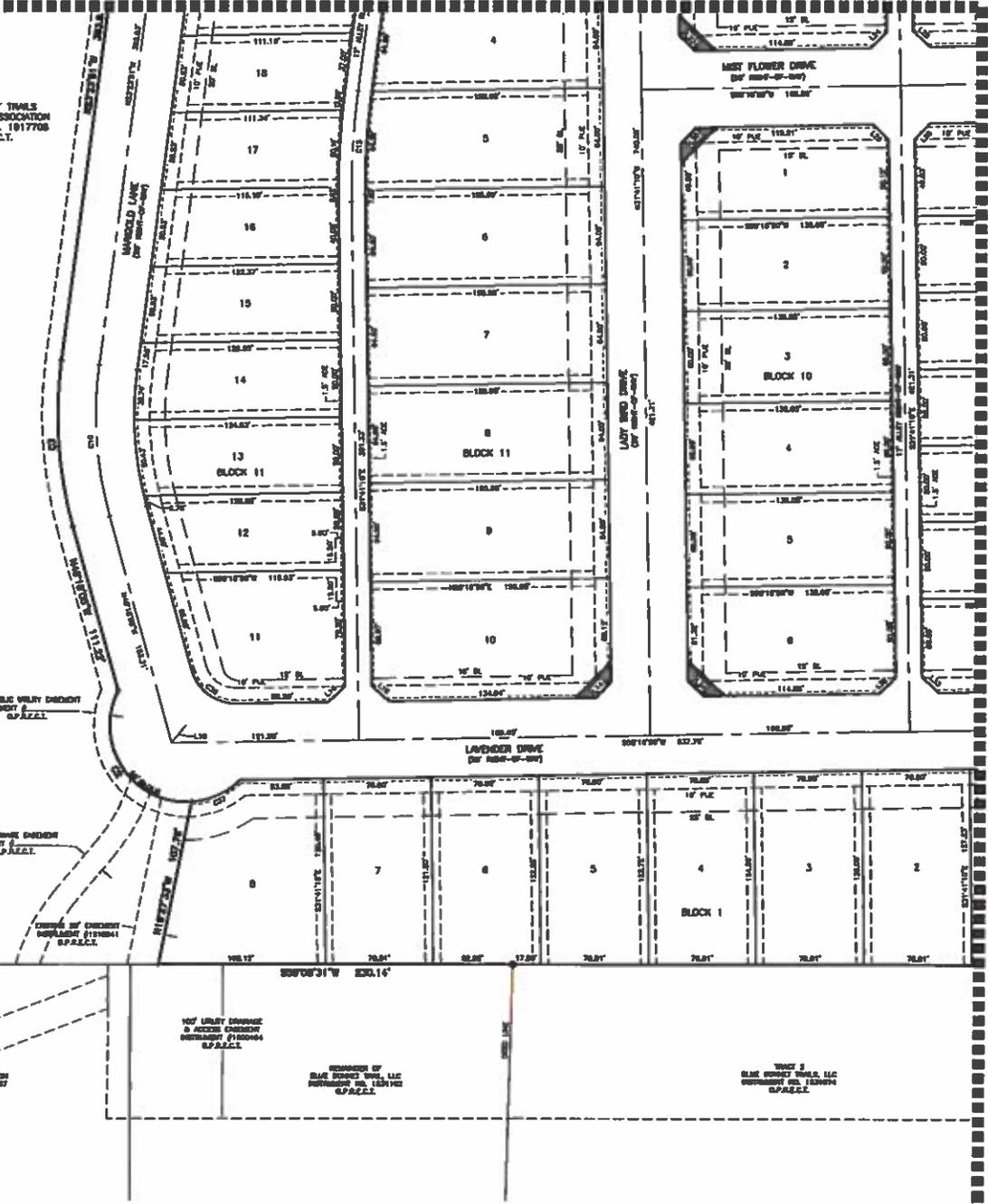
VICINITY MAP

LEGEND

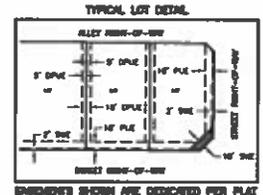
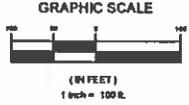
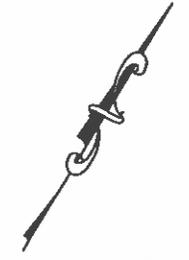
- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- D.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- <CM> CONTROL MONUMENT
- 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 0474" (UNLESS OTHERWISE NOTED)
- PI-HAL FOUND FOR CORNER
- IRON ROD FOUND
- VOL. VOLUME
- PG. PAGE
- CAB. CABINET
- PUE PUBLIC UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- SSE SANITARY SEWER EASEMENT
- ADC ACCESS & DRAINAGE EASEMENT
- DPLUE DRAINAGE & PUBLIC UTILITY EASEMENT
- SSE SIDEWALK EASEMENT
- SW DENOTES STREET NAME CHANGE

- NOTES:
1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, NORTH CENTRAL ZONE, 4202 AS DERIVED FROM GPS OBSERVATIONS.
 2. ALL LOT CORNERS ARE MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 3674" UNLESS OTHERWISE NOTED.
 3. DEVELOPMENT SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.
- FLOOD STATEMENT:
- THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 49136C0101F, DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY THEREOF AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

BLUE BONNET TRAILS HOMEOWNERS ASSOCIATION INSTRUMENT NO. 1017708 O.P.R.E.C.T.



MATCHLINE SEE SHEET 6



(Handwritten initials)

PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

FINAL PLAT BLUE BONNET TRAILS PHASES 1 AND 2

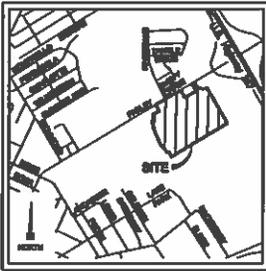
223 RESIDENTIAL LOTS - 2 OPEN SPACE LOTS
40.510 ACRES - ZONED PD-SF-3 & MF-1
B.B. DAVIS SURVEY, ABSTRACT NUMBER 290
W.C. CALDER SURVEY, ABSTRACT NUMBER 235
AN ADDITION TO THE CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS

OWNERS
BLUE BONNET TRAIL, LLC **BLUE BONNET TRAILS, LLC**
 11015 ROYALSHIRE DRIVE 8255 WOODLAND DRIVE
 DALLAS, TX 75230 DALLAS, TX 75230

SURVEYOR



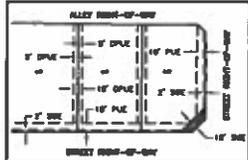
P.O. BOX 575 | WAXAHACHE, TEXAS 75188
214.803.6200 | TBPPLS FIRM NO. 10194387
INFO@AXIS-SURVEY.COM



VICINITY MAP
LEGEND

- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- <CM> CONTROL MONUMENT
- 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "PLS 5474" (UNLESS OTHERWISE NOTED)
- PK-MAIL FOUND FOR CORNER
- IRON ROD FOUND
- RF VOL. VOLUME
- PG. PAGE
- CAB. CABINET
- PUE PUBLIC UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- SSE SANITARY SEWER EASEMENT
- ADE ACCESS & DRAINAGE EASEMENT
- DPUe DRAINAGE & PUBLIC UTILITY EASEMENT
- SWE SIDEWALK EASEMENT
- SWT DENOTES STREET NAME CHANGE

TYPICAL LOT DETAIL



EASEMENTS SHOWN ARE DEDICATED PER PLAT

NOTES.

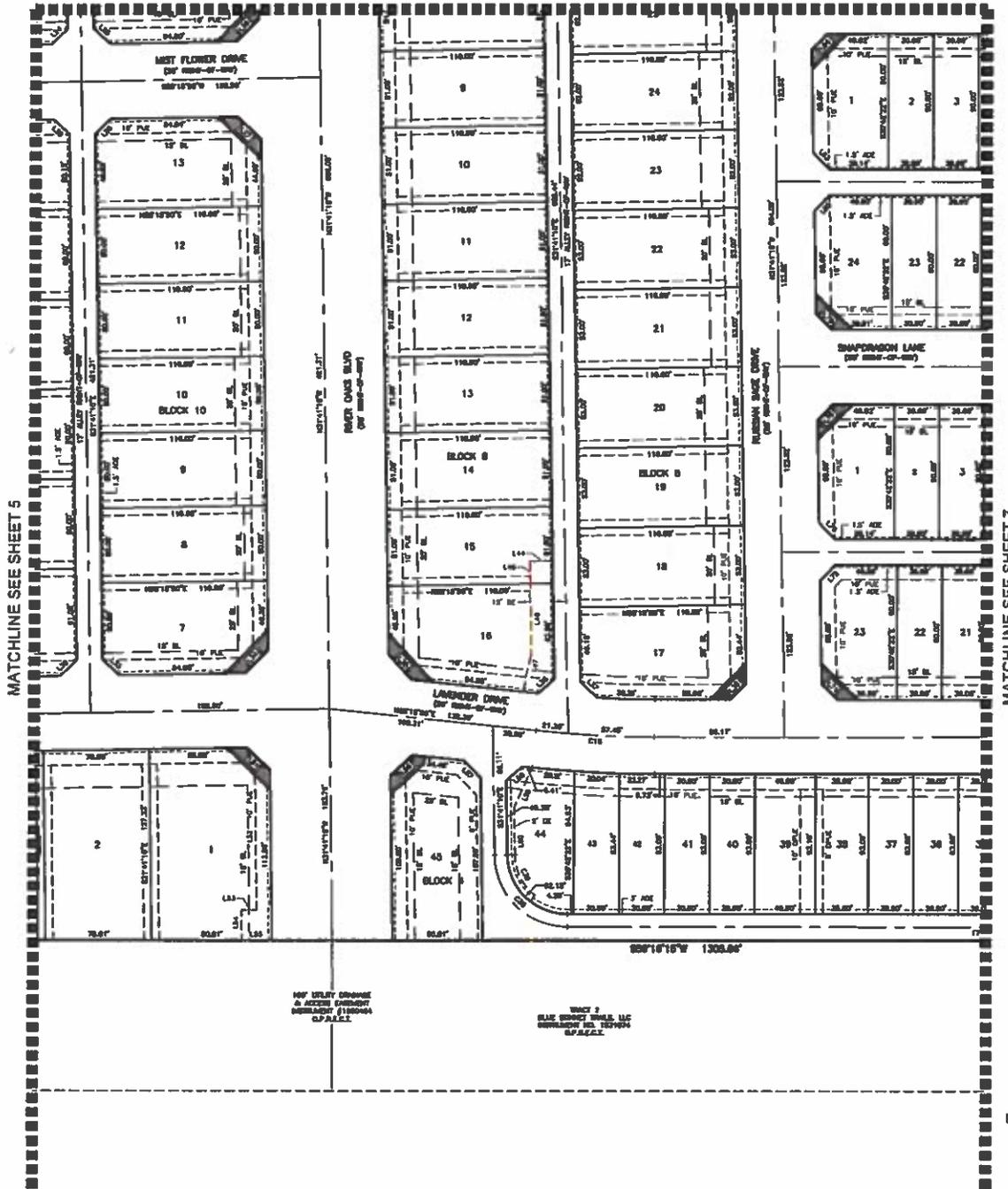
1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM HAD 83 NORTH CENTRAL ZONE 4302 AS DERIVED FROM GPS OBSERVATIONS.
2. ALL LOT CORNERS ARE MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "PLS 5474" UNLESS OTHERWISE NOTED.
3. DEVELOPMENT SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.

FLOOD STATEMENT

THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 48130C0100P DATED JUNE 3, 2013 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY THEREOF AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

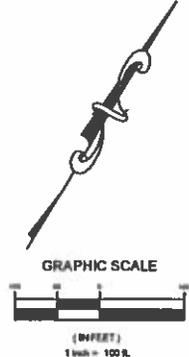
REVISED: 1/10/20 CASE NO. PP-19-0167

MATCHLINE SEE SHEET 3



MATCHLINE SEE SHEET 5

MATCHLINE SEE SHEET 7



PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

**FINAL PLAT
BLUE BONNET TRAILS
PHASES 1 AND 2**

223 RESIDENTIAL LOTS - 2 OPEN SPACE LOTS
40.510 ACRES - ZONED PD-SF-3 & MF-1
B.B. DAVIS SURVEY, ABSTRACT NUMBER 290
W.C. CALDER SURVEY, ABSTRACT NUMBER 235
AN ADDITION TO THE CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS

OWNERS
BLUE BONNET TRAIL, LLC BLUE BONNET TRAILS, LLC
11015 ROYALSHIRE DRIVE 6255 WOODLAND DRIVE
DALLAS, TX 75230 DALLAS, TX 75230

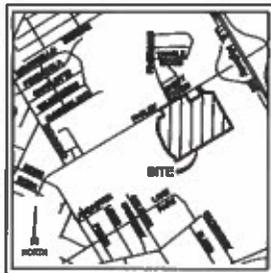


SURVEYOR
P.O. BOX 575 | WAXAHACHE, TEXAS 75168
214.803.8200 | T&E PLS FIRM NO. 10184387
INFO@AXIS-SURVEY.COM

AXIS SURVEYING, LLC

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BLUE BONNET TRAILS PHASES 1 AND 2



VICINITY MAP
LEGEND

- O.P.R.E.C.T. OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS
- D.R.E.C.T. DEED RECORDS, ELLIS COUNTY, TEXAS
- P.R.E.C.T. PLAT RECORDS, ELLIS COUNTY, TEXAS
- <C> CONTROL MONUMENT
- 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "RPLS 5674" (UNLESS OTHERWISE NOTED)
- PK-NAIL FOUND FOR CORNER
- IRON ROD FOUND
- VOL. VOLUME
- PG. PAGE
- CAB. CABINET
- P.U.E. PUBLIC UTILITY EASEMENT
- DE. DRAINAGE EASEMENT
- SSE. SANITARY SEWER EASEMENT
- ADE. ACCESS & DRAINAGE EASEMENT
- D.P.U.E. DRAINAGE & PUBLIC UTILITY EASEMENT
- SDE. SIDEWALK EASEMENT
- Ø DENOTES STREET NAME CHANGE

OWNER'S CERTIFICATE AND DEDICATION

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, BLUE BONNET TRAIL, LLC & BLUE BONNET TRAILS, LLC ARE THE OWNERS OF A TRACT OF LAND LOCATED IN THE B.B. DAVIS SURVEY, ABSTRACT NO. 230 AND THE W.C. CALDER SURVEY, ABSTRACT NO. 235, WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING PART OF A TRACT OF LAND DESCRIBED AS TRACT 1 IN DEED TO BLUE BONNET TRAILS, LLC, RECORDED IN INSTRUMENT NUMBER 1531074, OFFICIAL PUBLIC RECORDS, ELLIS COUNTY, TEXAS (O.P.R.E.C.T.) AND BEING ALL OF A TRACT OF LAND DESCRIBED IN DEED TO BLUE BONNET TRAIL, LLC RECORDED IN INSTRUMENT NUMBER 1180682, O.P.R.E.C.T. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A PK-NAIL FOUND IN FARLEY STREET, A VARIABLE WIDTH RIGHT-OF-WAY, AT THE NORTHEAST CORNER OF SAID BLUE BONNET TRAIL TRACT;

THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY AND SOUTHEASTERLY LINES OF SAID BLUE BONNET TRAIL TRACT, THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

SOUTH 30°56'10" EAST, LEAVING SAID FARLEY STREET, A DISTANCE OF 502.28 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER AT THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 84°09'52", A RADIUS OF 230.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 72°05'30" EAST, 294.74 FEET;

EASTERLY ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 322.98 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

SOUTH 29°48'00" EAST, A DISTANCE OF 381.12 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND IN THE NORTHWEST LINE OF A TRACT OF LAND DESCRIBED AS TRACT 2 IN SAID DEED TO BLUE BONNET TRAILS, LLC AT THE EAST CORNER OF SAID BLUE BONNET TRAIL TRACT;

SOUTH 59°16'15" WEST, PASSING AT A DISTANCE OF 1054.82 FEET A 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID BLUE BONNET TRAIL TRACT AND SAID TRACT 1, AND CONTINUING ALONG THE SOUTHEAST LINE OF SAID TRACT 1 FOR A TOTAL DISTANCE OF 1,308.00 FEET TO A 1/2-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID TRACT 2 AND A TRACT OF LAND DESCRIBED IN DEED TO BLUE BONNET TRAIL, LLC, RECORDED IN INSTRUMENT NUMBER 1531102, O.P.R.E.C.T.;

THENCE SOUTH 89°08'31" WEST, CONTINUING ALONG SAID SOUTHEAST LINE OF TRACT 1, A DISTANCE OF 230.14 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 19°72'30" WEST, LEAVING SAID SOUTHEAST LINE, A DISTANCE OF 107.78 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 120°35'00", A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 64°38'37" WEST, 87.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 105.52 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 45°19'00" WEST, A DISTANCE OF 111.20 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 22°54'14", A RADIUS OF 275.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 34°50'58" WEST, 109.20 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 108.93 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 23°23'51" WEST, A DISTANCE OF 389.80 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 23°29'30", A RADIUS OF 375.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 11°40'50" WEST, 111.73 FEET;

THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 112.52 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 00°02'40" EAST, A DISTANCE OF 77.77 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 18°20'44", A RADIUS OF 275.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 08°15'00" EAST, 87.88 FEET;

THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 86.05 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 04°57'30" WEST, A DISTANCE OF 18.23 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER AT THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 131°23'30", A RADIUS OF 90.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 42°14'20" EAST, 91.15 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 114.70 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 88°33'50" EAST, A DISTANCE OF 17.00 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 58°26'10" EAST, A DISTANCE OF 73.12 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 35°33'50" WEST, A DISTANCE OF 177.77 FEET TO A PK-NAIL FOUND FOR CORNER IN THE NORTHWEST LINE OF SAID TRACT 1 AND SAID FARLEY STREET;

THENCE NORTH 59°42'31" EAST, ALONG THE NORTH LINE OF SAID BLUE BONNET TRAIL TRACT AND SAID FARLEY STREET, A DISTANCE OF 158.47 FEET TO A PK-NAIL FOUND FOR CORNER;

THENCE NORTH 89°28'10" EAST, A DISTANCE OF 527.41 FEET TO A PK-NAIL FOUND FOR CORNER;

THENCE SOUTH 30°56'10" EAST, LEAVING SAID FARLEY STREET, A DISTANCE OF 204.48 FEET TO A 5/8-INCH IRON ROD FOUND AT THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO KAY ELLEN LOWRY ADKINS AND DEBRA JOYCE LOWRY KEETON, RECORDED IN VOLUME 2351, PAGE 2310, DEED RECORDS, ELLIS COUNTY, TEXAS;

THENCE NORTH 89°23'51" EAST, A DISTANCE OF 308.30 FEET TO A 1/2-INCH IRON ROD WITH A CAP STAMPED "RPLS 5674" FOUND FOR CORNER;

THENCE NORTH 30°56'10" WEST, A DISTANCE OF 204.27 FEET TO A PK-NAIL FOUND FOR CORNER IN FARLEY STREET;

THENCE NORTH 89°28'10" EAST, A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,764.827 SQUARE FEET OR 40.516 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT BLUE BONNET TRAIL, LLC AND BLUE BONNET TRAILS, LLC ACTING HEREIN BY AND THROUGH THEIR DULY AUTHORIZED OFFICERS, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS BLUE BONNET TRAILS PHASE 1 AND 2, AN ADDITION TO THE CITY OF WAXAHACHE, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDING, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS MAY BE PLACED IN OR ON THE AREAS SO CONSTRUCTED OR PLACED UPON OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL, AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS, BY HAND, THIS THE _____ DAY OF _____, 2018.

BY

BLUE BONNET TRAIL, LLC

PRINTED NAME AND TITLE

STATE OF TEXAS §
COUNTY OF ELLIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BLUE BONNET TRAILS, LLC

PRINTED NAME AND TITLE

STATE OF TEXAS §
COUNTY OF ELLIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2018.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

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

SEAN SHROPSHIRE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5674

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

CHAIR PERSON DATE

APPROVED BY: CITY COUNCIL CITY OF WAXAHACHE

MAYOR DATE

ATTEST DATE

- NOTES:
1. BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, AND IS, NORTH CENTRAL ZONE 4202 AS DERIVED FROM GPS OBSERVATIONS.
 2. ALL LOT CORNERS SHALL BE MONUMENTED WITH A 1/2 INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" UNLESS OTHERWISE NOTED.
 3. DEVELOPMENT SUBJECT TO MANDATORY HOMEOWNERS ASSOCIATION (HOA). ALL COMMON AREA LOTS WILL BE MAINTAINED BY SAID HOA.

FLOOD STATEMENT

THE SUBJECT TRACT LIES WITHIN ZONE X (UNSHADED), DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) AS SHOWN ON COMMUNITY PANEL NO. 48196C0100, DATED JUNE 3, 2015 FOR ELLIS COUNTY, TEXAS AND INCORPORATED AREAS. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND THE SURVEYOR DOES NOT CERTIFY TO THE ACCURACY THEREOF AND ASSUMES NO LIABILITY FOR THE USE THEREOF.

REVISED: 1/30/20 CASE NO. FP-19-0187

PRELIMINARY

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

**FINAL PLAT
BLUE BONNET TRAILS
PHASES 1 AND 2**

223 RESIDENTIAL LOTS - 2 OPEN SPACE LOTS
40.510 ACRES - ZONED PD-SF-3 & MF-1
B.B. DAVIS SURVEY, ABSTRACT NUMBER 230
W.C. CALDER SURVEY, ABSTRACT NUMBER 235
AN ADDITION TO THE CITY OF WAXAHACHE
ELLIS COUNTY, TEXAS

OWNERS
BLUE BONNET TRAIL, LLC BLUE BONNET TRAILS, LLC
11015 ROYAL SHIRE DRIVE 6255 WOODLAND DRIVE
DALLAS, TX 75230 DALLAS, TX 75230



SURVEYOR
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AXIS SURVEYING, LLC

BLUE BONNET TRAILS PHASES 1 AND 2

(18)

Planning & Zoning Department Plat Staff Report



Case: RP-19-0109

MEETING DATE(S)

Planning & Zoning Commission: September 10, 2019

City Council: September 16, 2019

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held September 10, 2019, the Commission voted 4-0 to recommend approval of plat no. RP-19-0109, subject to conditions.

CAPTION

Consider request by Dalton Bradbury, Southfork Capital LLC, for a Replat of Block 22 and 34, Town Addition, to create Lots 1-3, Block A, Cathedral Addition, 3.032 acres (Property ID 193493, 193491, and 170678) – Owner: SOUTHFORK CAPITAL LLC (RP-19-0109)

CASE INFORMATION

Applicant: Dalton Bradbury, Southfork Capital LLC

Property Owner(s): Southfork Capital LLC

Site Acreage: 3.032 acres

Number of Lots: 3 lots

Number of Dwelling Units: 0 units

Park Land Dedication: N/A (No increase in the number of dwelling units)

Adequate Public Facilities: A utility investigation will be necessary to ensure that proper public facilities can adequately serve the future use of this property.

SUBJECT PROPERTY

General Location: 315 N Rogers

Parcel ID Number(s): 193493, 193491, and 170678

Current Zoning: Commercial and General Retail

Existing Use: A church is currently at this location.

Platting History: This is a portion of Town Addition – Revised.

Site Aerial:



RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:
 1. The applicant shall provide firewalls as required in the 2018 International Building Code Table 602 and Section 706.4 to provide a barrier between buildings.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

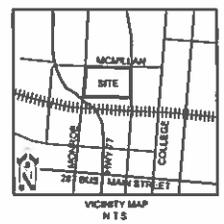
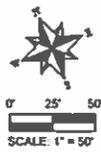
A plat shall not be filed with the Ellis County Clerk until:

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

STAFF CONTACT INFORMATION

Prepared by:
 Chris Webb
 Planner
cwebb@waxahachie.com

Reviewed by:
 Shon Brooks, AICP
 Director of Planning
sbrooks@waxahachie.com



OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF ELLIS

WHEREAS, SOUTH FORK CAPITAL, LLC IS THE SOLE OWNER OF A TRACT OF LAND SITUATED IN THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS AND BEING ALL OF BLOCKS 22 AND 24, OF THE ORIGINAL MAP OF THE CITY OF WAXAHACHE, AN ADDITION TO ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET A, SLIDE 181, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, (OPRECT), AND BEING ALL OF THAT TRACT OF LAND DESCRIBED AS TRACT 2 IN DEED TO SOUTH FORK CAPITAL, LLC, RECORDED IN INSTRUMENT NUMBER 1908427, OPRECT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON PIPE FOUND FOR THE NORTHEAST CORNER OF SAID BLOCK 22 AND THE NORTHEAST CORNER OF SAID TRACT 2, FOR THE INTERSECTION OF THE WEST RIGHT-OF-WAY (ROW) LINE OF ROGERS STREET AND THE SOUTH ROW LINE OF MCMILLAN STREET.

THENCE S 22°27'00" W, ALONG THE EAST LINE OF SAID BLOCK 22, THE EAST LINE OF SAID TRACT 2 AND THE COMMON WEST ROW LINE OF SAID ROGERS STREET, A DISTANCE OF 373.83 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID BLOCK 22, THE SOUTHEAST CORNER OF SAID TRACT 2, FOR THE INTERSECTION OF THE WEST ROW LINE OF SAID ROGERS STREET AND THE NORTH ROW LINE OF A UNION PACIFIC RAILROAD ROW (UPRR);

THENCE N 64°35'47" W, ALONG THE SOUTH LINE OF SAID BLOCK 22, THE SOUTH LINE OF SAID TRACT 2 AND THE COMMON NORTH ROW LINE OF SAID UPRR, A DISTANCE OF 315.64 FEET TO A 1" IRON PIPE FOUND FOR THE SOUTHWEST CORNER OF SAID TRACT 2 FOR THE INTERSECTION OF THE NORTH ROW LINE OF SAID UPRR ROW AND THE EAST ROW LINE OF US HIGHWAY 77 (N. ELM STREET) AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 517.88, A CHORD BEARING OF S 24°46'37" W AND A CHORD DISTANCE OF 160.25 FEET.

THENCE ALONG THE WEST LINE OF SAID TRACT 2 AND THE COMMON EAST ROW LINE OF SAID US HIGHWAY 77 AND ALONG SAID CURVE TO THE LEFT, AN ARC DISTANCE OF 160.80 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 8674" FOUND FOR AN ANGLE POINT IN THE WEST LINE OF SAID TRACT 2, IN THE WEST LINE OF SAID BLOCK 24, FOR THE INTERSECTION OF THE EAST ROW LINE OF SAID US HIGHWAY 77 AND THE EAST ROW LINE OF MONROE STREET.

THENCE N 28°28'41" E, ALONG THE WEST LINE OF SAID BLOCK 24, THE WEST LINE OF SAID TRACT 2 AND THE COMMON EAST ROW LINE OF SAID MONROE STREET, A DISTANCE OF 113.86 FEET TO A 1/2" IRON PIPE FOUND AN ANGLE POINT IN THE WEST LINE OF SAID TRACT 2 AND THE COMMON SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO THE INTERNATIONAL COUNCIL FOR GENDER STUDIES (IGCS), RECORDED IN VOLUME 1913, PAGE 928, OPRECT.

THENCE S 80°56'51" E, ALONG THE WEST LINE OF SAID TRACT 2 AND THE COMMON SOUTH LINE OF SAID IGCS TRACT, A DISTANCE OF 127.08 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 4480" FOUND FOR AN ANGLE POINT IN THE WEST LINE OF SAID TRACT 2 THE COMMON SOUTHEAST CORNER OF SAID IGCS TRACT.

THENCE N 23°57'33" E, ALONG THE WEST LINE OF SAID TRACT 2 AND THE COMMON EAST LINE OF SAID IGCS TRACT, A DISTANCE OF 142.23 FEET TO A 1/2" IRON ROD WITH A TRIANGULAR CAP FOUND FOR THE NORTHWEST CORNER OF SAID TRACT 2 AND THE COMMON NORTHEAST CORNER OF SAID IGCS TRACT, IN THE NORTH LINE OF SAID BLOCK 24 AND THE COMMON SOUTH ROW LINE OF SAID MCMILLAN STREET.

THENCE S 66°26'33" E, ALONG THE NORTH LINE OF SAID TRACT 2, THE NORTH LINE OF SAID BLOCK 24, THE NORTH LINE OF SAID BLOCK 22 AND THE COMMON SOUTH ROW LINE OF SAID MCMILLAN STREET, A DISTANCE OF 294.86 FEET TO THE POINT OF BEGINNING, AND CONTAINING 3.032 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT SOUTH FORK CAPITAL, LLC, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS CATHEDRAL ADDITION, AN ADDITION TO THE CITY OF WAXAHACHE, ELLIS COUNTY, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIGNED TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHE'S USE THEREOF. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF ingress and egress TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

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

WITNESS MY HAND, THIS _____ DAY OF _____, 2013

CHRIS ACKER
SOUTH FORK CAPITAL, LLC

STATE OF TEXAS
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED CHRIS ACKER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE HAD EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2013.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT"

TIMOTHY L. JACKSON
REGISTRATION NUMBER 5644

APPROVED BY PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY _____ DATE _____
CHAIRPERSON

APPROVED BY CITY COUNCIL
CITY OF WAXAHACHE

BY _____ DATE _____
MAYOR

ATTEST _____ DATE _____

REPLAT

CATHEDRAL ADDITION

BEING A REPLAT OF
BLOCK 22 & 24
OFFICIAL MAP OF WAXAHACHE,
CABINET A, SLIDE 181,
PLAT RECORDS, ELLIS COUNTY TEXAS
OF CITY OF WAXAHACHE, TEXAS
ELLIS COUNTY, TEXAS
3.032 ACRES
3 RESIDENTIAL LOTS
ZONED GR
ZONED C

OWNER:
SOUTH FORK CAPITAL, LLC
3751 US HIGHWAY 287
WAXAHACHE, TEXAS 75186
409 363 9630

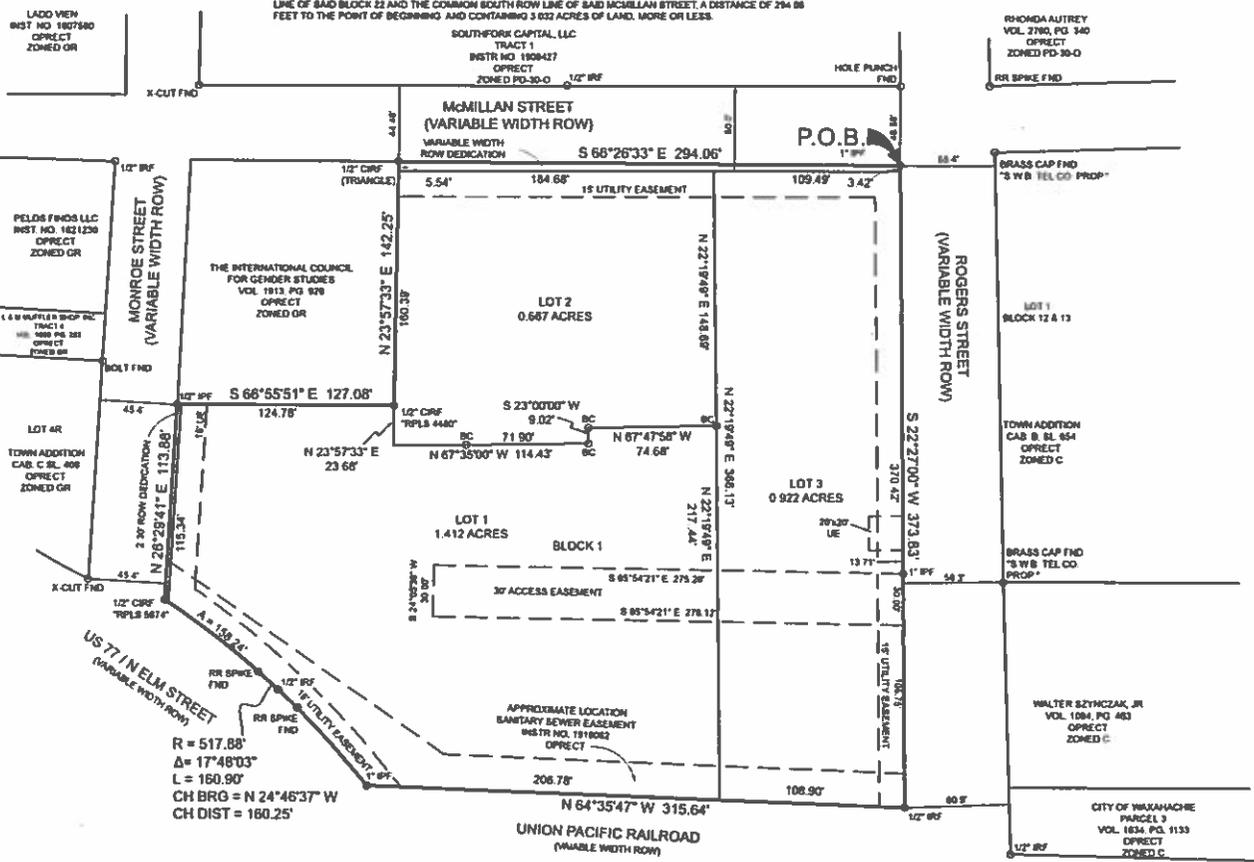
SURVEYOR:
TEXAS REALTY CAPITAL &
SURVEYING, LLC
P.O. BOX 252
WAXAHACHE, TEXAS 75186
409 518 8338
TBPLS FIRM NO 10194350

JOB NO 1375

RP-19-0109

JULY 2010

PAGE 1 OF 1



(18)

(20421)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: September 12, 2019
Re: RP-19-0110 – Russell Replat

On September 3, 2019, the applicant requested that staff extend the 30 day plat approval period by an additional 30 days for case no. RP-19-0110 to the September 24, 2019 Planning and Zoning Commission agenda, as well as the October 7, 2019 City Council meeting agenda.

(22)

Planning & Zoning Department

Zoning Staff Report

Case: PD-19-0089



MEETING DATE(S)

Planning & Zoning Commission: August 13, 2019

City Council: September 16, 2019 (continued from September 3, 2019 City Council Meeting agenda)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 13, 2019, the Commission voted 4-0 to recommend approval of case number PD-19-0089, subject to staff conditions.

On August 14, 2019, the applicant requested to continue case no. ZC-19-0089 (original case number) to the September 3, 2019 City Council meeting agenda.

On August 28, 2019, the applicant requested to continue case no. ZC-19-0089 (original case number) to the September 16, 2019 City Council meeting agenda.

CAPTION

Public Hearing on a request by Mark Thedford, Akamai Designs, for a Zoning Change from a Single-Family Residential-1 zoning district to Planned Development-Single-Family Residential-2, located at 106 Santa Fe Trail (Property ID 221873) - Owner: AKAMAI DESIGNS INC (PD-19-0089)

CASE INFORMATION

Applicant: Mark Thedford, Akamai Designs

Property Owner(s): Akamai Designs, Inc.

Site Acreage: 1.787 acres

Current Zoning: Single Family-1

Requested Zoning: Planned Development-Single Family-2

SUBJECT PROPERTY

General Location: 106 Santa Fe Trail

Parcel ID Number(s): 221873

Existing Use: Undeveloped Land

Development History: N/A

(22)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	SF-1	Estates of Garden Valley (Residential Subdivision)
East	PD-SF-2	Open Space/Garden Valley Meadows (Residential Subdivision)
South	SF-1	Indian Hills Phase VII (Residential Subdivision)
West	PD-27-SF-2	Indian Hills Phase 5 (Residential Subdivision)

Future Land Use Plan: Low Density Residential

Comprehensive Plan: This category is representative of smaller single family homes and some duplex units. The majority of Waxahachie's current development is of similar density. It is appropriate to have approximately 3.5 dwelling units per acre.

Thoroughfare Plan: The subject site will be accessible via Garden Valley Parkway. The city's thoroughfare plan shows Garden Valley being a future 90 ft. ROW.

Site Image:



PLANNING ANALYSIS

The applicant is requesting a Zoning Change from a Single-Family Residential-1 zoning district to Planned Development-Single-Family-2, to allow construction of residential homes. The proposed development will consist of four (4) newly constructed homes and will be accessible via Garden Valley Parkway (*applicant proposing to construct a cul-de-sac (Fountain Ct.) for the proposed development*).

At the Planning & Zoning Commission meeting, held August 13, 2019, the Commission voted 4-0 to recommend approval, pending that the development will consist of a Planned Development zoning with minimum dwelling sizes of 2,800 sq. ft.

(22)

Table 1: Proposed Planned Development Residential Standards (Single Family-2)

Standard	SF-2 (City of Waxahachie)	Fountain Court Proposed	Meets Yes/No
Min. Lot Area (Sq. Ft.)	12,500 sq. ft.	12,562 sq. ft.	Yes
Min Living Area	1,600 sq. ft.	2,800 sq. ft.	Yes
Min. Lot Width	90 ft.	90 ft.	Yes
Min. Lot Depth	120 ft.	120 ft.	Yes
Front Setback	30 ft.	30 ft.	Yes
Rear Setback	25 ft.	25 ft.	Yes
Side Setback	15 ft; 20 ft. (ROW)	15 ft; 20 ft. (ROW)	Yes
Maximum Height	2 Stories	2 Stories	Yes
Max Lot Coverage	50%	50%	Yes

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 21 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 7/24/19.

PROPERTY OWNER NOTIFICATION RESPONSES

Within the 200 ft. notification area, staff has received two (2) letters of support and ten (10) letters of opposition for the proposed development.

Outside of the 200 ft. notification area, staff has received fifty (50) letters of opposition for the proposed development.

Note: A supermajority vote from City Council will be required for the final decision of the proposed development.

STAFF CONCERNS

1. Staff has no outstanding concerns for the applicant.

APPLICANT RESPONSE TO CONCERNS

1. Staff has no outstanding concerns for the applicant.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
- Approval, as presented.
- Approval, per the following conditions:

(22)

ATTACHED EXHIBITS

1. Plat/Site Layout
2. Concept Plan Provisions
3. Ordinance
4. Property Owner Notification Responses

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(23)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A ZONING CHANGE FROM SINGLE FAMILY-1 (SF1) TO PLANNED DEVELOPMENT-SINGLE FAMILY-2 (SF-2) LOCATED AT 106 SANTA FE TRAIL IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 1.787 ACRES KNOWN AS LOT 7R, BLOCK B OF THE INDIAN HILLS PHASE VII SUBDIVISION, 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 heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, a proper application for a Zoning Change has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number PD-19-0089. Said application, having been referred to the Planning and Zoning (P&Z) Commission for their final report, was recommended by the P&Z Commission for zoning change approval of the subject property from SF1 to PD-SF2; 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 Council having heard all arguments for and against said zoning amendment;

NOW, THEREFORE, this property is rezoned from SF1 to PD-SF2 in order to facilitate development of the subject property in a manner that allows single-family dwelling residences on the following property: Lot 7R, Block B of the Indian Hills Phase VII subdivision, which is shown on Exhibit A, and Concept Plan Provisions shown in Exhibit B, and Plat/Site Layout Plan shown in Exhibit C.

PLANNED DEVELOPMENT

The purpose of this Planned Development to create a single family residential subdivision development and to establish appropriate restrictions and development controls necessary to ensure predictable land development, safe and efficient vehicular and pedestrian circulation, compatible uses of land and compliance with appropriate design standards.

Development Standards

All development on land located within the boundaries of this Planned Development District shall adhere to the rules and regulations set forth in this ordinance. The locations of buildings, driveways, parking areas, amenity areas, trails, fencing, and other common areas shall substantially conform to

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the locations shown on the approved Plat/Site Layout Plan (Exhibit C).

1. Any zoning, land use requirement or restriction not contained within this zoning ordinance shall conform to those requirements and/or standards prescribed in Exhibit C (Plat/Site Layout Plan) and Exhibit B (Concept Plan Provisions). Where regulations are not specified in Exhibit C, Exhibit B, or in this ordinance, the regulations of the Single Family-Two (SF2) district of the City of Waxahachie Zoning Ordinance shall apply to this development.

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 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary



Exhibit A - Location Exhibit



ZC_19_0089

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EXHIBIT "B"

Concept Plan Provisions

Purpose and Intent

The purpose and intent of this Planned Development (PD) is to allow for the development of 4 single family-2 homes built on individual lots using permitted architectural styles for new construction. Any conditions found within the SF-2 zoning district or Zoning Ordinance that are not written herein, shall default to the City of Waxahachie's Code of Ordinances, as amended.

Compliance with the City's Comprehensive Plan

Zoning District (SF-1) is the intended base zoning classification underlying this PD. However all but 1 lot in the Indian Hills Unit 7 (Cabinet E, Slide 382) subdivision are undersized and subsequently meet the SF-2 lot and DUA requirements as do the subdivisions abutting this proposed zoning change request.

Description of Request

- We intend to modify the existing zoning requirements under a Planned Development which will allow for the development of Single Family-2 homes consisting of 4 properties.

Proposed Use of Property

- The proposed development is for 2 story luxury custom homes consisting of 4 properties which will use a similar style as listed in the Waxahachie development standards approved by all authorities governing in the City of Waxahachie. We intend to break ground this winter, with completion in 2020. FOUNTAIN COURT INC (homeowners association) will be formed with fees collected for perpetual maintenance

General Development Requirements

- **Plat/Site Layout:** The Plat/Site Layout is attached as Exhibit "C"
- **Elevation:** Per Waxahachie's Design Guidelines
- **Density:** 4 lots
- **Exterior:** The exterior shall consist of 100% brick and Austin stone with cast stone accents
- **Parking:** Each lot shall have minimum 2 enclosed parking behind front building plane
- **Open Space/Landscaping:** Shall comply with SF-1 requirements
- **Front yard setback:** Minimum 30'
- **Side Setbacks:** 15 ft.; 20 ft. (if adjacent to ROW)
- **Rear Setback:** 25 ft.
- **Garages:** Side or rear entry only
- **Maximum Height:** 35 feet (2) stories
- **Minimum DUA:** 2800 sq.ft.
- **Minimum Lot Area:** 12,500
- **Minimum Lot width:** 90 ft.
- **Minimum Lot depth:** 120 ft.
- **Maximum Lot coverage:** 50%

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Amenities:

- Gas range
- Gas furnace
- Argon Low e insulated windows
- Iron front doors
- Granite countertops
- Spray foam insulation (energy star rated)
- Gas fireplace
- Sprinkler system
- Insect control ✓
- Perpetual lawn care and maintenance
- HOA
- High Efficiency a/c system
- Wired alarm system with internet access
- 8 foot high garage doors with belt drive openers with internet access capability
- High speed internet hardwired throughout
- Plush landscaping

Case PD-19-0089
 Responses Received Inside Required 200' Notification Area
 Support: 2 Oppose: 10

Property ID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's Suite	Owner's City	Owner's State	Owner's ZIP	Physical Address
179095	FIEDLER JACK & CHEREE, C/O DAVID HUNTER	1.878	5 J B & A ADAMS 1.878 ACRES	P O BOX 772		WAXAHACHIE	TX	75188	2560 BROWN ST WAXAHACHIE TX 75185
206110	REAM NORMA J	0.207	LOT 4 BLK B INDIAN HILLS 6 0.207 AC	112 SANTA FE TRL		WAXAHACHIE	TX	75185	112 SANTA FE TRL WAXAHACHIE TX 75185
206172		0.222	1 H INDIAN HILLS 6 0.222 ACRES	315 OSAGE DR		WAXAHACHIE	TX	75185	315 OSAGE DR WAXAHACHIE TX 75185
206173		0.485	LOT 2R BLK H INDIAN HILLS 6 .485 AC	317 OSAGE DR		WAXAHACHIE	TX	75185	317 OSAGE DR WAXAHACHIE TX 75185
206181	CARTWRIGHT LORR	0.472	LOT 13 BLK G INDIAN HILLS 6 0.472 AC	203 SENDERO DR		WAXAHACHIE	TX	75185	203 SENDERO DR WAXAHACHIE TX 75185
221798		0.261	LOT SRA BLK B INDIAN HILLS PH VII .261 AC	110 SANT FE TRL		WAXAHACHIE	TX	75185	110 SANTA FE TRL WAXAHACHIE TX 75185
221850	HUNTER MARK & ELIZABETH	0.45	6 H INDIAN HILLS PH VII 0.405 ACRES	325 OSAGE DR		WAXAHACHIE	TX	75185	325 OSAGE DR WAXAHACHIE TX 75185
221851		0.258	LOT 7 BLK H INDIAN HILLS PH VII 0.258 AC	205 NOCONA DR		WAXAHACHIE	TX	75185	205 NOCONA DR WAXAHACHIE TX 75185
221859	TAYLOR CECIL E JR & LAURA L	0.234	LOT H BLK 4 INDIAN HILLS PH VII 0.234 AC	321 OSAGE DR		WAXAHACHIE	TX	75185	321 OSAGE DR WAXAHACHIE TX 75185
221860		0.254	LOT 5 BLK H INDIAN HILLS PH VII .254 AC	323 OSAGE DR		WAXAHACHIE	TX	75185	323 OSAGE DR WAXAHACHIE TX 75185
221872	LACY ROONEY & WIDNEY L EMMOW	0.46	LOT 68A INDIAN HILLS PH VII .46 AC	108 SANTA FE TRL		WAXAHACHIE	TX	75185	108 SANTA FE TRL WAXAHACHIE TX 75185
221873	AKAMAU DESIGNS INC	1.787	LOT 7R BLK B INDIAN HILLS PH VII 1.787 AC	145 ROYAL PARK LN		WAXAHACHIE	TX	75185	SANTA FE TRL WAXAHACHIE TX 75185
221876		0.207	LOT 14 BLK G INDIAN HILLS PH VII .207 AC	204 NOCONA DR		WAXAHACHIE	TX	75185	204 NOCONA DR WAXAHACHIE TX 75185
240564	JOHNSON WILLIAM C & JENNIFER J	0.2356	LOT 1 BLK 1 ESTATES OF GARDEN VALLEY .2356 AC	103 WATER GARDEN DR		WAXAHACHIE	TX	75185	103 WATER GARDEN DR WAXAHACHIE TX 75185
240583	BETHANY GARDEN VALLEY LTD	0.5944	LOT 1A BLK 1 ESTATES OF GARDEN VALLEY 0.5944 AC	101 VALLEY RIDGE DR		RED OAK	TX	75154	101 WATER GARDEN DR WAXAHACHIE TX 75185
240584	BETHANY GARDEN VALLEY LTD	0.3852	LOT 1 BLK 2 ESTATES OF GARDEN VALLEY 0.3852 AC	101 VALLEY RIDGE DR		RED OAK	TX	75154	108 WATER GARDEN DR WAXAHACHIE TX 75185
240595	NERDIE MORGAN	0.7262	LOT 2R BLK 2 ESTATES OF GARDEN VALLEY .7262 AC	110 WATER GARDEN DR		WAXAHACHIE	TX	75185	110 WATER GARDEN DR WAXAHACHIE TX 75185
240603	BETHANY GARDEN VALLEY LTD	1.0319	LOT 1A BLK 2 ESTATES OF GARDEN VALLEY 1.0319 AC	101 VALLEY RIDGE DR		RED OAK	TX	75154	WATER GARDEN DR WAXAHACHIE TX 75185
273187	FIRST TEXAS HOMES INC	0.236	LOT 66 BLK 1 GARDEN VALLEY MEADOWS 0.236 AC	500 CRESCENT CT	STE 350	DALLAS	TX	75201	269 POND MILLS RD WAXAHACHIE TX 75185
273196	LEGACY GROVE DEVELOPMENT LLC	2.674	LOT 06X BLK 1 (OPEN SPACE) GARDEN VALLEY MEADOWS 2.674 AC	101 VALLEY RIDGE DR		RED OAK	TX	75154	MULBERRY LN WAXAHACHIE TX 75185

130563	TOTAL ACREAGE OF THOSE NOTICED
2.61126	EQUALS 20% OF TOTAL ACREAGE OF THOSE NOTICED
4.4247	TOTAL ACREAGE OF THOSE OPPOSED*

A favorable vote of three-fourths (3/4) of all members, which equates to four (4) of the five (5) members, of the City Council shall be required to approve any change in zoning when written objections are submitted to the City Secretary in accordance with the provisions of Section 211.006 of the Local Government Code of the State of Texas. If a protest against such proposed amendment, supplement, or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty (20) percent or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending two hundred (200) feet therefrom or of those directly opposite thereto extending two hundred (200) feet from the street frontage of such opposite lots, such amendments shall not become effective except by a three-fourths (3/4) vote of the City Council.

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Case PD-19-0089
Responses Received Outside Required 200' Notification Area
 Support: 0 Oppose: 50

PropertyID	Owner's Name	Physical Address
240625	GREG BURDETTE	103 CATTAIL COURT
240660	MARY BURNS	122 OLD BRIDGE ROAD
240578	WESLEY A AND MAYE HARLOW	131 WATER GARDEN DRIVE
240618	KRISTIN TREJO	151 OLD BRIDGE ROAD
240627	MELVEENE C DIXON	107 CATTAIL COURT
240658	SANDRA AND RICK BLYTHE	118 OLD BRIDGE ROAD
240663	COREY BARNES	128 OLD BRIDGE ROAD
240609	HOWARD KOCH	133 OLD BRIDGE ROAD
240566	SR SIMS	107 WATER GARDEN DRIVE
240565	SHUNA MULSHOPADGAY	105 WATER GARDEN DRIVE
240648	MELINDA MILLER	160 OLD BRIDGE ROAD
240677	KENNETH A MILLER	158 OLD BRIDGE ROAD
240622	STEVEN F AND JUDY G HARDY	159 OLD BRIDGE ROAD
240567	DR PAMELA CHAMBERS	109 WATER GARDEN DRIVE
240572	JORDON DROLL	119 WATER GARDEN DRIVE
240587	JOSEPH E COLUNGA	130 WATER GARDEN DRIVE
240583	ROXANNE MECHE	141 WATER GARDEN DRIVE
240585	ADELE CHAVEZ	145 WATER GARDEN DRIVE
240568	DAVID R SMITH	111 WATER GARDEN DRIVE
240666	MICHAEL PASCHAL	134 OLD BRIDGE ROAD
240576	JOE AND CINDY DILLBECK	127 WATER GARDEN DRIVE
240813	DOUGLAS KIRK BROWN, MD	141 OLD BRIDGE ROAD
240588	CHRIS ROSS	132 WATER GARDEN DRIVE
240599	DOBI CALDWELL	118 WATER GARDEN DRIVE
240657	CLAUDIA MCMICHAEL	116 OLD BRIDGE ROAD
240569	MICHAEL TANNA	113 WATER GARDEN DRIVE
240668	GREG CARPENTER	140 OLD BRIDGE ROAD
240661	SARAH HAVENS	124 OLD BRIDGE ROAD
240619	VAN AND MARY HAUGRUD	153 OLD BRIDGE ROAD
240656	LINDA TROY	114 OLD BRIDGE ROAD
240659	MARK KAMHOLZ	120 OLD BRIDGE ROAD
240675	MARCO PHILIP	154 OLD BRIDGE ROAD
240673	ANGEL GONZALEZ	150 OLD BRIDGE ROAD
240674	ANGEL GONZALEZ	152 OLD BRIDGE ROAD
221864	BRENDA AND MIKE TURNER	226 NOCONA DRIVE
221865	BEVERLY AND WILLIAM DAVID WOODS	228 NOCONA DRIVE
206102	LARRY G AND LARHONDA MORROW	220 SENDERO DRIVE
206103	JACKI AND JOHN DAVIS	222 SENDERO DRIVE
206104	MARY JANE MEDLOCK	224 SENDERO DRIVE
203668	BRETT BIGHAM	207 SIOUX DRIVE
203674	PERRY ESTEPP	215 SIOUX DRIVE
203673	JENNY AND STEVE CAGLE	217 SIOUX DRIVE
203672	BETTY AND MIKE SIMMONS	219 SIOUX DRIVE
268998	BOYD W WISE	513 BARLEY DRIVE
240574	JOHN TRAVIS MORAN	123 WATER GARDEN DRIVE
240582	VERNARD JENKINS	139 WATER GARDEN DRIVE
240617	CORY SIX	149 OLD BRIDGE ROAD
240662	JAN M AND JOHN L SCOTT	126 OLD BRIDGE ROAD
240655	MIKE DOLEZALIK AND JANICE EMMERT-DOLEZALIK	112 OLD BRIDGE ROAD
240624	TYLER FEATHERSTON	101 CATTAIL COURT

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(24)

**Planning & Zoning Department
Plat Staff Report**

Case: PP-19-0090



MEETING DATE(S)

Planning & Zoning Commission: August 13, 2019

City Council: September 16, 2019 (Continued from the September 3, 2019 City Council Meeting agenda)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 13, 2019, the Commission voted 4-0 to recommend approval of plat no. PP-19-0090.

CAPTION

Consider request by Mark Thedford, Akamai Designs, for a **Preliminary Plat** of Fountain Court Addition for 5 lots, being a 1.74 acre addition in the JB & A Adams Survey, Abstract 5 (Property ID 221873) – Owner: AKAMAI DESIGNS INC (PP-19-0090)

CASE INFORMATION

Applicant: Mark Thedford, Akamai Designs

Property Owner(s): Akamai Designs, Inc.

Site Acreage: 1.74 acres

Number of Lots: 5 lots

Number of Dwelling Units: 4 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at \$1,600 (4 residential units at \$400.00 per unit).

Adequate Public Facilities: The development will have access to adequate public facilities.

SUBJECT PROPERTY

General Location: 106 Santa Fe Trail

Parcel ID Number(s): 221873

Current Zoning: Single Family-1 (See Companion Case ZC-19-0089)

Existing Use: A house is being constructed on the far western portion of the land. The rest is currently undeveloped.

Platting History: This property was the subject of a Final Plat Ph VII for the Indian Hills Subdivision approved by City Council on 9/17/2001 and a Minor Plat that was approved by City Council on 9/11/2002

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Site Aerial:

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Disapproval
- Approval, as presented.
- Approval, per the following conditions:
 1. The applicant will need to provide City staff with legal documentation that a point of access to Garden Valley Parkway can be established through the Indian Hills Subdivision screening wall.

ATTACHED EXHIBITS

1. Plat drawing.

APPLICANT REQUIREMENTS

If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.

CITY REQUIREMENTS FOR PLAT RECORDING AND FILING

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

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

STAFF CONTACT INFORMATION

Prepared by:
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Planner
cwebb@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

BAR RECORD

GENERAL DESCRIPTION
 All that certain tract of or parcel of land, a part of Lot 7R of the Santa Fe Tract Addition in Block B, as shown in Exhibit I of the plat records of Ellis County, Texas and being more particularly described as follows to-wit:

KEYS AND RELATED DESCRIPTIONS

Beginning at a 1/2 inch iron rod found for corner at the N.E.C. of said Lot 7R and to the S.E.C. of Section Twenty

Thence South 89 Degrees 53 Minutes 28 Seconds East, along the Proposed S.E.C. for a distance of 150.00 feet to a 1/2 inch iron rod set for corner at the P.C. of a curve to the right.

Thence with said curve and the S.E.C. of Fountain Court (Proposed) with a Radius of 360.00 feet, with a Chord Length of 233.00 feet to Station 71, 60.00', with a Chord Bearing of South 53 Degrees 13 Minutes 15 Seconds East, for a Chord Length of 80.70 feet to a 1/2 inch iron rod set for corner at the P.C.

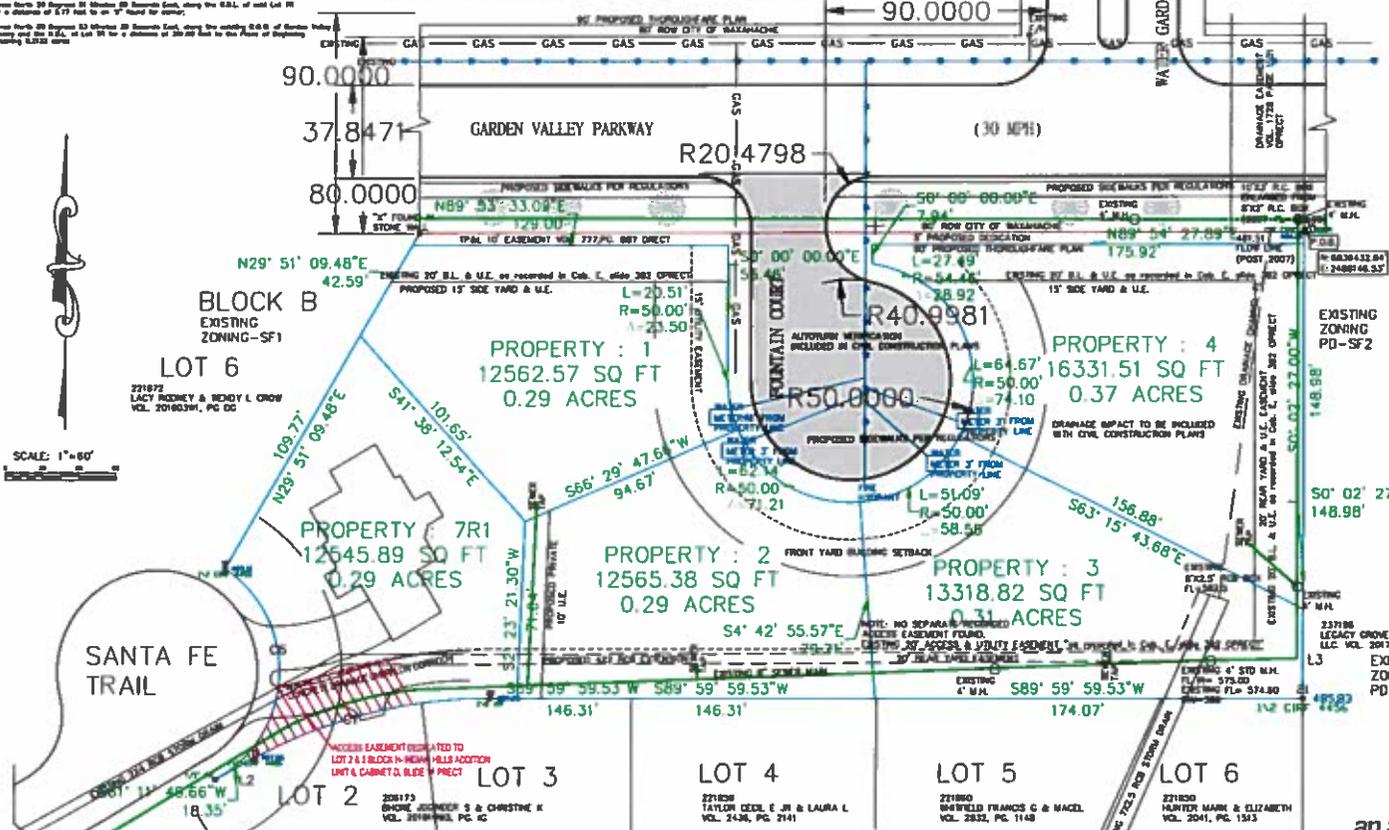
Thence South 89 Degrees 53 Minutes 28 Seconds East, along the Proposed S.E.C. for a distance of 125.12 feet to a 1/2 inch iron rod set for corner at the S.E.C. of said Lot 7R, for a distance of 177 feet to an "X" found for corner.

Thence South 89 Degrees 53 Minutes 28 Seconds East, along the Proposed S.E.C. for a distance of 125.12 feet to a 1/2 inch iron rod set for corner at the S.E.C. of said Lot 7R, for a distance of 177 feet to an "X" found for corner.

Thence South 89 Degrees 53 Minutes 28 Seconds East, along the existing S.E.C. of Section Twenty and the S.E.C. of Lot 7R for a distance of 20.00 feet to the Place of Beginning containing 0.2323 acres.



NO.	DESCRIPTION	DATE
1
2
3
4
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7
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9
10



GENERAL DESCRIPTION

All that certain tract of or parcel of land, a part of Lot 7R of the Santa Fe Tract Addition in Block B, as shown in Exhibit I of the plat records of Ellis County, Texas and being more particularly described as follows to-wit:

KEYS AND RELATED DESCRIPTIONS

Beginning at a 1/2 inch iron rod set for corner at the S.E.C. of said Lot 7R and to the S.E.C. of the proposed S.E.C. of Section Twenty, with a Chord Length of 150.00 feet to a 1/2 inch iron rod set for corner at the P.C. of a curve to the right.

Thence South 89 Degrees 53 Minutes 28 Seconds East, along the S.E.C. of Lot 7R for a distance of 150.00 feet to a 1/2 inch iron rod set for corner.

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Thence with said curve and the S.E.C. of Fountain Court (Proposed) with a Radius of 360.00 feet, with a Chord Length of 233.00 feet to Station 71, 60.00', with a Chord Bearing of South 53 Degrees 13 Minutes 15 Seconds East, for a Chord Length of 80.70 feet to a 1/2 inch iron rod set for corner at the P.C.

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Thence South 89 Degrees 53 Minutes 28 Seconds East, along the existing S.E.C. of Section Twenty and the S.E.C. of Lot 7R for a distance of 20.00 feet to the Place of Beginning containing 0.2323 acres.

Thence South 89 Degrees 53 Minutes 28 Seconds East, along the Proposed S.E.C. for a distance of 125.12 feet to a 1/2 inch iron rod set for corner at the S.E.C. of said Lot 7R, for a distance of 177 feet to an "X" found for corner.

Thence South 89 Degrees 53 Minutes 28 Seconds East, along the existing S.E.C. of Section Twenty and the S.E.C. of Lot 7R for a distance of 20.00 feet to the Place of Beginning containing 0.2323 acres.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That I, Mark Theodor, CEO of Amal Design Inc., being the owner of the above described tract, do hereby adopt this PRELIMINARY Plat designating the parcels shown described generally on the PRELIMINARY Plat of LOTS 7R1, 2, 3 and 4 in BLOCK B FOUNTAIN COURT ADDITION, (Being a Replat of Lot 7R in Block B and that section of SANTA FE TRAIL, in INDIAN HILLS ADDITION, UNIT VII, an addition to the City of Waxahachie, Texas, AS RECORDED in Book E, page 382 and do hereby dedicate to the City of Waxahachie for public use, the streets and alleys shown thereon, and we do hereby reserve the easements shown on this plat for the accommodation of all public utilities desiring to use or cross the same. Any public utility approved by the City shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs, or other growths or improvements which in any way impede or interfere with the construction, maintenance or efficiency of its respective system on any of these easements, and any public utility shall, at all times, have the right of ingress and egress, including, but not limited to, the right to install, maintain or reconstruct any lot in this addition by anyone until all requirements of the Subdivision Ordinance have been met.

Mark Theodor, CEO Amal Design Inc.
 143 RYDAL PARK LANE
 WAXAHACHIE, TEXAS 75185 (409) 843-3331

CITY OF WAXAHACHIE
 ELLIS COUNTY TEXAS

CITY'S ACKNOWLEDGMENT

I hereby acknowledge this document as the officially approved preliminary plat.

City Manager of Preliminary Plat

Approved for preparation of the final plat

Approved by the Planning and Zoning Commission

Approved by the City Council

**PP-19-0090
 PRELIMINARY PLAT
 FOUNTAIN COURT ADDITION
 BLOCK B, LOTS 7R1, 2, 3 and 4
 being a 1.74 Acre Addition in the
 JB & ADAMS SURVEY Abst. 0005
 and a RePlat of
 Block B, Lot 7R of the
 INDIAN HILLS ADDITION UNIT VII,
 an addition to the City of Waxahachie, Ellis County, Texas**



I, BRUCE CHRIS BARNER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6666, do hereby certify that the plat shown herein was prepared from an actual survey made on the ground under my direction and supervision during the month of May, 2019. Approved, above ground, multiple professional or representative, if such, are so shown.

CEYER UNDER MY HAND AND SEAL this 13th day of August, 2019.

PRELIMINARY PLAT

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6666
 BRUCE CHRIS BARNER, ALPHEUS, TEXAS 76800
 (800) 889-1790
 Bearing Truemer (N.B.A.) Lot 7-R

LEGEND

•• Railroad Spike Fnd.	•• Con. Metr. Fnd.
•• Railroad Spike Set	•• 1/2" Iron Rod Set
•• point for corner	•• utility pole
•• 1/4" Iron Rod Fnd.	•• 2" dot
•• 1/4" Iron Pipe Fnd.	•• 1/2" Iron Pipe Fnd.
•• 1/2" Iron Rod Fnd.	•• 3/4" Iron Pipe Fnd.
•• 1" Iron Pipe Fnd.	•• 600 Mill Dot
•• 1" Iron Pipe Fnd.	•• 600 Mill Set

Surveyed for AMAL DESIGN INC
 The area shown appears to be in Zone I according to FIRM Community Flood No. 48150B 01002 Effective Date: 05/02/2013

This information was obtained from FEMA prepared maps and should not be used as a hydrology study. Best Flood Forecasting, Inc. assumes no liability for flood damage to this property.

(85)

Planning & Zoning Department

Zoning Staff Report



Case: SU-19-0099

MEETING DATE(S)

Planning & Zoning Commission: August 27, 2019

City Council: September 16, 2019 (continued from September 3, 2019 City Council meeting agenda.)

ACTION SINCE INITIAL STAFF REPORT

At the Planning & Zoning Commission meeting, held August 27, 2019, the Commission voted 6-1 to recommend approval of case number SU-19-0099, as presented by staff.

At the City Council meeting, held September 3, 2019, City Council voted 4-0 to recommend the case be continued to the September 16, 2019 City Council meeting agenda.

CAPTION

Public Hearing on a request by Alec Broadus, Broadus Services LLC, for a Specific Use Permit (SUP) for **Communications Antennas and Support Structures/Towers** use within an Office zoning district, located at 106 Chambers Circle (Property ID 174573) – Owner: DAWSON J & SHIRLEY STAFFORD REVOCABLE TRUST (SU-19-0099)

CASE INFORMATION

Applicant: Alec Broadus, Broadus Services LLC

Property Owner(s): Dawson J & Shirley Stafford Revocable Trust

Site Acreage: 1.096 acres

Current Zoning: Office

Requested Zoning: Office with SUP

SUBJECT PROPERTY

General Location: 106 Chambers Circle

Parcel ID Number(s): 174573

Existing Use: Armstrong McCall Professional Beauty Supply

Development History: N/A

(25)

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	C	Undeveloped Land
East	O	Undeveloped Land
South	O	Office Buildings
West	C	Undeveloped Land

Future Land Use Plan:

Mixed Use Non-Residential

Comprehensive Plan:

Similar to Mixed Use Residential, land designated with this land use are intended for a mixture of nonresidential and residential uses. The only difference would be that Mixed Use Nonresidential has a greater percentage of nonresidential components than residential. Specifically, 80 percent of the acreage or square footage of proposed developments are required to be nonresidential with the remaining 20 percent of the acreage or square footage allocated to residential. Southlake's Town Center is an example of Nonresidential Mixed Use.

Thoroughfare Plan:

The subject property is accessible via Chambers Cir.

Site Image:



PLANNING ANALYSIS

Purpose of Request:

The applicant intends to construct a 165 ft. monopole tower at 106 Chamber Circle, adjacent to Armstrong McCall Professional Beauty Supply (same property). Per the City of Waxahachie Zoning Ordinance, "Antenna/Tower structures in excess of the height allowed in the zoning district may be allowed by Specific Use Permit (SUP)."

(25)

Proposed Use:

The applicant intends to construct the 165 ft. monopole tower to provide additional capacity and adequate cell coverage for the surrounding area. At the time of this report (9/10/2019), T-Mobile is the anchor tenant for the proposed monopole tower. The applicant intends to screen the monopole tower with a 6 ft. PVC fence, and shrubs (Red Photinia and Crape Myrtle) along the property.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 9 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 08/09/2019.

PROPERTY OWNER NOTIFICATIONS

Staff has received two (2) letters of opposition for the proposed development.

STAFF CONCERNS

1. The property on which the antenna is proposed to be located is zoned for Office (O) uses. Per the City of Waxahachie Zoning Ordinance, the maximum height for a structure in an Office District is two (2) stories, with an additional setback for any structure in excess of two (2) stories. For structures in excess of two (2) stories, one (1) additional foot setback for each additional two (2) feet in height above two (2) stories is required. Due to the applicant proposing a 165 ft. tall structure, if permitted, the antenna would require at least another seventy feet (70') of setback.

APPLICANT RESPONSE TO CONCERNS

1. The applicant understands staff's concerns regarding the height of the structure. The applicant intends to state his reasoning at the September 16, 2019 City Council meeting.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- Denial
Due to the height of the proposed structure, staff cannot support the proposed development.
- Approval, as presented.
- Approval, per the following conditions:

ATTACHED EXHIBITS

1. Site Plan
2. Elevation Plan
3. Fence Detail Plan
4. Landscape Plan
5. Certified Fall Letter
6. Proposed Tower Location Photos
7. Property Owner Notification Responses
8. Ordinance
9. City of Waxahachie Resolution Document

(85)

APPLICANT REQUIREMENTS

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

STAFF CONTACT INFORMATION

Prepared by:
Colby Collins
Senior Planner
ccollins@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

(26)

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A COMMUNICATIONS ANTENNA/SUPPORT TOWER USE WITHIN A OFFICE (O) ZONING DISTRICT, LOCATED AT 106 CHAMBERS CIRCLE, BEING PROPERTY ID 174573, IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 4, BLOCK C IN LAKERIDGE #1 – REV, 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 heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as O; 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 SU-19-0099. 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 Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from O to O, with an SUP in order to permit a Communication Antenna/Support Tower use on the following property: Lot 4, Block C of Lakeridge #1 - Rev, which is shown on Exhibit A, in accordance with the Site Layout Plan attached as Exhibit B, Elevation Plan shown in Exhibit C, Fence Detail shown in Exhibit D, and the Landscape Plan shown in Exhibit E.

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 Zoning Ordinance.

(2/6)

Specific Use Permit

FOR OPERATION OF A SPECIFIC USE PERMIT FOR A COMMUNICATIONS ANTENNA/SUPPORT TOWER USE IN THE OFFICE (O) DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The site plan shall conform as approved by the City Council under case number SU-19-0099.
2. 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.
3. The development shall adhere to the City Council approved in Exhibit A- Location Exhibit, Exhibit B-Site Plan, Exhibit C-Elevation Plan, Exhibit D – Fence Detail Plan, and Exhibit E-Landscape Plan.
4. If approved, the City Council shall have the right to review the Specific Use Permit after 12-months if needed.

Compliance

All development must conform to the approved site plan and all exhibits incorporated as exhibits to this ordinance, as well as those incorporated herein by reference.

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 16th day of September, 2019.

(A/C)

MAYOR

ATTEST:

City Secretary



Exhibit A - Location Exhibit

SI 19 0099

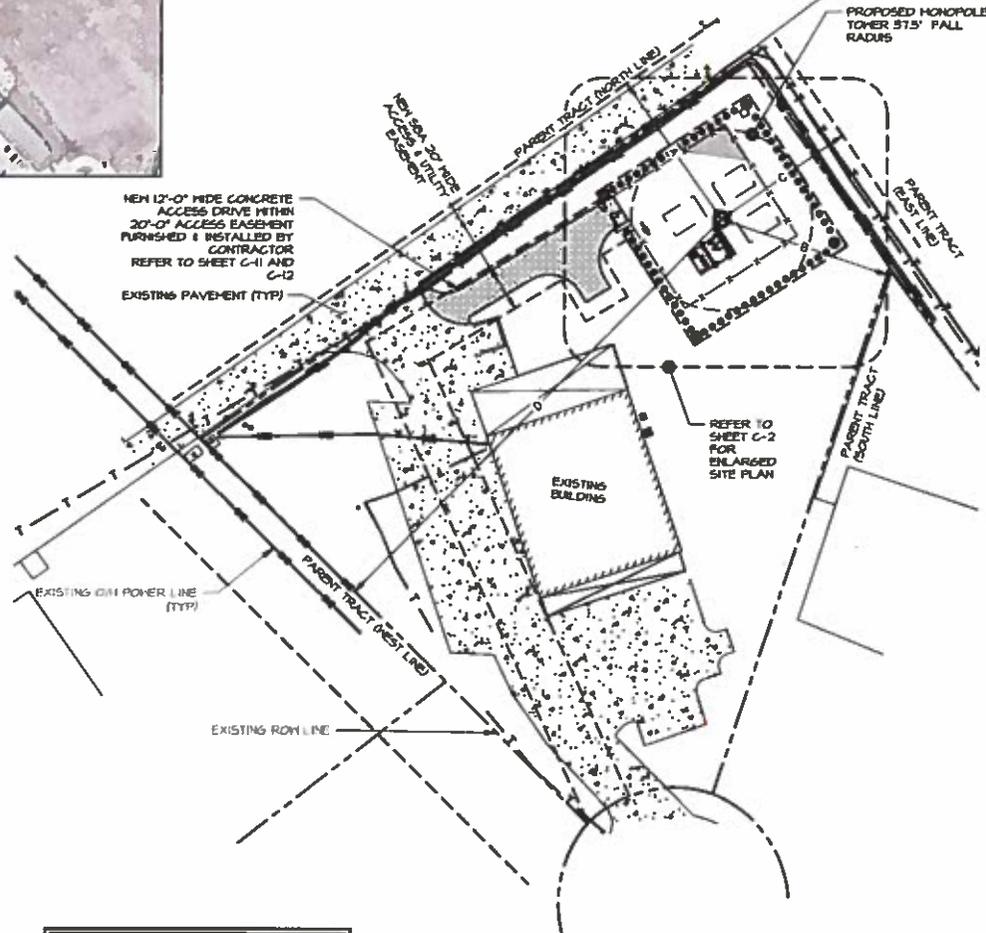
(86)

Exhibit B - Site Plan



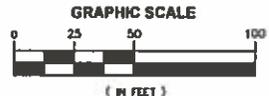
AERIAL PLAN
N.T.S.

DIRECTION	REQUIRED TOWER SETBACK	PROPOSED TOWER SETBACK
(A) NORTH	N/A	64'
(B) SOUTH	25'	73'
(C) EAST	25'	61'
(D) WEST	25'	216'



FLOOD ZONE INFORMATION:

FLOOD ZONE:	X
PANEL NUMBER:	4009AC040F
EFFECTIVE DATE:	06/08/2018
FLOOD ELEV.:	----



- NOTES:**
- FENCED SITE AREA SHALL BE CLEARED AND GRUBBED. REMOVE UNSUITABLE SOFT OR LOOSE SOILS, ORGANIC MATERIAL AND OR RUBBLE TO FIRM SUBGRADE. FILL UNDERCUT UP TO 6 INCHES BELOW FINISH GRADE.
 - THE CONTRACTOR MUST CONTACT THE SURVEYOR TO STAKE OUT THE LEASE AREA AND ALL EASEMENTS PRIOR TO CONSTRUCTION. ALL FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.
 - IF ANY ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION THE CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY THE CLIENT.
 - THE CONTRACTOR IS TO ENSURE THAT NO DAMAGE OR DEBRIS OCCURS ON THE ADJACENT PROPERTIES.
 - THE CONTRACTOR SHALL SEED ALL DISTURBED AREAS WITH LOW MAINTENANCE NATIVE GRASS AND COVER WITH APPROVED STRAW.
 - UNTIL THE COMPOUND IS SURROUNDED BY A PERMANENT FENCE THE CONTRACTOR MUST ERECT A TEMPORARY FENCE AROUND THE TOWER AND POST A "NO TRESPASSING" SIGN. ALL CLIMBING FEES MUST BE REMOVED UP TO 20" UNTIL A PERMANENT FENCE IS INSTALLED.
 - THE CONTRACTOR MUST ENSURE THAT ALL DELIVERY TRUCKS WILL BE ABLE TO DELIVER THE MATERIAL TO THE COMPOUND. IF THE DELIVERY TRUCKS CAN NOT ACCESS THE COMPOUND THEN THE CONTRACTOR MUST MAKE OTHER ARRANGEMENTS TO GET THE MATERIAL TO THE COMPOUND. IF THIS IS REQUIRED THE CONTRACTOR MUST CONTACT KIMLEY-HORN AND ASSOCIATES IMMEDIATELY. NO ADDITIONAL FEES WILL BE PASSED ON TO THE CLIENT.
 - PROPOSED TOWER AND FOUNDATION TO BE INSTALLED IN ACCORDANCE WITH THE TOWER MANUFACTURER PLANS PROVIDED BY CLIENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE UNLOADING OF TOWER MATERIALS DELIVERED TO SITE BY THE TOWER MANUFACTURER.
 - CONTRACTOR MUST REFER TO THE GEOTECH REPORT FOR ALL COMPACTED FILL RECOMMENDATIONS. IF THE GEOTECH REPORT CONFLICTS WITH THE CONSTRUCTION DRAWINGS THEN STOP WORK AND CONTACT THE CLIENT AS SOON AS POSSIBLE.
 - IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY ALL DOT AND/OR COUNTY SPECIFICATIONS PRIOR TO BID AND CONSTRUCTION. IF THE SPECIFICATIONS DIFFER FROM THE CONSTRUCTION DRAWINGS, THEN THE SPECIFICATIONS WILL GOVERN. NO ADDITIONAL COSTS FOR ADHERING TO THE SPECIFICATIONS WILL BE ALLOWED AFTER THE BID HAS BEEN ISSUED AND ACCEPTED NOR WILL PROJECT DELAYS BE TOLERATED.
 - AT THE TIME THE CONSTRUCTION DRAWINGS WERE COMPLETED, KIMLEY-HORN AND ASSOCIATES DID NOT HAVE A COPY OF THE PROPOSED TOWER MANUFACTURER DRAWINGS. THIS MEANS WE DO NOT KNOW THE EXACT SIZE OF THE OVERALL TOWER FOOTPRINT. THE CONTRACTOR MUST COMPARE THE CONSTRUCTION DRAWINGS WITH THE TOWER DRAWINGS PRIOR TO BID AND/OR CONSTRUCTION AND IF THEY FIND ANY DISCREPANCIES OR POSSIBLE ISSUES THEY MUST NOTIFY THE CLIENT IMMEDIATELY.

PARKING REQUIREMENTS:
THERE WILL BE MINIMAL TECHNICIAN ACCESS TO THE SITE ON A MONTHLY BASIS. ONE PARKING SPACE IS PROVIDED FOR TECHNICIAN PARKING.

SITE PLAN

SCALE: 1" = 50'

SBA

SBA TOWERS IX LLC,
8051 CONGRESS AVENUE
BOCA RATON, FL 33487-2797
TEL: (800) 487-7483

Kimley-Horn

855 NORTH FRANKLIN STREET
SUITE 150
TAMPA, FL 33602
PHONE (813) 620-1480
WWW.KIMLEY-HORN.COM

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

DATE PROJECT #:	148415108
DRAWN BY:	DVS
CHECKED BY:	TWD
REV. B BY:	DVS

REVISIONS

NO.	DATE	DESCRIPTION
1	08/18/10	REVISED PER COMMENTS
2	07/25/10	REVISED PER COMMENTS
3	05/22/10	ISSUED FOR REVIEW

NOT FOR CONSTRUCTION

(18)

SITE NAME:
WAXAHACHIE

SITE NUMBER:
TX22705

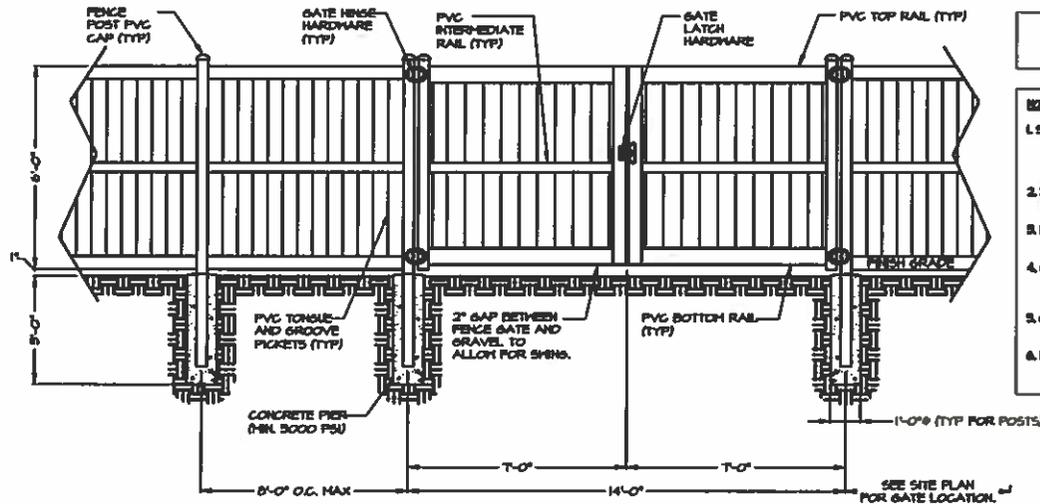
SITE ADDRESS:
108 CHAMBERS CIRCLE
WAXAHACHIE, TX 75185

DESIGN TYPE:
RAWLAND

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER: C-1	REVISION: B
-----------------------------	-----------------------

Exhibit D - Fence Detail



DETAIL SHOWN FOR REFERENCE ONLY. CONTRACTOR MUST VERIFY ALL PVC FENCE MATERIAL AND INSTALL PER MANUFACTURER'S SPECIFICATIONS.

- NOTES:**
1. STANDARD FENCE SECTION AND GATES ARE DESIGNED FOR LEVEL TERRAIN. SIGNIFICANT SLOPES IN THE TERRAIN WILL NECESSITATE MODIFICATIONS TO PANEL RITS, GATE RITS, AND PICKETS.
 2. DURING INSTALLATION, WORK ON A SOFT, NON-ABRASIVE SURFACE TO AVOID SCRATCHING THE PVC.
 3. WHEN CUTTING THE PVC COMPONENTS WITH A POWER SAW, USE A FINE TOOTHED BLADE.
 4. ONCE INSTALLATION IS COMPLETE THE CONTRACTOR MUST CLEAN PVC MATERIAL WITH A NON-ABRASIVE SOAP AND SOFT PAPER TOWELS.
 5. CONTRACTOR MUST REPLACE ANY SECTION OF FENCE THAT IS SCRATCHED OR DAMAGED.
 6. PROPOSED FENCE MUST MEET ALL LOCAL AND GOVERNING FENCE CODES.



SBA TOWERS IX LLC
8051 CONGRESS AVENUE
BOCA RATON, FL 33487-2787
TEL: (800) 487-7483



455 NORTH FRANKLIN STREET
SUITE 150
TAMPA, FL 33602
PHONE (813) 820-1460
WWW.KIMLEY-HORN.COM

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY TO KIMLEY-HORN. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

SCALE PROJECT #	148415108
DRAWN BY:	DVS
CHECKED BY:	TMD
REV. # BY:	DVS

REVISIONS		
NO.	DATE	DESCRIPTION
▲	05/16/19	REVISED FOR COMMENTS
▲	07/25/19	REVISED FOR COMMENTS
▲	08/22/19	REVISED FOR REVIEW

NOT FOR CONSTRUCTION

SITE NAME:
WAXAHACHIE

SITE NUMBER:
TX22705

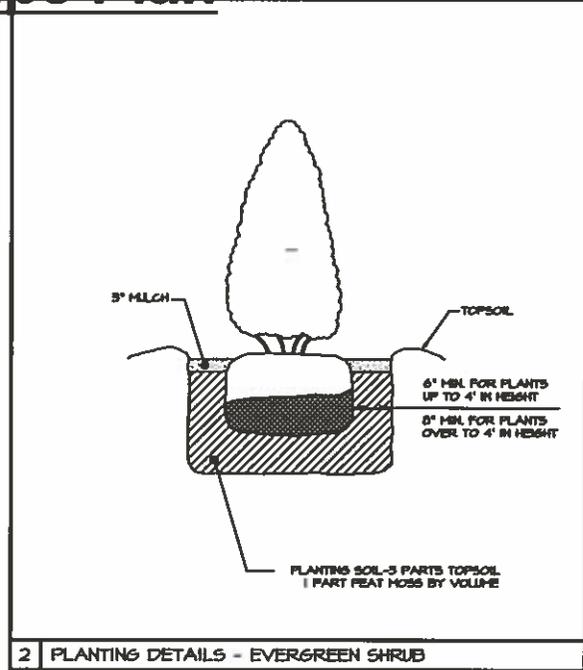
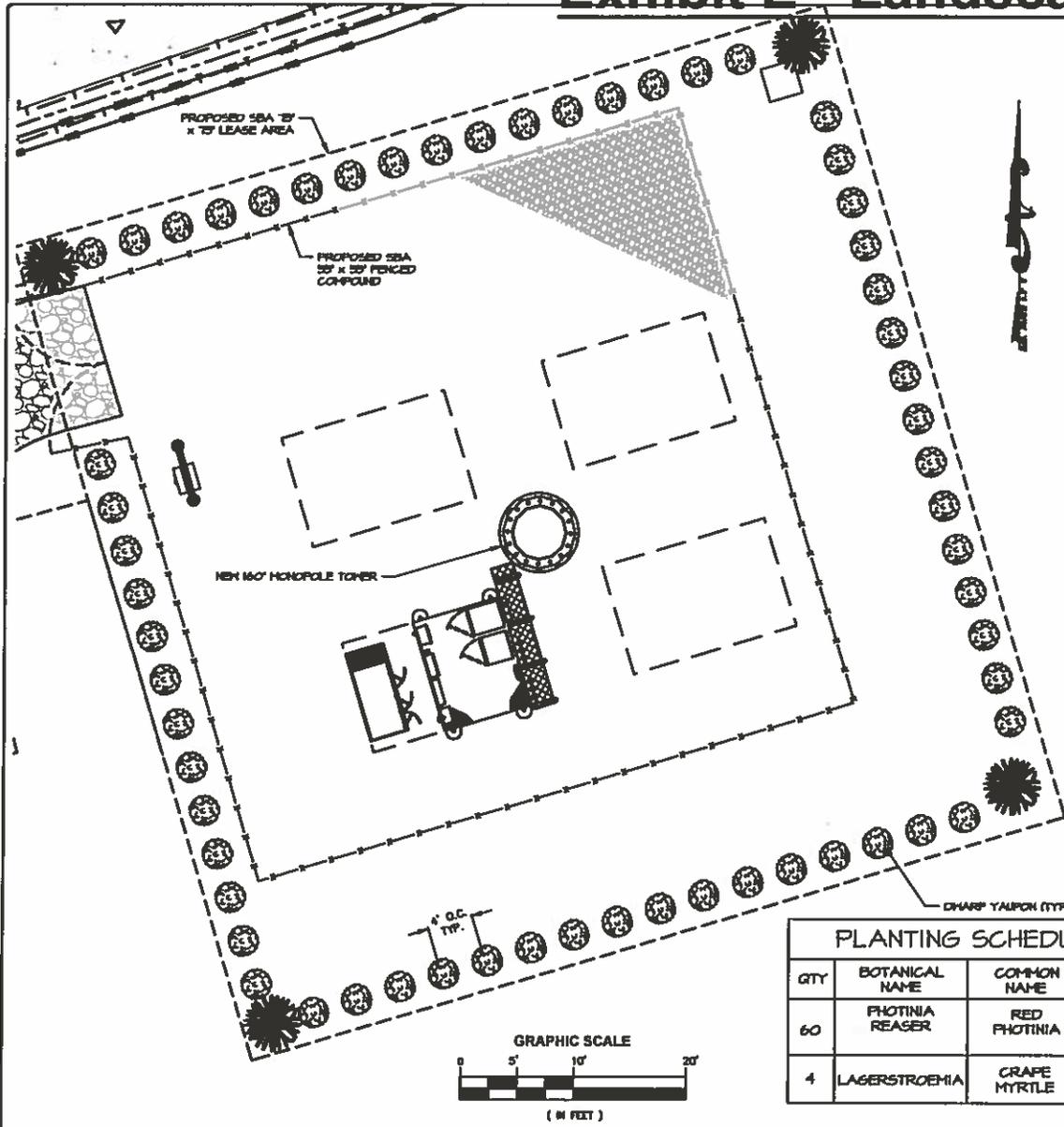
SITE ADDRESS:
108 CHAMBERS CIRCLE
WAXAHACHIE, TX, 75105

DESIGN TYPE:
RAWLAND

SHEET TITLE:
FENCE DETAILS

SHEET NUMBER: C-6	REVISION: B
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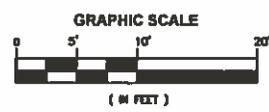
Exhibit E - Landscape Plan



LANDSCAPE NOTES:

- EACH TREE / SHRUB TO BE INSTALLED WITHIN 6' DIAMETER MULCH RING.
- CONTRACTOR TO INSTALL FESQLE SOG ON BERM / BUFFER AREAS TO LIMITS OF DISTURBANCE.

PLANTING SCHEDULE							
QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	SPACING	SYMBOL	REMARKS
60	PHOTINIA REASER	RED PHOTINIA	3" GAL	SHRUB	4' O. C.		FULL TO BASE
4	LAGERSTROEMIA	GRAPE MYRTLE	3" GAL	TREE	SEE PLAN		FULL TO BASE



SBA

SBA TOWERS IX LLC.
8051 CONGRESS AVENUE
BOCA RATON, FL 33487-2787
TEL: (800) 467-7483

Kimley-Horn

655 NORTH FRANKLIN STREET
SUITE 100
TAMPA, FL 33602
PHONE (813) 630-1480
WWW.KIMLEY-HORN.COM

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

DATE PROJECT #	148415108
DRAWN BY	DVS
CHECKED BY	TWD
REV # BY	DVS

REVISIONS		
NO.	DATE	DESCRIPTION
▲	06/18/18	REVISED FOR COMMENTS
▲	07/26/18	REVISED FOR COMMENTS
▲	08/29/18	ISSUED FOR REVIEW

NOT FOR CONSTRUCTION

SITE NAME:
WAXAHACHIE

SITE NUMBER:
TX22705

SITE ADDRESS:
108 CHAMBERS CIRCLE
WAXAHACHIE, TX 75185

DESIGN TYPE:
RAWLAND

SHEET TITLE:
LANDSCAPING PLAN

SHEET NUMBER: L-1	REVISION: B
-----------------------------	-----------------------

(26)

Sabre Industries™

Towers and Poles

August 13, 2019

Mr. Paul Hickey
SBA COMMUNICATIONS CORPORATION
8051 Congress Avenue
Boca Raton, FL 33487-1307

RE: Proposed 160' Monopole for Waxahachie, TX

Dear Mr. Hickey,

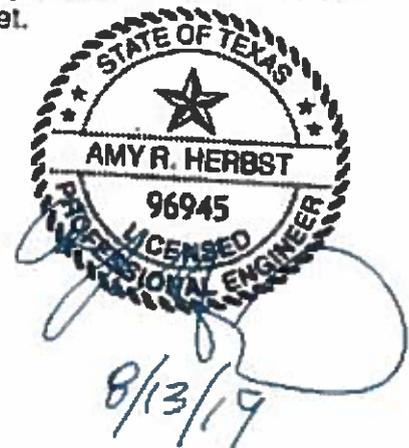
The above referenced monopole has been designed for an ASCE 7-16 Ultimate Wind Speed of 105 mph (no ice), 30 mph (1.5" ice), Structure Class II, Exposure Category C, and Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G-2005, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. **Please note that this letter only applies to the above referenced monopole designed and manufactured by Sabre Towers & Poles.** This would effectively result in a fall radius less than or equal to 37.5 feet.

Sincerely,

Amy R. Herbst, P.E.
Senior Design Engineer



SBA



PHOTO SIMULATION

SBA PROPOSED MONOPOLE TOWER

Site Name: Waxahachie

Site Number: TX- 22705

Site Type: RAWLAND – 160' MONOPOLE

Site Location: 106 Chambers Circle,
Waxahachie, TX 75165
32 25 46.296 N, -096 50 32.663 W

Date: 06/26/19

Applicant: SBA Towers
8051 Congress Avenue
Boca Raton, FL 33487

Contact: Paul Hickey
(561) 981-7406

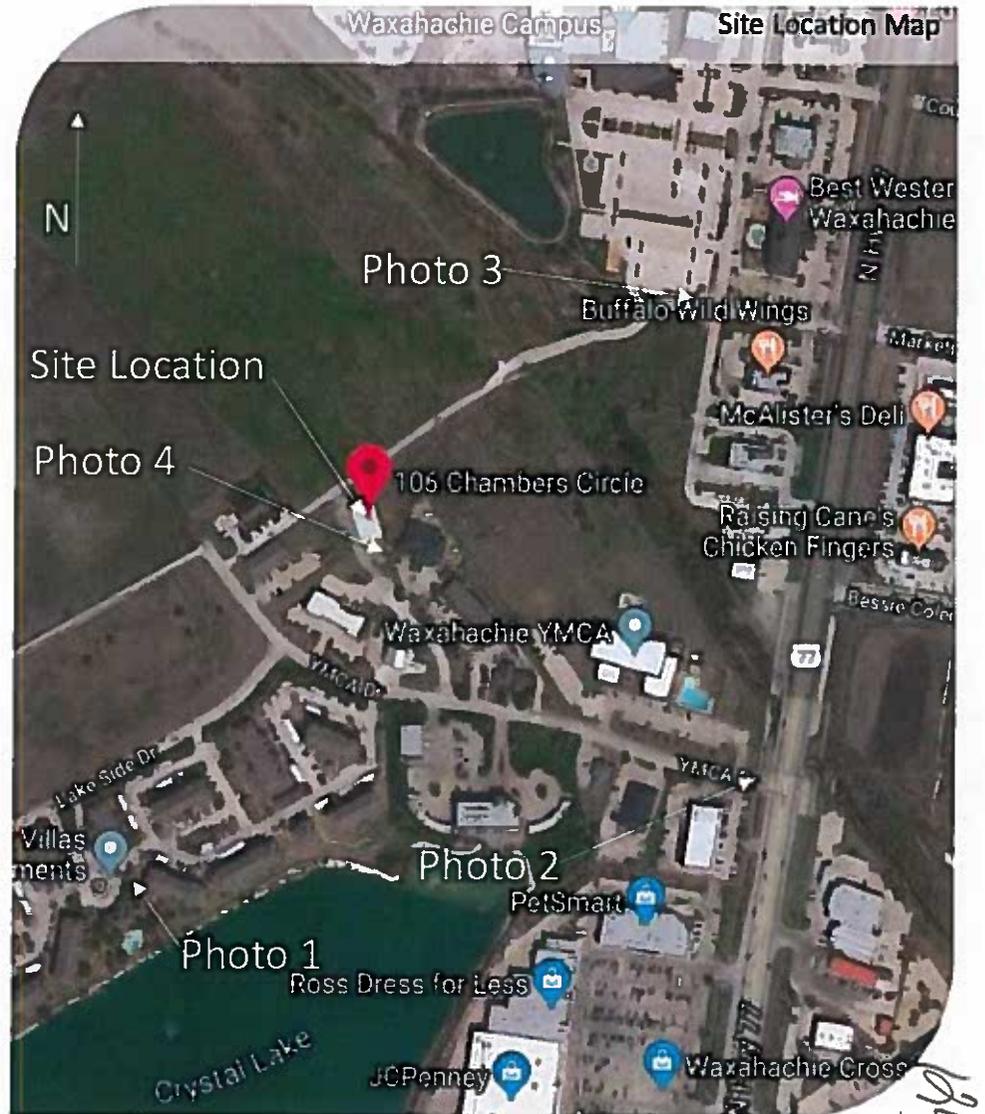




PHOTO SIMULATION
SBA PROPOSED TOWER

Site Name:
WAXAHACHIE
Date: 06/24/19



PHOTO LOCATION 1:
SOUTHWEST OF PROPOSED POLE FROM BLUE LAKE ENTRY LOOP



PHOTO SIMULATION

SBA PROPOSED TOWER

Site Name:

WAXAHACHIE

Date: 06/24/19

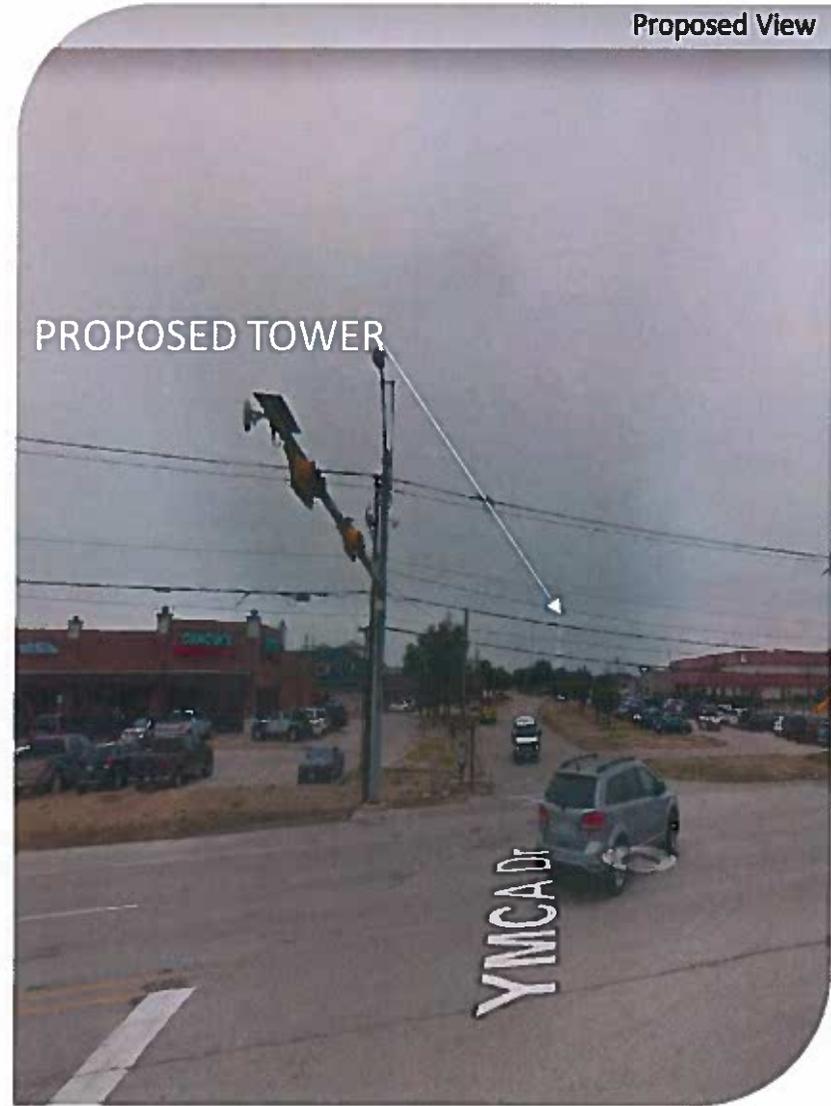


PHOTO LOCATION 2:
SOUTHEAST OF PROPOSED POLE UP YMCA DRIVE

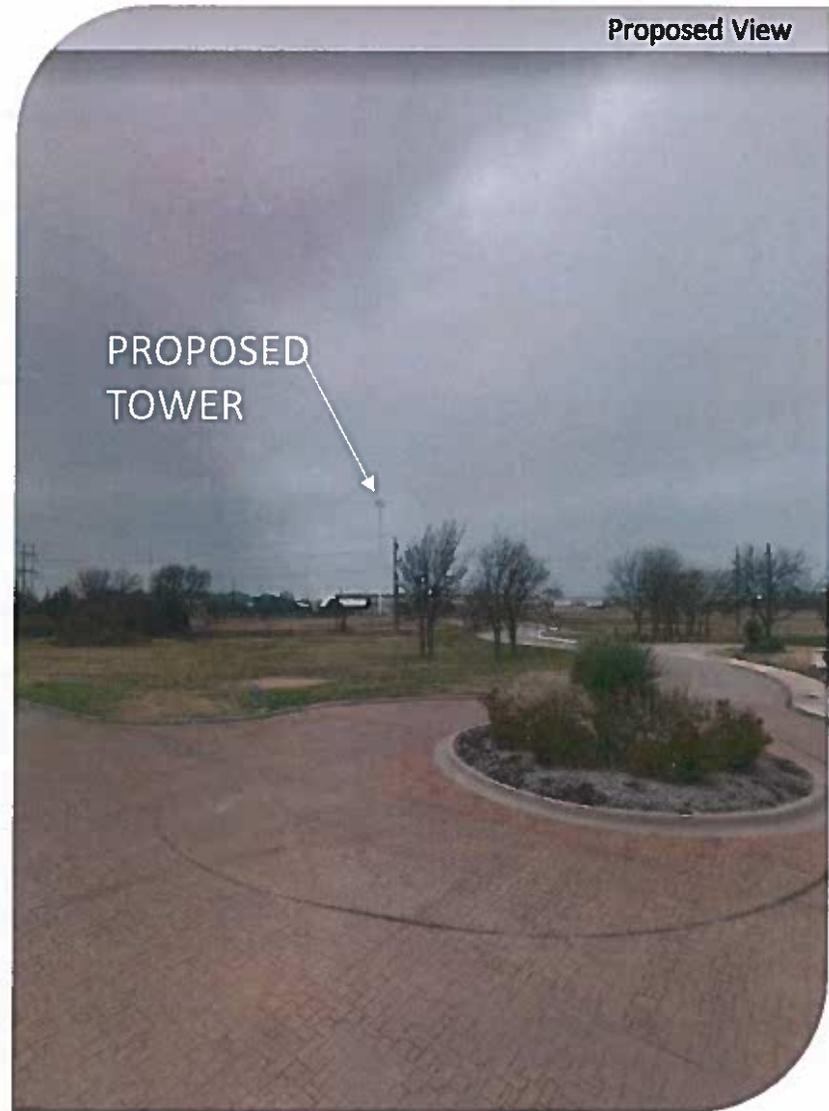


PHOTO SIMULATION
SBA PROPOSED TOWER

Site Name:
WAXAHACHIE
Date: 06/24/19



Existing View



Proposed View

PROPOSED
TOWER

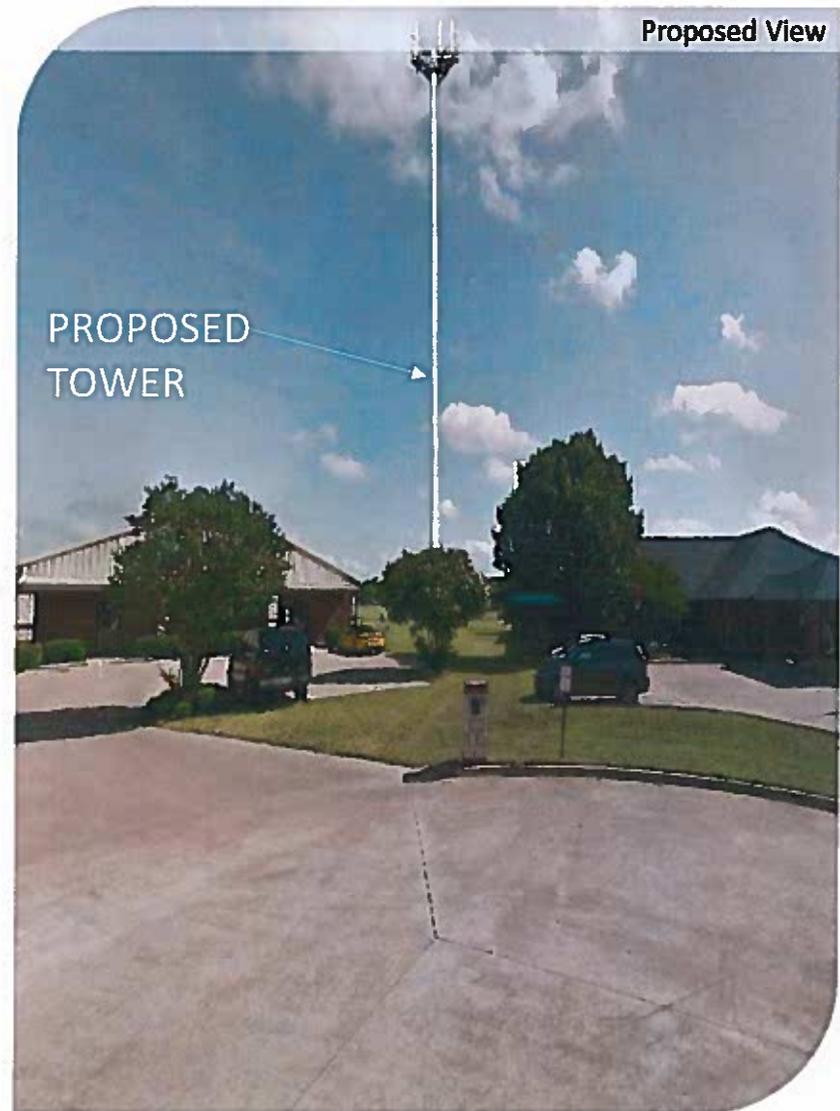
(BL)

PHOTO LOCATION 3:
NORTHEAST OF PROPOSED POLE FROM MARKET PLACE BLVD



PHOTO SIMULATION
SBA PROPOSED TOWER

Site Name:
WAXAHACHIE
Date: 06/24/19



(8/16)

PHOTO LOCATION 4:
SOUTH OF PROPOSED POLE FROM CHAMBER CIRCLE

(26)

CITY OF WAXAHACHIE, TEXAS

RESOLUTION NO _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, MAKING WRITTEN AND EVIDENTIARY FINDINGS RELATIVE TO THE DENIAL OF A REQUEST FROM BROADUS SERVICES, LLC, FOR A SPECIFIC USE PERMIT FOR A COMMUNICATIONS ANTENNA AT 106 CHAMBERS CIRCLE, PARCEL # 174573, IN THE CITY, CASE NO. SU-19-0099; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Broadus Services, LLC ("Applicant"), has requested approval of a Specific Use Permit, Case No. SU-19-0099, to locate a communications antenna and support structure, approximately 165 feet (165') in height, on an approximate 1.096 acre tract located at 106 Chambers Circle, Parcel # 174573, in the City of Waxahachie ("City"); and

WHEREAS, at the September 3, 2019, City Council meeting, the Applicant presented comments related to its application for a Specific Use Permit and the City Council conducted a public hearing relative to said SUP application; and

WHEREAS, after the presentation of substantial evidence and testimony during the public hearing on the requested Specific Use Permit, the City Council closed the public hearing and thereafter postponed consideration of the Specific Use Permit application until its September 16, 2019, regular meeting; and

WHEREAS, it is the intent of the City to fully comply with all applicable provisions of the Telecommunications Act of 1996 (specifically 47 U.S.C. § 332 *et seq.*) relative to the siting of the proposed 165' antenna and support structure; and

WHEREAS, federal law provides, in 47 U.S.C. § 332(c)(7)(B)(iii), that a local government that denies a request to place, construct or modify a cell tower must put the denial in writing, setting forth the basis for the denial, supported by substantial evidence; and

WHEREAS, the purpose of this Resolution is to provide the substantial evidence in writing for the reasons undergirding the City Council's denial of the application for a Specific Use Permit.

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

SECTION 1

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Waxahachie and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

(He)

SECTION 2

The City Council of the City of Waxahachie, Texas, hereby makes the following legal and factual findings:

1. Under the Telecommunications Act of 1996, while preserving local authority over the siting and construction of wireless communications facilities, there are five limitations on local authorities when dealing with cell towers and telecommunications carriers. A local government:

- (1) shall not prohibit or have the effect of prohibiting the provision of service [47 U.S.C. § 332(c)(7)(B)(i)(II)];
- (2) may not unreasonably discriminate between providers of functionally equivalent services [47 U.S.C. § 332(c)(7)(B)(i)(I)];
- (3) must act within a reasonable time after a request is filed [47 U.S.C. § 332(c)(7)(B)(ii)];
- (4) any decision by the local government must be in writing and supported by substantial evidence [47 U.S.C. § 332(c)(7)(B)(iii)]; and
- (5) any decision is subject to judicial review [47 U.S.C. § 332(c)(7)(B)(v)].

2. For purposes of the Telecommunications Act of 1996, the City considered the following substantial evidence in support of its denial of the application for an SUP for the 165 foot (165') antenna and support structure in question.

3. The property on which the antenna is proposed to be located is zoned for Office (O) uses. Pursuant to Section 22.3(A) of the City's Zoning Ordinance, the maximum height for a structure in an Office District is two (2) stories, with an additional setback for any structure in excess of two (2) stories. For structures in excess of two (2) stories, one (1) additional foot setback for each additional two (2) feet in height above two (2) stories is required. See Zoning Ordinance § 22.4(A)(5). Since the average height of a "story" is twelve feet (12') according to Section 273 of Appendix A-3, "Definitions," to the City's Zoning Ordinance, and the proposed antenna and support structure is 165' in height, the antenna exceeds the maximum permitted height by 141 feet (141'). Moreover, if permitted, the antenna would require at least another seventy feet (70') of setback. Such a setback would impede upon an existing structure and parking area on site and therefore would not be feasible. A structure exceeding the height limitations by 141 feet would cause a visual height impact to the surrounding area. City staff also has determined that if permitted, the antenna would be one of the largest/tallest structures in the City.

4. In the immediate vicinity of the proposed antenna site (that is, less than 200 feet away from the proposed antenna and support structure), there is an existing retail business and a day care center.

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5. During the public hearing, the Applicant did not verify the availability (or lack thereof) of any of the proposed alternative antenna sites. In fact, the Applicant acknowledged that additional sites were not reviewed.

6. The applicant provided no verification or justification for not considering alternative, nearby locations for the proposed antenna. It was undisputed that the Applicant had taken no steps to investigate the possibility of nearby alternative sites for the proposed antenna.

7. Two nearby property owners opposed the antenna, and were concerned with the antenna's impact on property values and the aesthetics of a 165' monopole within close proximity of their properties.

8. In considering any SUP application, pursuant to Section 32.2 of the Zoning Ordinance, the Planning and Zoning Commission and City Council consider the following criteria in determining the validity of the SUP request:

- "1. The use is harmonious and compatible with surrounding existing uses or proposed uses.
2. The activities requested by the applicant normally associated with the permitted uses in the base district.
3. The nature of the use is reasonable.
4. Any negative impact on the surrounding area has been mitigated.
5. That any additional conditions specified ensure that the intent of the district purposes are being upheld."

9. The City Council has determined, as reflected in the agenda materials for the September 3, 2019, City Council meeting, as follows with regard to the proposed antenna:

- "1. Is the use harmonious and compatible with its surrounding existing uses or proposed uses?

The proposed antenna is adjacent to some developed property and the proposed antenna is not harmonious and compatible with the surrounding existing uses or proposed uses (commercial and office uses).

2. Are the activities requested by the applicant normally associated with the permitted uses in the base district?

The use requested by the Applicant is not normally associated with the use of property for office or commercial uses. Moreover, there is no feasible way in which to address the heightened setback requirements mandated by the height of the proposed antenna.

3. Is the nature of the use reasonable?

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The property is currently zoned for office uses and according to the City's office district zoning requirements, the proposed antenna is not reasonable, for the reasons articulated above.

10. The Applicant did not demonstrate that existing or proposed antennas within the proposed service area cannot accommodate the proposed antenna.

11. The Applicant did not produce any evidence or testimony of efforts to co-locate with other carriers on existing antennas within the service area.

12. The Applicant did not provide evidence of alternative locations within the proposed service area on which to locate an antenna.

13. While the Applicant provided a propagation map relative to the location of an antenna at the proposed site, no other alternative or co-location sites were presented to the City for consideration.

14. The Applicant did not present evidence that "further reasonable efforts are so likely to be fruitless that it is a waste of time even to try" to comply with City guidelines, zoning regulations and service-related concerns expressed by the City in denying this application.

15. It is the Applicant's burden, not the City's burden, to show and verify that alternative sites do, or do not, exist to accommodate the Applicant's service requests.

16. None of the evidence presented by the Applicant reflects a "significant gap" in service and indeed, the Applicant provided no evidence of such gap, either in terms of physical size, geographic location or number of users.

17. In making these findings, the City relied upon the SUP application and all related submittals to date by the Applicant, the evidence adduced at all public hearings before the Planning and Zoning Commission and City Council, as well as statements and related information from the Applicant, including correspondence and documentation presented by the Applicant, all of which is incorporated by reference.

SECTION 3

This Resolution is effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, THIS 16TH DAY OF SEPTEMBER, 2019.

Mayor

(8/6)

ATTEST:

City Secretary

Case SU-19-0099
 Responses Received Inside Required 200' Notification Area
 Support: 0 Oppose: 2

PropertyID	Owner's Name	Acres	Legal Description	Owner's Address	Owner's City	Owner's State	Owner's ZIP	Physical Address
174572	PEACOCK INVESTMENTS LLC	0.894	LOT 3 BLK C LAKERIDGE 1-REV 0.894 AC	1279 DIANA LN	STEPHENNVILLE	TN	76401	208 YMCA DR WAXAHACHIE TX 75165
186874	FERRIS AVE BAPTIST CHURCH DBA THE AVENUE	68.0112	629 H LEVY 68.0112 ACRES	210 YMCA DR	WAXAHACHIE	TX	75165	1781 N HIGHWAY 77 WAXAHACHIE TX 75165
243748	FERRIS AVE BAPTIST CHURCH DBA THE AVENUE	1.4	629 H LEVY 1.4 ACRES	210 YMCA DR	WAXAHACHIE	TX	75165	210 YMCA DR WAXAHACHIE TX 75165
174574	[REDACTED]	0.729	LOT 5 BLK C LAKERIDGE 1-REV 0.729 AC	217 HUNTER PASS	WAXAHACHIE	TX	75165	102 CHAMBERS CIR WAXAHACHIE TX 75165
174573	STAFFORD DAWSON J & SHIRLEY REVOCABLE TRUST	1.096	LOT 4 BLK C LAKERIDGE 1-REV 1.096 AC	23 MOUNTAIN CREST DR	RUSSELLVILLE	AR	72802	106 CHAMBERS CIR WAXAHACHIE TX 75165
193873	CITY OF WAXAHACHIE	0.543	LOT 1 BLK C LAKERIDGE 1-REV .543 AC	401 S ROGERS	WAXAHACHIE	TX	75165	200 YMCA DR WAXAHACHIE TX 75165
174571	LIECHTY HOMES INC	1.016	LOT 2 BLK C LAKERIDGE 1-REV 1.016 AC	501 17TH ST SW	JAMESTOWN	ND	58401	206 YMCA DR WAXAHACHIE TX 75165
193929	YMCA OF METRO DALLAS	11.423	PT 11 C LAKERIDGE 1 11.423 ACRES	601 N AKARD ST	DALLAS	TX	75201	100 YMCA DR WAXAHACHIE TX 75165
174575	[REDACTED]	0.723	LOT 6 BLK C LAKERIDGE 1-REV 0.723 AC	700 N PEARL STREET SUITE G208	DALLAS	TX	75201	100 CHAMBERS CIR WAXAHACHIE TX 75165

(816)

(27428)



Memorandum

To: Honorable Mayor and City Council
From: Shon Brooks, Director of Planning
Thru: Michael Scott, City Manager
Date: September 11, 2019
Re: PD-19-0022 Palladium Waxahachie Senior Living

On September 11, 2019, the applicant requested to withdraw case no. PD-19-0022 from the September 16, 2019 City Council meeting agenda.

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**WAXAHACHIE
PUBLIC IMPROVEMENT DISTRICT NO. 1
CITY OF WAXAHACHIE, TEXAS**

**ANNUAL SERVICE PLAN UPDATE
2019-20**

SEPTEMBER 16, 2019

PREPARED BY:

MUNICAP, INC.
— PUBLIC FINANCE —

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**WAXAHACHIE
PUBLIC IMPROVEMENT DISTRICT NO. 1
ANNUAL SERVICE PLAN UPDATE – 2019-20**

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A. INTRODUCTION

The Waxahachie Township Public Improvement District No. 1 (the “PID”) was created pursuant to the petition, notice, and public hearing requirements of the Act and Resolution No. 1087 approved and adopted by the City Council of the City of Waxahachie, Ellis County, Texas (the “City”) on April 16, 2007 to finance certain public improvement projects for the benefit of the property in the PID.

A service and assessment plan for platted lots (the “Service and Assessment Plan”) was approved by the City Council pursuant to Ordinance No. 2413 approved and adopted on June 18, 2007 identifying the public improvements (defined in the Service and Assessment Plan as the “District Improvements”) to be provided by the PID, the costs of the District Improvements, the indebtedness to be incurred for the District Improvements, and the manner of assessing the property in the PID for the costs of the District Improvements. The Service and Assessment Plan is to be reviewed and updated annually. Section 372.015 of the Act states that the governing body of the municipality shall apportion the cost of an improvement to be assessed against property in an improvement district, and the apportionment shall be made on the basis of special benefits accruing to the property because of the improvement. Section 372.015(d) provides that the amount of assessment for each property owner may be adjusted following the annual review of the service plan. This document is the update of the Service and Assessment Plan for 2019-20.

The City had an assessment roll (defined in the Service and Assessment Plan as the “Assessment Roll”) prepared identifying the assessments on each Parcel, based on the method of assessment identified in the Service and Assessment Plan. This Annual Service Plan Update also explains the update of the Assessment Roll for 2019-20.

The City Council intends for the obligations, covenants and burdens on the owner of the Assessed Property, including without limitation such owner’s obligations related to the payment of the Assessments, to constitute a covenant running with the land. The Assessments are binding upon the owners of Assessed Property, and their respective transferees, legal representatives, heirs, devisees, successors and assigns. The Assessments have lien priority as specified in the Act.

Capitalized terms not defined herein shall have the meanings assigned to such terms in the Service and Assessment Plan.

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B. UPDATE OF THE SERVICE PLAN

I. DISTRICT IMPROVEMENTS

Section 372.003 of the Act defines the improvements that may be undertaken by a municipality or county through the establishment of a public improvement district, as follows:

372.003. Authorized Improvements

- (a) If the governing body of a municipality or county finds that it promotes the interests of the municipality or county, the governing body may undertake an improvement project that confers a special benefit on a definable part of the municipality or county or the municipality's extraterritorial jurisdiction. A project may be undertaken in the municipality or county or the municipality's extraterritorial jurisdiction.
- (b) A public improvement may include:
 - (i) landscaping;
 - (ii) erection of fountains, distinctive lighting, and signs;
 - (iii) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of way;
 - (iv) construction or improvement of pedestrian malls;
 - (v) acquisition and installation of pieces of art;
 - (vi) acquisition, construction, or improvement of libraries;
 - (vii) acquisition, construction, or improvement of off-street parking facilities;
 - (viii) acquisition, construction, improvement, or rerouting of mass transportation facilities;
 - (ix) acquisition, construction, or improvement of water, wastewater, or drainage facilities or improvements;
 - (x) the establishment or improvement of parks;
 - (xi) projects similar to those listed in Subdivisions (i)-(x);

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- (xii) acquisition, by purchase or otherwise, of real property in connection with an authorized improvement;
- (xiii) special supplemental services for improvement and promotion of the district, including services relating to advertising, promotion, health and sanitation, water and wastewater, public safety, security, business recruitment, development, recreation, and cultural enhancement; and
- (xiv) payment of expenses incurred in the establishment, administration and operation of the district.

Phase One District Improvements

The portions of the District Improvements benefiting the property within Phase One of the PID are identified below (the "Phase One District Improvements"). These improvements include street grading and paving improvements, water distribution system improvements, wastewater collection system improvements and storm drainage system improvements.

The Phase One street grading and paving improvements include the construction of the residential streets that provide access to the Phase One lots. The construction consists of the excavation of the streets and rights-of-way, lime stabilized subgrade and 6" reinforced concrete pavement. The streets are curb and gutter construction and measure 30 feet back of curb to back of curb. The curb and gutter design conveys storm water to the storm drainage system.

The Phase One water distribution system improvements include the construction of 8" PVC water lines, valves, fire hydrants and service lines to the Phase One lots. The water infrastructure constructed is connected to the City water distribution system.

The Phase One wastewater distribution system improvements include the construction of 8" PVC sewer lines, manholes and service lines to the Phase One lots and a sewer trunk line that runs through Phase One. The wastewater infrastructure constructed is connected to the City wastewater collection system.

The Phase One storm drainage system improvements include curb inlets and reinforced concrete pipe to convey storm water through the developed area. The storm drainage system discharges into water courses adjacent to the development and includes headwalls, rock rip rap and erosion control items.

The total projected costs of the District Improvements is estimated to be \$3,559,307, which remains the same as the budget for estimated costs of the District Improvements included in the Service and Assessment Plan. There are some budget line item amount revisions for the costs of the District Improvements as reported by the Developer. The original budget for the costs of the District Improvements, the revised budget for the estimated costs of the District Improvements and the budget for the Phase One District Improvements provided by the developer are shown in Appendix B attached to this Annual Service Plan Update. The estimated budget of the costs of the

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District Improvements for the Assessed Property other than the Phase One Assessed Property is also shown in Appendix B attached hereto as calculated by subtracting the estimated costs of the Phase One District Improvements from the revised budget for the estimated costs of the District Improvements.

II. BUDGET FOR THE PHASE ONE DISTRICT IMPROVEMENTS

After analyzing the public improvement projects authorized by the Act, the City has determined that the Phase One District Improvements as described in Appendix B should be undertaken by the City for the benefit of the property within Phase One of PID. A summary of the estimated costs of the Phase One District Improvements is shown in Table B-1 below.

Table B-1
Phase One District Improvements

Phase One District Improvement	Estimated Cost
Phase 1 - Street Grading and Paving	\$328,742
Phase 1 - Onsite Water Distribution System	\$132,078
Phase 1 - Onsite Wastewater Management System	\$120,149
Phase 1 - Storm Drainage Management System	\$147,931
Phase 1 - Engineering	\$106,916
Phase 1 - Bond Financing Costs	\$504,183
Total Phase One Costs of District Improvements	\$1,340,000

As shown by Table B-2 on the following page, the City has incurred indebtedness in the total amount of \$1,340,000 in the form of its Special Assessment Bonds, Series 2011 (Waxahachie Public Improvement District No. 1 Phase One Project) (the "Series 2011 Bonds"), which are to be repaid from Assessments levied against the Parcels in Phase One, and the Developer has funded the balance of the costs of the Phase One District Improvements as shown in Table B-2 on the following page.

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Table B-2
Sources and Uses of Funds
Phase One District Improvements

Sources of Funds	Total
Bond proceeds	\$1,340,000
Other private funds	\$50,000
Total Sources of Funds	\$1,390,000
Uses of Funds	
Phase One District Improvements	\$835,817
Capitalized Interest Account	\$54,558
Cost of Issuance	\$297,095
Reserve Account	\$131,093
Prepayment Reserve Account	\$1,437
Developer's Reserve Account	\$50,000
Collection Costs Account	\$20,000
Total Uses of Funds	\$1,390,000

A service plan must cover a period of five years. All of the Phase One District Improvements are expected to be provided within a period of five years.

A schedule of the cost of the Phase One District Improvements undertaken is set forth in Table B-3 below.

Table B-3
Phase One District Improvements

Year which Cost Expended	Projected Cost of Improvements
2010-2019	\$1,340,000
2020	\$0
2021	\$0
2022	\$0
2023	\$0
2024	\$0

A schedule showing the indebtedness undertaken to pay for the Phase One District Improvements is set forth in Table B-4 on the following page.

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Table B-4
Phase One Indebtedness

Year Indebtedness Undertaken	Projected Indebtedness
2010-2019	\$1,340,000
2020	\$0
2021	\$0
2022	\$0
2023	\$0
2024	\$0

Table B-5 below sets forth the sources and uses of the Series 2011 Bond proceeds for the Phase One District Improvements.

Table B-5
Sources and Uses of Bond Proceeds (Phase One)

Sources of Bond Proceeds	Total
Series 2011 Bonds	\$1,340,000
Total Sources of Bond Proceeds	\$1,340,000
Uses of Bond Proceeds	
Debt Service Reserve Fund	\$131,093
Capitalized Interest	\$54,558
Bond Counsel	\$26,860
Underwriters Counsel	\$5,000
Developers Financial Advisor	\$28,430
City Financial Advisor	\$13,430
Underwriters Fee	\$26,800
Interest from Dev. Fund	\$0
Developers Counsel	\$25,000
Assessment Consultant	\$6,715
Other Administrative Costs	\$186,297
<i>Subtotal</i>	<i>\$504,183</i>
Deposit to Project Fund	\$835,817
Total Uses of Funds	\$1,340,000

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Phase Two District Improvements

The portions of the District Improvements benefiting the property within Phase Two of the PID are identified below (the “Phase Two District Improvements”). These improvements include street grading and paving improvements, water distribution system improvements, wastewater collection system improvements and storm drainage system improvements.

The Phase Two street grading and paving improvements include the construction of the residential streets that provide access to the Phase Two lots. The construction consists of the excavation of the streets and rights-of-way, lime stabilized subgrade and 6” reinforced concrete pavement. The streets are curb and gutter construction and measure 30 feet back of curb to back of curb. The curb and gutter design conveys storm water to the storm drainage system.

The Phase Two water distribution system improvements include the construction of 8” PVC water lines, valves, fire hydrants and service lines to the Phase Two lots. The water infrastructure constructed is connected to the City water distribution system.

The Phase Two wastewater distribution system improvements include the construction of 8” PVC sewer lines, manholes and service lines to the Phase Two lots and a sewer trunk line that runs through Phase Two. The wastewater infrastructure constructed is connected to the City wastewater collection system.

The Phase Two storm drainage system improvements include curb inlets and reinforced concrete pipe to convey storm water through the developed area. The storm drainage system discharges into water courses adjacent to the development and includes headwalls, rock rip rap and erosion control items.

The total projected costs of the District Improvements is estimated to be \$3,559,307, which remains the same as the budget for estimated costs of the District Improvements included in the Service and Assessment Plan. There are some budget line item amount revisions for the costs of the District Improvements as reported by the Developer. The original budget for the costs of the District Improvements, the revised budget for the estimated costs of the District Improvements and the budget for the Phase Two District Improvements provided by the developer are shown in Appendix B attached to this Annual Service Plan Update. The estimated budget of the costs of the District Improvements for the Assessed Property other than the Phase Two Assessed Property is also shown in Appendix B attached hereto as calculated by subtracting the estimated costs of the Phase Two District Improvements from the revised budget for the estimated costs of the District Improvements.

III. BUDGET FOR THE PHASE TWO DISTRICT IMPROVEMENTS

After analyzing the public improvement projects authorized by the Act, the City has determined that the Phase Two District Improvements as described in Appendix B should be undertaken by

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the City for the benefit of the property within Phase Two of the PID. A summary of the estimated costs of the Phase Two District Improvements is shown in Table B-6 below.

Table B-6
Phase Two District Improvements

Phase Two District Improvements	Estimated Cost
Phase 2 - Street Grading and Paving	\$936,493
Phase 2 - Onsite Water Distribution System	\$275,351
Phase 2 - Onsite Wastewater Management System	\$278,831
Phase 2 - Storm Drainage Management System	\$107,796
Phase 2 - Engineering	\$183,686
Total Phase Two Costs of District Improvements	\$1,782,157

As shown by Table B-7 below, the City has incurred indebtedness in the total amount of \$749,059 in the form of its temporary notes, which are to be repaid from Assessments levied against the Parcels in Phase Two ("Phase Two Assessments"), and the Developer has funded the balance of the costs of the Phase Two District Improvements.

Table B-7
Sources and Uses of Funds
Phase Two District Improvements

Sources of Funds	Total
Phase Two Assessments	\$749,059
Other private funds	\$1,033,098
Total Sources of Funds	\$1,782,157
Uses of Funds	
Phase Two District Improvements	\$1,782,157
Total Uses of Funds	\$1,782,157

A service plan must cover a period of five years. All of the Phase Two District Improvements are expected to be provided within a period of five years.

A schedule of the cost of the Phase Two District Improvements undertaken is set forth in Table B-8 on the following page.

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Table B-8
Phase Two District Improvements

Year which Cost Expended	Total
2017-2019	\$1,782,157
2020	\$0
2021	\$0
2022	\$0
2023	\$0
2024	\$0

A schedule showing the indebtedness undertaken to pay for the Phase Two District Improvements is set forth in Table B-9 below.

Table B-9
Phase Two Indebtedness

Year Indebtedness Undertaken	Total
2017-2019	\$749,059
2020	\$0
2021	\$0
2022	\$0
2023	\$0
2024	\$0

IV. ASSESSMENT METHODOLOGY

Pursuant to the Service and Assessment Plan, the cost of the District Improvements may be assessed by the City Council against the Assessed Property so long as the special benefit conferred upon the Assessed Property by the District Improvements equals or exceeds the Assessments on the Assessed Property. The Cost may be assessed by using any methodology that results in the imposition of equal shares of the Cost on Assessed Property similarly benefited.

The City Council has determined that the cost of the District Improvements shall be allocated to the Assessed Property on the basis of the relative value of Parcels after undertaking the District Improvements and that such method of allocation will result in the imposition of equal shares of the Cost on Parcels similarly situated. The City Council has determined that allocating the cost of the District Improvements among Parcels based on value after undertaking the District Improvements is best accomplished (and most easily illustrated) by creating a hierarchy of benefited Parcels based on the "Lot Types" defined in Section I.B of the Service and Assessment Plan. This hierarchy of value (from Lot Type 1 representing the highest value to Lot Type 3 representing the lowest value) is set forth in Table B-10 on the following page for the Phase One lots. This table illustrates that the City Council has determined: (i) that a Lot Type 1 dwelling unit

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receives the greatest benefit from the District Improvements, which benefit is given an “Equivalent Unit” value of 1.0 per dwelling unit; (ii) that a Lot Type 2 dwelling unit receives a smaller benefit; namely, 84% of the benefit received by a Type 1 Lot dwelling unit (hence the Equivalent Unit value of 0.84 per dwelling unit); and (iii) that a Lot Type 3 dwelling unit receives an even smaller benefit; namely, 75% of the benefit received by a Type 1 dwelling unit (hence the Equivalent Unit value of 0.75 per dwelling unit).

Table B-10
Equivalent Unit Factor - Phase One

Lot Type	Equivalent Units	Total Number of Dwelling Units	Total Equivalent Units
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	43 dwelling units	43.00
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	88 dwelling units	73.92
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	78 dwelling units	58.50
Total Equivalent Units			175.42
Total Phase One Assessments			\$1,340,000
Original Assessment Per Equivalent Unit			\$7,639

The total Assessments for the Phase One Parcels are allocated among 175.42 Equivalent Units resulting in a cost per Equivalent Unit of \$7,639. The Phase One Assessment per dwelling unit is calculated as the product of (i) \$7,639 multiplied times (ii) the applicable Equivalent Unit value for each Lot Type. Table B-11 below sets forth the Phase One Assessment per dwelling unit.

Table B-11
Phase One Assessment per Lot Type

Lot Type	Equivalent Units	Phase One Assessment per Dwelling Unit
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	\$7,639 per dwelling unit
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	\$6,417 per dwelling unit
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	\$5,729 per dwelling unit

Table B-12 shows the Equivalent Units for Phase Two on the following page.

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Table B-12
Equivalent Unit Factor - Phase Two

Lot Type	Equivalent Units	Total Number of Dwelling Units	Total Equivalent Units
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	17 dwelling units	17.00
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	31 dwelling units	26.04
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	73 dwelling units	54.75
Total Equivalent Units			97.79
Total Phase Two Assessments			\$749,059
Original Assessment Per Equivalent Unit			\$7,660

The total Assessments for the Phase Two Parcels are allocated among 97.79 Equivalent Units resulting in a cost per Equivalent Unit of \$7,660. The Phase Two Assessment per dwelling unit is calculated as the product of (i) \$7,660 multiplied times (ii) the applicable Equivalent Unit value for each Lot Type. Table B-13 below sets forth the Phase Two Assessment per dwelling unit.

Table B-13
Phase Two Assessment per Lot Type

Lot Type	Equivalent Units	Phase One Assessment per Dwelling Unit
Lot Type 1 (90 foot Lots)	1.00 per dwelling unit	\$7,660 per dwelling unit
Lot Type 2 (70 foot Lots)	0.84 per dwelling unit	\$6,434 per dwelling unit
Lot Type 3 (60 foot Lots)	0.75 per dwelling unit	\$5,745 per dwelling unit

There have been no changes to the Assessment methodology shown above.

V. DEBT SERVICE AND COLLECTION COSTS

Phase One Annual Installments

The Assessment imposed on any Phase One Parcel may be paid in full at any time. If not paid in full, such Assessment shall be payable in twenty-eight annual installments of principal and interest beginning with the tax year following the issuance of the Series 2011 Bonds, of which nineteen Annual Installments remain outstanding.

Pursuant to the Service and Assessment Plan, each Assessment shall bear interest at one-half of one percent above than the actual interest rate paid on the public debt used to finance the District Improvements. The interest rate on the Series 2011 Bonds is 7.15 percent per annum. Pursuant to Section 372.018 of the PID Act, the interest rate for that assessment may not exceed a rate that is one-half of one percent (0.5%) higher than the actual interest rate paid on the debt. Accordingly, the interest rate of 7.65 percent per annum is used as the interest on the Assessments for the Phase

(89)

One Parcels. These payments, the “Phase One Annual Installments” of the Assessments, shall be billed by the City in 2019 and will be delinquent on February 1, 2020.

Pursuant to the Service and Assessment Plan, the Annual Service Plan Update shall show the remaining balance of the Assessments, the Annual Installment and the Annual Collection Costs to be collected from each Parcel. Annual Collection Costs shall be allocated to each Parcel pro rata based upon the amount the Annual Installment on a Parcel bears to the amount of Annual Installments in the PID as a whole that are payable at the time of such allocation. Each Annual Installment shall be reduced by any credits applied under an applicable Bond Indenture, such as capitalized interest and interest earnings on any account balances and by any other funds available to the Trustee.

Annual Budget for the Repayment of Indebtedness

Debt service is to be paid on the Series 2011 Bonds from the collection of the Phase One Annual Installments. The interest rate to be calculated on the Assessments for the Phase One Parcels is 7.65 percent per annum. In addition, “Collection Costs” are to be collected with the Phase One Annual Installments to pay expenses related to the collection of the Phase One Annual Installments.

The budget for Phase One of the PID to be paid from the collection of Phase One Annual Installments for 2019-20 is shown in Table B-14 below.

Table B-14
Budget for the Phase One Annual Installments
to be Collected for 2019-20

Descriptions	Total
Interest payment on February 15, 2020	\$45,878
Principal payment on February 15, 2020	\$25,000
Interest payment on August 15, 2020	\$44,922
<i>Subtotal Debt Service on Bonds</i>	<i>\$115,799</i>
Annual Collection Costs	\$23,902
<i>Subtotal Expenses</i>	<i>\$139,701</i>
Available Capitalized Interest Account	\$0
Available Collection Costs Account	\$0
<i>Subtotal Funds Available</i>	<i>\$0</i>
Annual Installment to be Collected	\$139,701

As of August 15, 2019, the total Assessments outstanding is shown as \$1,199,422 in Appendix C. As indicated above, the applicable interest rate on the Assessments for the Phase One Parcels is 7.65 percent per annum. Accordingly, the total interest amount to be collected for the February 15,

(29)

2020 interest payment is \$45,878 (i.e. $\$1,199,422 \times 7.65\% = \$45,878$). A principal payment on the Series 2011 Bonds in the amount of \$25,000 is scheduled for February 15, 2020. The total Assessment outstanding after the February 15, 2020 principal payment will be \$1,174,422 (i.e. $\$1,199,422 - \$25,000 = \$1,174,422$). As a result, the total interest amount to be collected for the August 15, 2020 interest payment is \$44,922 (i.e. $\$1,174,422 \times 7.65\% = \$44,922$). The total interest to be collected for 2019-20 is, therefore, \$90,799 (i.e. $\$45,878 + \$44,922 = \$90,799$). The effective interest rate applicable for calculating the interest amount to be collected from each Parcel in Phase One for 2019-20 is 7.5703% (i.e. $\$90,799 \div \$1,199,422 = 7.5703\%$).

As of August 15, 2019, the total Assessments outstanding is shown as \$1,199,422 in Appendix C. The total Equivalent Units is shown as 175.42 in Table B-10 on page 10 of this report. As of August 31, 2019, there were four prepayments of Assessment for Lot Type 2 (Parcels 240972, 240967, 240940 and 240921) and two prepayments of Assessment for Lot Type 3 (Parcels 240880 and 240836) resulting in a total of 170.56 outstanding Equivalent Units ($175.42 - 4.86 = 170.56$) subject to the Assessments in Phase One. Accordingly, the Assessment per Equivalent Unit is \$7,032 ($\$1,199,422 \div 170.56 = \$7,032$). The Assessment applicable for each Lot Type, which is calculated by multiplying the Assessment per Equivalent Units by the Equivalent Units of each Lot Type, and the interest on the Assessment due to be collected for 2019-20 are shown in Table B-15 below.

Table B-15
Interest Due on Assessments
to be Collected for 2019-20

Land Use Class	Assessment per EU ¹	EU	Assessment per Unit	Assessment Interest Rate	Interest Due per Unit
Lot Type 1	\$7,032	1.00	\$7,032	7.5703%	\$532.36
Lot Type 2	\$7,032	0.84	\$5,907	7.5703%	\$447.18
Lot Type 3	\$7,032	0.75	\$5,274	7.5703%	\$399.27

1 – The amounts shown are rounded to the nearest dollar, whereas the calculations are to the cent.

The Assessment due for 2019-20 is \$25,000, which represents the principal amount due on the Series 2011 Bonds on February 15, 2020. As of August 15, 2019, the Total Assessments outstanding is shown as \$1,199,422 in Appendix C. Accordingly, the Assessment due for 2020 is 2.0843 percent of the outstanding Assessments (i.e., $\$25,000 \div \$1,199,422 = 2.0843\%$).

The Assessment due to be collected from each Lot Type in Phase One for 2019-20 is shown in Table B-16 on the following page.

(89)

Table B-16
Assessment Due
to be Collected for 2019-20

Land Use Class	Assessment per Unit	Percentage	Assessment Due per Unit
Lot Type 1	\$7,032	2.0843%	\$146.58
Lot Type 2	\$5,907	2.0843%	\$123.12
Lot Type 3	\$5,274	2.0843%	\$109.93

1 – The amounts shown are rounded to the nearest dollar, whereas the calculations are to the cent.

The Annual Collection Costs for the collection of Assessments are estimated to be \$23,902. As of August 15, 2019, the total amount of outstanding Assessments is shown as \$1,199,422 in Appendix C. Accordingly, the total amount of Annual Collection Costs due for 2019-20 is 1.9928 percent of the outstanding Assessments (i.e. $\$23,902 \div \$1,199,422 = 1.9928\%$). The Annual Collection Costs to be collected from each Parcel in Phase One for 2019-20 is shown in Table B-17 below.

Table B-17
Annual Collection Costs due for Assessments
to be Collected for 2019-20

Land Use Class	Assessment per Unit	Percentage	Annual Collection Costs per Unit
Lot Type 1	\$7,032	1.9928%	\$140.14
Lot Type 2	\$5,907	1.9928%	\$117.72
Lot Type 3	\$5,274	1.9928%	\$105.10

1 – The amounts shown are rounded to the nearest dollar, whereas the calculations are to the cent.

In summary, the Phase One Annual Installment to be collected from each Parcel in Phase One for 2019-20, which includes the interest due, Phase One Assessment due and Annual Collection Costs is shown in Table B-18 below.

Table B-18
Phase One Annual Installments
to be Collected for 2019-20

Land Use Class	Interest Due per Unit	Assessment Due per Unit	Annual Collection Costs per Unit	Annual Installment per Unit
Lot Type 1	\$532.36	\$146.58	\$140.14	\$819.07
Lot Type 2	\$447.18	\$123.12	\$117.72	\$688.02
Lot Type 3	\$399.27	\$109.93	\$105.10	\$614.31

(89)

Phase Two Annual Installments

The Assessment imposed on any Phase Two Parcel may be paid in full at any time. If not paid in full, such Assessment shall be payable in thirty annual installments of principal and interest beginning September 1, 2017, of which twenty-seven Annual Installments remain outstanding.

Pursuant to the Service and Assessment Plan, each Assessment shall bear interest 7.00 percent per annum. Accordingly, the interest rate of 7.00 percent per annum is used as the interest on the Assessments for the Phase Two Parcels. These payments, the "Phase Two Annual Installments" of the Assessments, shall be billed by the City in 2019 and will be delinquent on February 1, 2020.

Pursuant to the Service and Assessment Plan, the Annual Service Plan Update shall show the remaining balance of the Assessments, the Annual Installment and the Annual Collection Costs to be collected from each Parcel. Annual Collection Costs shall be allocated to each Parcel pro rata based upon the amount the Annual Installment on a Parcel bears to the amount of Annual Installments in the PID as a whole that are payable at the time of such allocation. Each Annual Installment shall be reduced by any credits and interest earnings on any account balances and by any other funds available to the Trustee.

Annual Budget for the Repayment of Indebtedness

Costs of the Phase Two District Improvements including interest are to be paid from the collection of the Phase Two Annual Installments. The interest rate to be calculated on the Assessments for the Phase Two Parcels is 7.00 percent per annum. In addition, "Collection Costs" are to be collected with the Phase Two Annual Installments to pay expenses related to the collection of the Phase Two Annual Installments.

The budget for Phase Two of the PID to be paid from the collection of Phase Two Annual Installments for 2019-20 is shown in Table B-19 below.

Table B-19
Budget for the Phase Two Annual Installments
to be Collected for 2019-20

Descriptions	Total
Interest on Phase Two Assessments	\$50,777
Phase Two Assessments due in 2019-20	\$3,000
<i>Subtotal Debt Service on temporary notes</i>	<i>\$53,777</i>
Annual Collection Costs	\$15,302
<i>Subtotal Expenses</i>	<i>\$69,079</i>
Available Collection Costs Account	\$0
<i>Subtotal Funds Available</i>	<i>\$0</i>
Annual Installment to be Collected	\$69,079

(29)

The total Phase Two Assessments outstanding is shown as \$725,390 in Appendix D. As indicated above, the applicable interest rate on the Assessments for the Phase Two Parcels is 7.00 percent per annum. Accordingly, the total interest amount to be collected for 2019-20 is \$50,777 (i.e. $\$725,390 \times 7.00\% = \$50,777$).

The total Phase Two Assessments outstanding is shown as \$725,390 in Appendix D. The total Equivalent Units is shown as 97.79 in Table B-12 on page 11 of this report. As of August 31, 2019, there was prepayment of Assessment for a Lot Type 2 Parcel (Parcel 264367) and three prepayments of Assessments for Lot Type 3 Parcels (264008, 264011 and 264062) resulting in a total of 94.70 outstanding Equivalent Units ($97.79 - 0.84 - 0.75 - 0.75 = 94.70$) subject to the Assessments within Phase Two of the PID. Accordingly, the Assessment per Equivalent Unit is \$7,660 ($\$725,390 \div 94.70 = \$7,660$). The Assessment applicable for each Lot Type, which is calculated by multiplying the Assessment per Equivalent Units by the Equivalent Units of each Lot Type, and the interest on the Assessment due to be collected for 2019-20 are shown in Table B-20 below.

Table B-20
Interest Due on Phase Two Assessments
to be Collected for 2019-20

Land Use Class	Assessment per EU	EU	Assessment per Unit	Assessment Interest Rate	Interest Due per Unit
Lot Type 1	\$7,660	1.00	\$7,660	7.0000%	\$536.20
Lot Type 2	\$7,660	0.84	\$6,434	7.0000%	\$450.38
Lot Type 3	\$7,660	0.75	\$5,745	7.0000%	\$402.15

1 – The amounts shown are rounded to the nearest dollar, whereas the calculations are to the cent.

The Assessment due for 2019-20 is \$3,000, which represents the principal amount due on the Phase Two temporary notes in 2020. The Total Assessments outstanding is shown as \$725,390 in Appendix D. Accordingly, the Assessment due for 2020 is 0.4136 percent of the outstanding Assessments (i.e., $\$3,000 \div \$725,390 = 0.4136\%$).

The Assessment due to be collected from each Lot Type in Phase Two for 2019-20 is shown in Table B-21 on the following page.

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Table B-21
Assessment Due
to be Collected for 2019-20

Land Use Class	Assessment per Unit	Percentage	Assessment Due per Unit
Lot Type 1	\$7,660	0.4136%	\$31.68
Lot Type 2	\$6,434	0.4136%	\$26.61
Lot Type 3	\$5,745	0.4136%	\$23.76

1 – The amounts shown are rounded to the nearest dollar, whereas the calculations are to the cent.

The Annual Collection Costs for the collection of the Phase Two Assessments are estimated to be \$15,302. The total amount of outstanding Assessments is shown as \$725,390 in Appendix D. Accordingly, the total amount of Annual Collection Costs due for 2019-20 is 2.1094 percent of the outstanding Assessments (i.e. $\$15,302 \div \$725,390 = 2.1094\%$). The Annual Collection Costs to be collected from each Parcel in Phase Two for 2019-20 is shown in Table B-22 below.

Table B-22
Annual Collection Costs due for Assessments
to be Collected for 2019-20

Land Use Class	Assessment per Unit	Percentage	Annual Collection Costs per Unit
Lot Type 1	\$7,660	2.1094%	\$161.58
Lot Type 2	\$6,434	2.1094%	\$135.72
Lot Type 3	\$5,745	2.1094%	\$121.19

1 – The amounts shown are rounded to the nearest dollar, whereas the calculations are to the cent.

In summary, the Phase Two Annual Installment to be collected from each Parcel in Phase Two for 2019-20, which includes the interest due, principal Assessment due, and Annual Collection Costs is shown in Table B-23 below.

Table B-23
Phase Two Annual Installments
to be Collected for 2019-20

Land Use Class	Interest Due per Unit	Assessment Due per Unit	Annual Collection Costs per Unit	Annual Installment per Unit
Lot Type 1	\$536.20	\$31.68	\$161.58	\$729.46
Lot Type 2	\$450.38	\$26.61	\$135.72	\$612.71
Lot Type 3	\$402.15	\$23.76	\$121.19	\$547.10

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VI. BOND REFUNDING RELATED UPDATES

The Series 2011 Bonds were issued in December 2010. Pursuant to Section 6.1 of the Trust Indenture, the City reserves the right and option to redeem the Series 2011 Bonds before their scheduled maturity dates, in whole or in part, on any interest payment date on or after February 15, 2021, such redemption date or dates to be fixed by the City, at the redemption prices and dates shown in the Trust Indenture.

The Administrator has conducted a preliminary evaluation of the current refunding market conditions, recent PID bond refunding transactions, and other relevant factors. Based on this preliminary evaluation, the Administrator believes a refunding of the Series 2011 Bonds does not appear viable at this time. The Administrator will continue to monitor the refunding market conditions, applicable PID bond refunding transactions, and other relevant factors to determine if refunding becomes viable in the future and will inform the City accordingly.

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C. UPDATE OF THE ASSESSMENT PLAN

The Service and Assessment Plan provided for the “Assessed Property” to be classified into one of three categories for purpose of allocating the Assessments, as follows:

- (i) Lot Type 1,
- (ii) Lot Type 2, and
- (iii) Lot Type 3.

Lot Type 1 consists of 90 foot residential dwelling units. Lot Type 2 consists of 70 foot residential dwelling units. Lot Type 3 consists of 60 foot residential dwelling.

The Service and Assessment Plan identified Equivalent Units for each lot in each Lot Type as follows:

Lot Type 1 Lots	1.00 per dwelling unit
Lot Type 2 Lots	0.84 per dwelling unit
Lot Type 2 Lots	0.75 per dwelling unit

The Equivalent Unit factors are the ratio of the Assessments as allocated to each lot in each property class. These Equivalent Unit factors were based on the relative value of the average unit in each class. This method of assessing property has not been changed and Assessed Property will continue to be assessed as provided for in the Service and Assessment Plan.

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D. UPDATE OF THE ASSESSMENT ROLL

The Assessment Roll is to be updated each year to reflect:

The identification of each Assessed Parcel in the PID (including, if available, the tax parcel identification number for such Parcel), (ii) the Assessments, including any adjustments as provided for in this Service and Assessment Plan; (iii) the Annual Installment for the relevant year (if such Assessment is payable) for each Parcel; (iv) prepayments of the Assessments as provided for in the Service and Assessment Plan and (B) any other changes helpful to the administration of the PID and permitted by law.

I. PREPAYMENT OF ASSESSMENTS

Phase One

As of August 31, 2019, four Lot Type 2 Parcels (Parcels 240972, 240967, 240940 and 240921) and two Lot Type 3 Parcels (Parcel 240880 and 240836) were prepaid in full within Phase One of the PID.

Phase Two

As of August 31, 2019, one Lot Type 2 Parcel (Parcel 264367) and three Lot Type 3 Parcels (Parcels 264008, 264011 and 264062) were prepaid in full within Phase Two of the PID.

The Assessment Roll summary for the Parcels in Phase One and Phase Two are shown in Appendix C and D, respectively. Each Parcel in Phase One and Phase Two of the PID is identified, along with the respective Assessment on each Parcel and the respective Annual Installments to be collected from each Parcel. Assessments are to be reallocated for the subdivision of any Parcels.

The complete Assessment Rolls updated as described herein is available at the City of Waxahachie, 401 S. Rogers Street, Waxahachie, Texas 75165.

(29)

E. UPDATES OF MISCELLANEOUS PROVISIONS

There are no additional updates to be included in the Annual Service Plan update for 2019-20.

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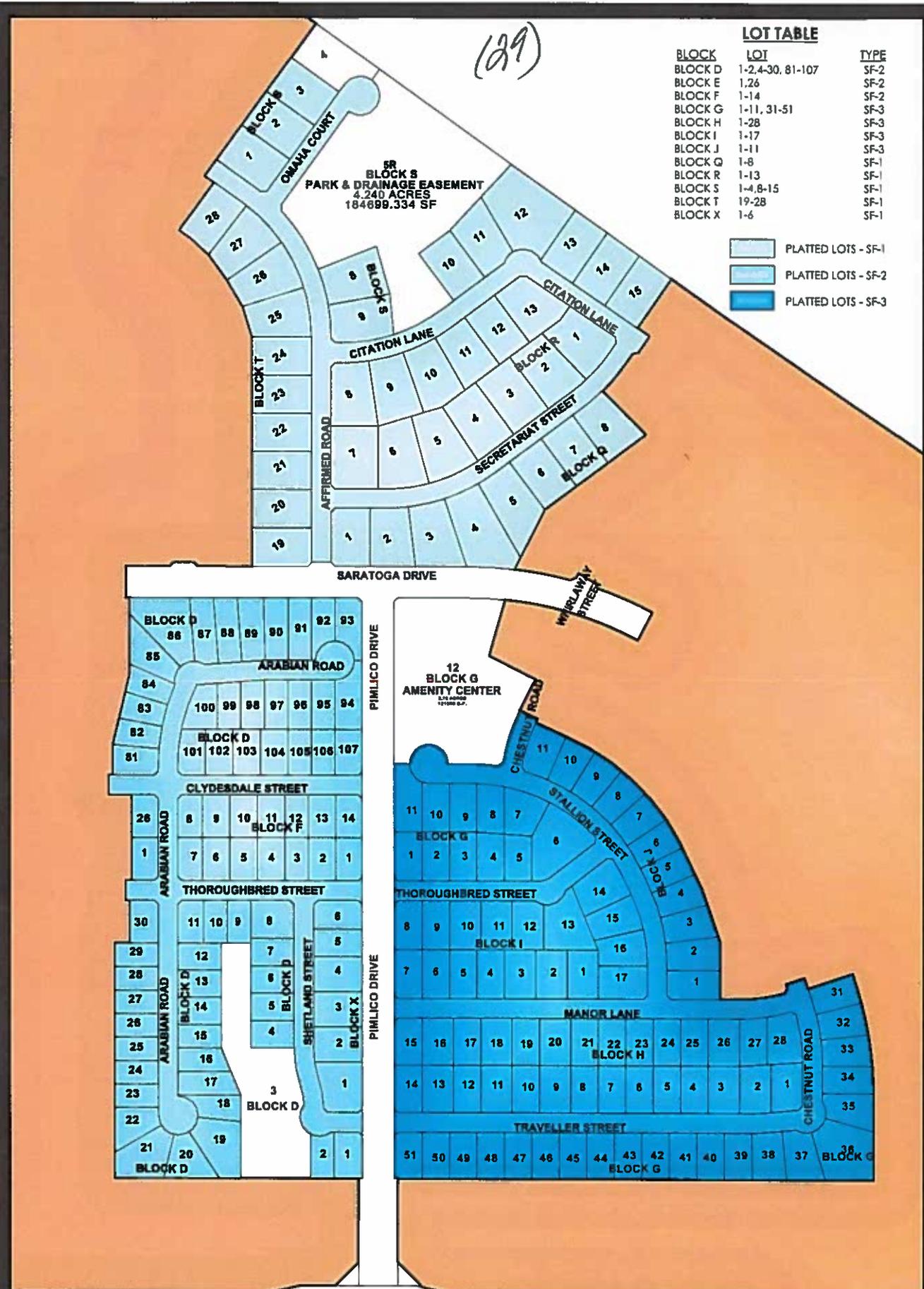
APPENDIX A
PID MAPS

(29)

LOT TABLE

BLOCK	LOT	TYPE
BLOCK D	1-2,4-30, 81-107	SF-2
BLOCK E	1,26	SF-2
BLOCK F	1-14	SF-2
BLOCK G	1-11, 31-51	SF-3
BLOCK H	1-28	SF-3
BLOCK I	1-17	SF-3
BLOCK J	1-11	SF-3
BLOCK Q	1-8	SF-1
BLOCK R	1-13	SF-1
BLOCK S	1-4,8-15	SF-1
BLOCK T	19-28	SF-1
BLOCK X	1-6	SF-1

- PLATTED LOTS - SF-1
- PLATTED LOTS - SF-2
- PLATTED LOTS - SF-3



Phase 1 Development
Waxahachie PID No. 1
 Waxahachie, Texas
 November 15, 2010

JACOBS



RESIDENTIAL
 COLLECTOR

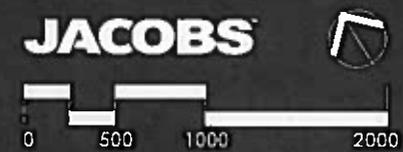
(184)

PROPOSED PAVING P.I.D. IMPROVEMENTS

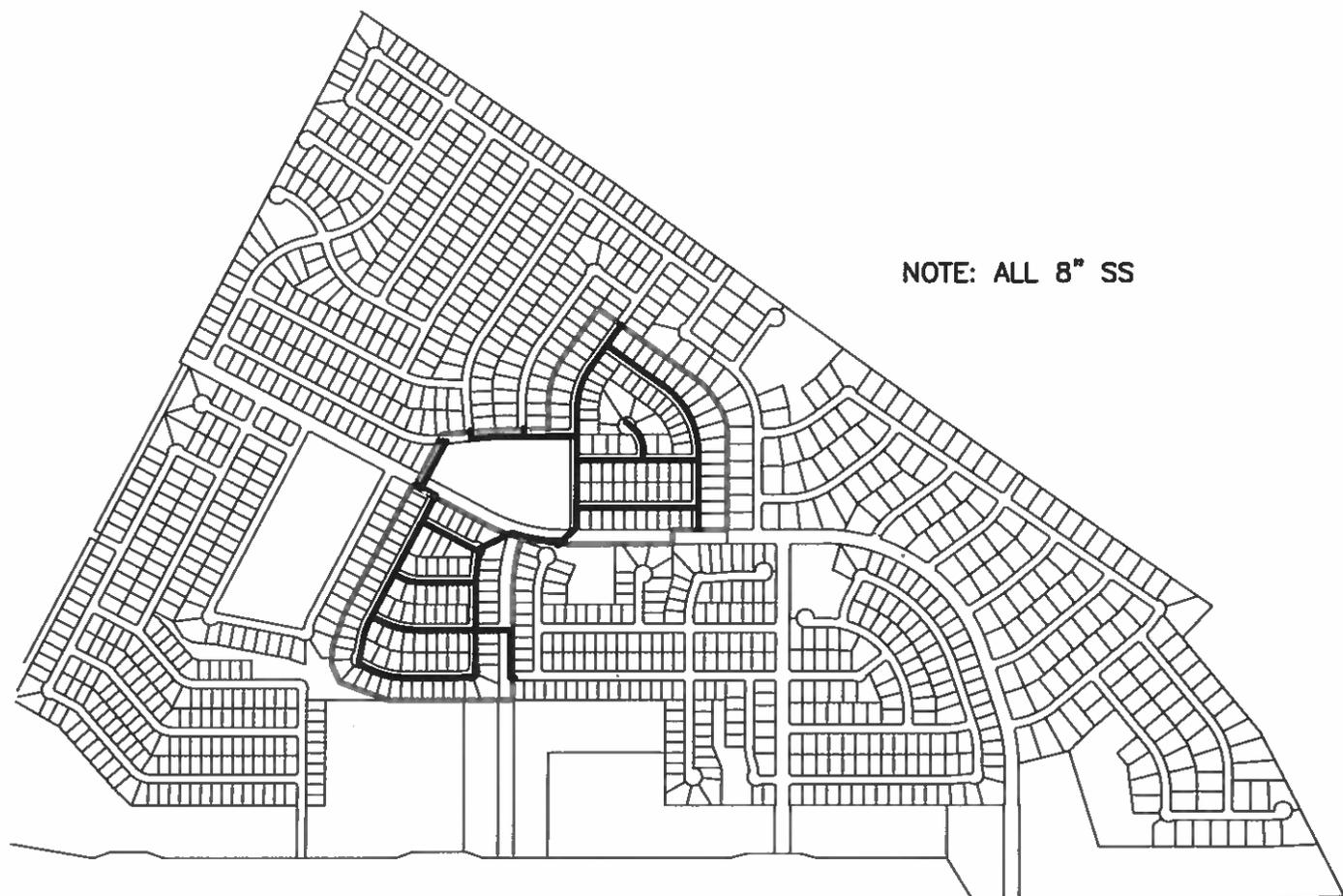
SADDLEBROOK ESTATES

WAXAHACHIE, TEXAS

MARCH 2016



NOTE: This drawing is a preliminary design and is intended for informational purposes only. It is not to be used for construction or other purposes without the written consent of Jacobs Engineering Group, Inc.



NOTE: ALL 8" SS

(89)

PROPOSED SANITARY P.I.D. IMPROVEMENTS

SADDLEBROOK ESTATES

WAXAHACHIE, TEXAS

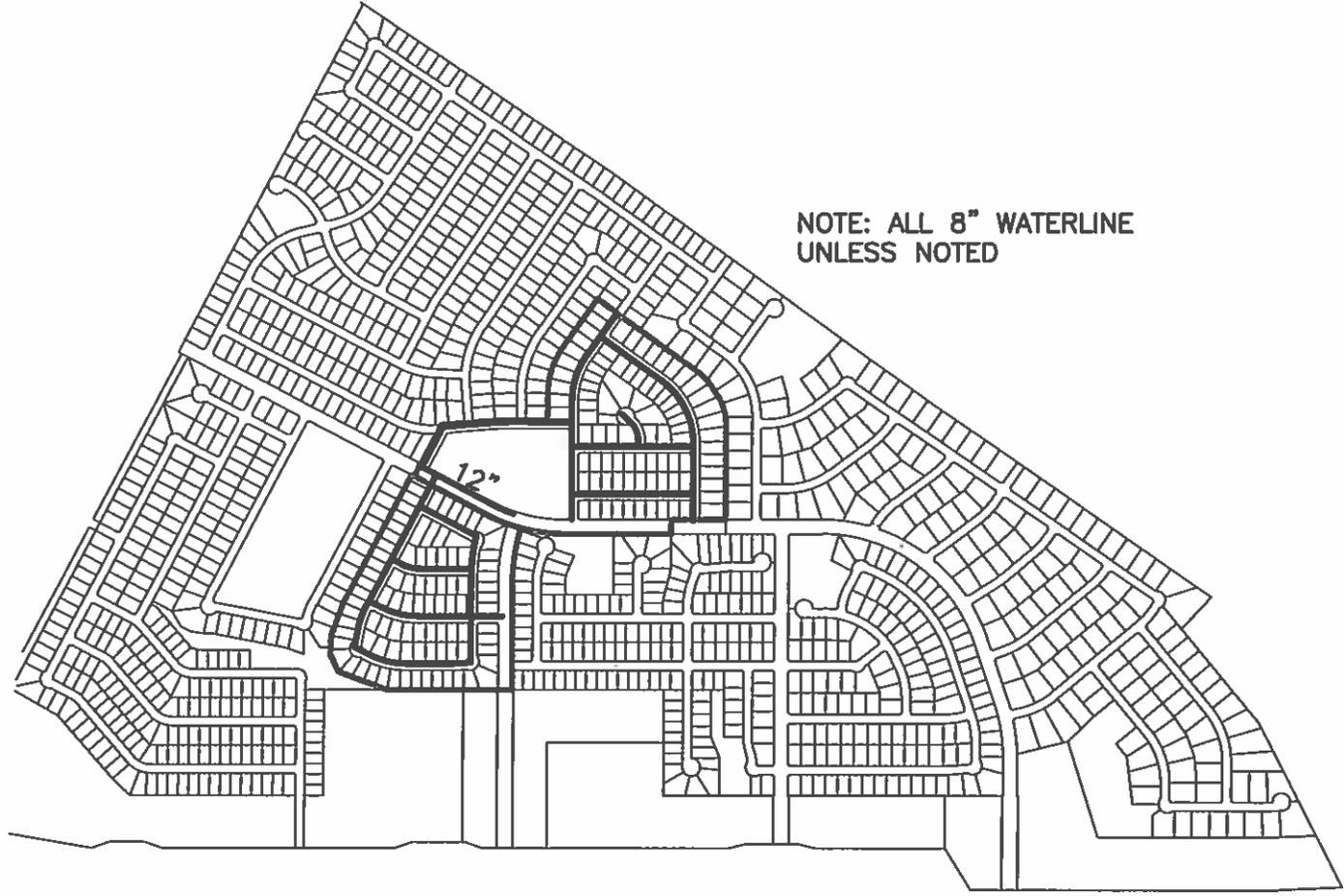
MARCH 2016

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 Plotted on: Mar/18/2016 3:05 PM

JACOBS



NOTE: This drawing is a preliminary design and is intended to show the general location and layout of the proposed sanitary P.I.D. improvements. It is not intended to be used for construction purposes. All dimensions are approximate and subject to change without notice.



NOTE: ALL 8" WATERLINE
UNLESS NOTED

(189)

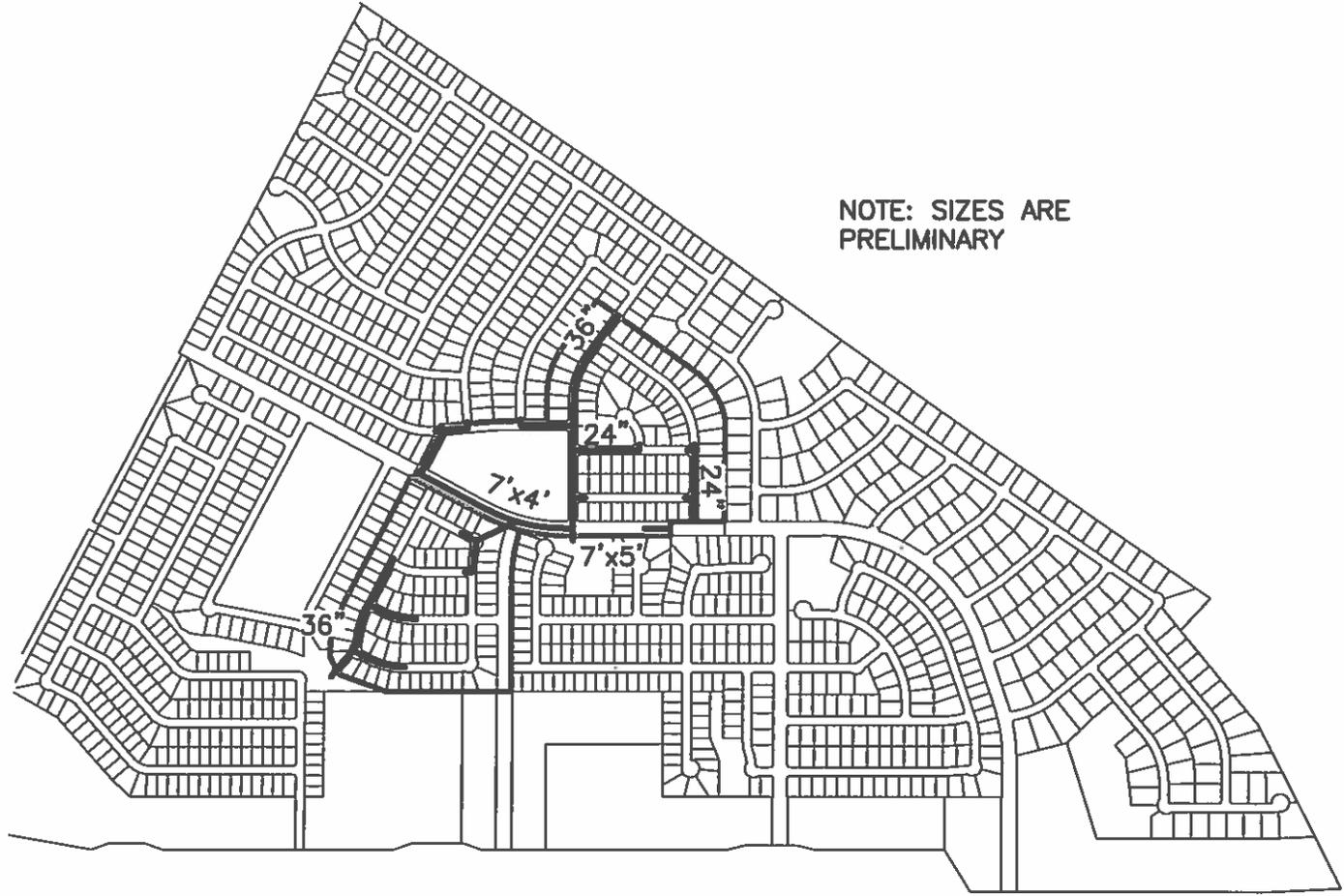
PROPOSED WATER P.I.D. IMPROVEMENTS
SADDLEBROOK ESTATES
 WAXAHACHE, TEXAS

MARCH 2016

Drawing name: I:\SLD\C3X453\C3X45313\700 CADD\728 Exhibits\PID Exhibits\PID Exhibits 3.16.16.dwg
 Plotted on: Mar/18/2016 3:05 PM

JACOBS

NOTE: This drawing is a preliminary design and is not intended for construction. It is subject to change without notice. The user of this drawing shall be responsible for verifying the accuracy of the information shown on this drawing.



NOTE: SIZES ARE
PRELIMINARY

(29)

PROPOSED DRAINAGE P.I.D. IMPROVEMENTS
SADDLEBROOK ESTATES
 WAXAHACHIE, TEXAS

MARCH 2016

Drawing name: I:\SLD\C3X453\C3X45313\700 CADD\728 Exhibits\PID Exhibits\PID Exhibits 3.16.16.dwg
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JACOBS



NOTE: This plan is for informational purposes only and is not intended to be used for any other purpose. The user shall be responsible for verifying the accuracy of the information shown on this plan and for obtaining all necessary permits and approvals from the appropriate authorities.

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APPENDIX B
ESTIMATED COSTS OF THE DISTRICT IMPROVEMENTS

(29)

**Appendix B
DISTRICT IMPROVEMENTS**

PUBLIC IMPROVEMENT PROJECTS	Original Budget	Budget Changes	Revised Budget	Phase One Budget	Budget for Other Assessed Property
Thoroughfare Paving	\$0	\$0	\$0	\$0	\$0
Median Landscaping	\$0	\$0	\$0	\$0	\$0
6' Concrete Sidewalk	\$0	\$0	\$0	\$0	\$0
Landscape Buffer	\$0	\$0	\$0	\$0	\$0
Thin Screening Wall	\$0	\$0	\$0	\$0	\$0
Engineering/Survey	\$0	\$0	\$0	\$0	\$0
Contingency	\$0	\$0	\$0	\$0	\$0
Recreational Facilities	\$700,000	(\$700,000)	\$0	\$0	\$0
Main Entry	\$250,000	(\$250,000)	\$0	\$0	\$0
Secondary Entry	\$100,000	(\$100,000)	\$0	\$0	\$0
Public Neighborhood Park	\$100,000	(\$100,000)	\$0	\$0	\$0
Pocket Park	\$100,000	(\$100,000)	\$0	\$0	\$0
Hike and Bike Trail	\$52,500	(\$52,500)	\$0	\$0	\$0
Open Space Improvements	\$75,000	(\$75,000)	\$0	\$0	\$0
Pond Improvements	\$100,000	(\$100,000)	\$0	\$0	\$0
6' Concrete Sidewalks (Collectors)	\$184,800	(\$184,800)	\$0	\$0	\$0
Landscape Buffer (Collectors)	\$211,200	(\$211,200)	\$0	\$0	\$0
Thin Screening Wall (Collectors)	\$277,500	(\$277,500)	\$0	\$0	\$0
Engineering/Survey	\$196,339	\$108,569	\$304,908	\$106,916	\$197,992
Contingency	\$97,362	(\$97,362)	\$0	\$0	\$0
Water	\$32,020	\$344,656	\$376,676	\$132,078	\$244,597
Sewer	\$53,298	\$289,853	\$343,151	\$120,149	\$223,002
Drainage	\$61,380	\$360,690	\$422,070	\$147,931	\$274,139
Roads	\$60,050	\$876,761	\$936,811	\$328,742	\$608,068
Public Right of Way	\$5,115	(\$5,115)	\$0	\$0	\$0
Related Appurtenances	\$1,535	(\$1,535)	\$0	\$0	\$0
Street Lighting	\$3,582	(\$3,582)	\$0	\$0	\$0
Storm Water Control Improvements	\$12,378	(\$12,378)	\$0	\$0	\$0
Common Area Fencing, Landscaping	\$13,197	(\$13,197)	\$0	\$0	\$0
Common Area Improvements	\$5,831	(\$5,831)	\$0	\$0	\$0
Other Park Items	\$2,148	(\$2,148)	\$0	\$0	\$0
Other Recreational Facilities	\$5,729	(\$5,729)	\$0	\$0	\$0
Other Trail Improvements	\$4,194	(\$4,194)	\$0	\$0	\$0
Engineering	\$2,864	(\$2,864)	\$0	\$0	\$0
Contract Administration	\$35,805	(\$35,805)	\$0	\$0	\$0
Master Common Utility Improvements	\$24,654	(\$24,654)	\$0	\$0	\$0
Contingencies	\$34,539	(\$34,539)	\$0	\$0	\$0
SUB-TOTAL	\$2,803,020	(\$419,404)	\$2,383,616	\$835,817	\$1,547,799

(29)

**Appendix B
DISTRICT IMPROVEMENTS**

PUBLIC IMPROVEMENT PROJECTS	Original Budget	Budget Changes	Revised Budget	Phase One Budget	Budget for Other Assessed Property
Debt Service Reserve Fund	\$248,552	\$102,521	\$351,073	\$131,093	\$219,980
Capitalized Interest	\$309,362	(\$151,377)	\$157,985	\$54,558	\$103,427
Bond Counsel	\$45,990	\$25,196	\$71,186	\$26,860	\$44,326
Underwriters Counsel	\$35,566	(\$22,315)	\$13,251	\$5,000	\$8,251
Developers Financial Advisor	\$26,675	\$48,672	\$75,347	\$28,430	\$46,917
City Financial Advisor	\$26,675	\$8,918	\$35,593	\$13,430	\$22,163
Underwriters Fee	\$71,132	\$71,240	\$142,372	\$26,800	\$115,572
Interest from Dev. Fund	(\$30,865)	\$30,865	\$0	\$0	\$0
Developers Counsel	\$7,154	\$59,103	\$66,257	\$25,000	\$41,257
Assessment Consultant	\$7,154	\$10,643	\$17,797	\$6,715	\$11,082
Other Administrative Costs	\$8,892	\$225,617	\$234,509	\$186,297	\$48,212
SUB-TOTAL	\$756,287	\$409,083	\$1,165,370	\$504,183	\$661,187
PAR AMOUNT OF BONDS	\$3,559,307	\$0	\$3,559,307	\$1,340,000	\$2,219,307
DEPOSIT TO PROJECT FUND	\$2,803,020	(\$419,404)	\$2,383,616	\$835,817	\$1,547,799

These costs are estimated and the actual costs may be different than estimates. Costs in one line item may be reallocated to another line item to reflect the actual costs incurred.

(29)

BRIX Data Export
CADG- SCARBOROUGH
Job Cost Detail
10/29/2015 5:23:50 PM

Cost Code	Cost Code Description	Actual	PID Eligible
Direct Costs			
8155	Land-Engineering	2,536.23	
8155	Land-Engineering	104,030.33	
8155	Land-Engineering	5,983.45	
8155	Land-Engineering	2,144.62	
8155	Land-Engineering	5,488.73	
8155	Land-Engineering	21,665.68	
8155	Land-Engineering	14,634.52	
8155	Land-Engineering	6,013.20	
8155	Land-Engineering	2,044.72	
8155	Land-Engineering	3,190.50	
8155	Land-Engineering	4,219.32	
8155	Land-Engineering	4,616.21	
8155	Land-Engineering	7,118.20	
		183,685.71	183,686
8175	Land-Excavation	13,393.20	
8175	Land-Excavation	55,355.00	
8175	Land-Excavation	8,554.50	
8175	Land-Excavation	194,570.00	
8175	Land-Excavation	14,012.75	
8175	Land-Excavation	4,886.40	
8175	Land-Excavation	22,525.00	
8175	Land-Excavation	3,739.00	
8175	Land-Excavation	2,253.00	
8175	Land-Excavation	7,141.75	
8175	Land-Excavation	39,918.50	
8175	Land-Excavation	15,125.00	
8175	Land-Excavation	3,638.80	
		385,112.90	308,090
8190	Land-Paving	67,462.28	
8190	Land-Paving	25,874.64	
8190	Land-Paving	531,423.55	
8190	Land-Paving	3,642.23	
		628,402.70	628,403
8230	Land-Storm Drainage	41,805.84	
8230	Land-Storm Drainage	19,885.60	
8230	Land-Storm Drainage	3,757.05	

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8230	Land-Storm Drainage	17,731.50	
8230	Land-Storm Drainage	15,563.66	
8230	Land-Storm Drainage	9,052.50	
		107,796.15	107,796
8231	Land-Retainage Storm Drainage	-4,180.58	
8231	Land-Retainage Storm Drainage	-1,988.56	
8231	Land-Retainage Storm Drainage	-1,773.15	
8231	Land-Retainage Storm Drainage	-1,556.37	
8231	Land-Retainage Storm Drainage	-905.25	
8231	Land-Retainage Storm Drainage	10,403.91	
		0.00	
8235	Land-Water	151,201.16	
8235	Land-Water	113,489.84	
8235	Land-Water	4,299.70	
8235	Land-Water	3,180.00	
8235	Land-Water	3,180.00	
		275,350.70	275,351
8240	Land-Sanitary	125,872.71	
8240	Land-Sanitary	101,995.17	
8240	Land-Sanitary	49,313.56	
8240	Land-Sanitary	1,649.10	
		278,830.54	278,831
Total		1,859,178.70	1,782,156.12

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APPENDIX C
2019-20 ASSESSMENT ROLL SUMMARY
(PHASE ONE)

(21)

Waxahachie Public Improvement District No. 1
2019-20 Assessment Roll Summary
Phase One

Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
240807	D	8	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240809	D	1	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240810	D	2	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240812	D	4	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240813	D	5	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240814	D	6	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240815	D	7	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240816	X	1	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240817	X	2	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240818	X	3	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240819	X	4	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240820	X	5	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240821	X	6	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240822	D	9	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240823	D	10	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240824	D	11	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240825	D	12	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240826	D	13	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240827	D	14	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240828	D	15	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240829	D	16	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240830	D	17	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240831	D	18	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240832	D	19	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240833	D	20	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240834	D	21	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240835	D	22	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240836	D	23	0.75	Prepaid	Prepaid	Prepaid	Prepaid
240837	D	24	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240838	D	25	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240839	D	26	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240840	D	27	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240841	D	28	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240842	D	29	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240843	D	30	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240845	E	1	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240846	E	26	0.75	\$5,274	\$509.20	\$105.10	\$614.31

(29)

Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
240848	F	1	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240849	F	2	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240850	F	3	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240851	F	4	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240852	F	5	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240853	F	6	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240854	F	7	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240855	F	8	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240856	F	9	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240857	F	10	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240858	F	11	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240859	F	12	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240860	F	13	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240861	F	14	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240865	D	81	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240866	D	82	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240867	D	83	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240868	D	84	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240869	D	85	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240870	D	86	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240871	D	87	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240872	D	88	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240873	D	89	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240874	D	90	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240875	D	91	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240876	D	92	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240877	D	93	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240878	D	94	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240879	D	95	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240880	D	96	0.75	Prepaid	Prepaid	Prepaid	Prepaid
240881	D	97	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240882	D	98	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240883	D	99	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240884	D	100	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240885	D	101	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240886	D	102	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240887	D	103	0.75	\$5,274	\$509.20	\$105.10	\$614.31

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Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
240888	D	104	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240889	D	105	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240890	D	106	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240891	D	107	0.75	\$5,274	\$509.20	\$105.10	\$614.31
240892	G	31	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240893	G	32	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240894	G	33	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240895	G	34	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240896	G	35	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240897	G	36	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240898	G	37	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240899	G	38	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240900	G	39	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240901	G	40	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240902	G	41	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240903	G	42	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240904	G	43	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240905	G	44	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240906	G	45	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240907	G	46	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240908	G	47	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240909	G	48	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240910	G	49	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240911	G	50	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240912	G	51	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240913	H	1	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240914	H	2	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240915	H	3	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240916	H	4	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240917	H	5	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240918	H	6	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240919	H	7	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240920	H	8	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240921	H	9	0.84	Prepaid	Prepaid	Prepaid	Prepaid
240922	H	10	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240923	H	11	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240924	H	12	0.84	\$5,907	\$570.31	\$117.72	\$688.02

(29)

Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
240925	H	13	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240926	H	14	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240927	H	15	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240928	H	16	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240929	H	17	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240930	H	18	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240931	H	19	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240932	H	20	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240933	H	21	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240934	H	22	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240935	H	23	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240936	H	24	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240937	H	25	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240938	H	26	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240939	H	27	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240940	H	28	0.84	Prepaid	Prepaid	Prepaid	Prepaid
240941	I	1	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240942	I	2	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240943	I	3	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240944	I	4	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240945	I	5	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240946	I	6	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240947	I	7	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240948	I	8	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240949	I	9	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240950	I	10	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240951	I	11	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240952	I	12	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240953	I	13	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240954	I	14	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240955	I	15	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240956	I	16	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240957	I	17	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240958	G	1	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240959	G	2	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240960	G	3	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240961	G	4	0.84	\$5,907	\$570.31	\$117.72	\$688.02

(29)

Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
240962	G	5	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240963	G	6	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240964	G	7	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240965	G	8	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240966	G	9	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240967	G	10	0.84	Prepaid	Prepaid	Prepaid	Prepaid
240968	G	11	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240970	J	1	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240971	J	2	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240972	J	3	0.84	Prepaid	Prepaid	Prepaid	Prepaid
240973	J	4	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240974	J	5	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240975	J	6	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240976	J	7	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240977	J	8	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240978	J	9	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240979	J	10	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240980	J	11	0.84	\$5,907	\$570.31	\$117.72	\$688.02
240986	Q	1	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240987	Q	2	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240988	Q	3	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240989	Q	4	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240990	Q	5	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240991	Q	6	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240992	Q	7	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240993	Q	8	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240995	R	1	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240996	R	2	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240997	R	3	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240998	R	4	1.00	\$7,032	\$678.94	\$140.14	\$819.07
240999	R	5	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241000	R	6	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241001	R	7	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241002	R	8	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241003	R	9	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241004	R	10	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241005	R	11	1.00	\$7,032	\$678.94	\$140.14	\$819.07

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Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
241006	R	12	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241007	R	13	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241008	T	19	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241009	T	20	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241010	T	21	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241011	T	22	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241012	T	23	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241013	T	24	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241014	T	25	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241015	T	26	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241016	T	27	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241017	T	28	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241018	S	1	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241019	S	2	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241020	S	3	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241021	S	4	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241025	S	8	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241026	S	9	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241027	S	10	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241028	S	11	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241029	S	12	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241030	S	13	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241031	S	14	1.00	\$7,032	\$678.94	\$140.14	\$819.07
241032	S	15	1.00	\$7,032	\$678.94	\$140.14	\$819.07
Total			175.42	\$1,199,422	\$115,799.50	\$23,901.85	\$139,701.35

(89)

APPENDIX D
2019-20 ASSESSMENT ROLL SUMMARY
(PHASE TWO)

(89)

Waxahachie Public Improvement District No. 1
2019-20 Assessment Roll Summary
Phase Two

Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
264001	D	31	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264002	D	32	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264003	D	33	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264004	D	34	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264005	D	35	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264006	D	36	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264007	D	37	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264008	D	38	0.75	Prepaid	Prepaid	Prepaid	\$0.00
264009	D	39	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264010	D	40	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264011	D	41	0.75	Prepaid	Prepaid	Prepaid	\$0.00
264012	D	42	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264013	D	43	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264014	D	44	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264015	D	45	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264016	E	2	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264017	E	3	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264018	E	4	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264019	E	5	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264020	E	6	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264021	E	7	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264022	E	8	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264023	E	9	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264024	E	10	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264025	E	11	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264026	E	12	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264027	E	13	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264028	E	14	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264029	E	15	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264030	E	16	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264031	E	17	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264032	E	18	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264033	E	19	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264034	E	20	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264035	E	21	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264036	E	22	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264037	E	23	0.75	\$5,745	\$425.91	\$121.19	\$547.10

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Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
264038	E	24	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264039	E	25	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264040	DD	1	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264041	DD	2	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264043	DD	4	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264044	DD	5	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264045	DD	6	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264046	DD	7	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264047	DD	8	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264048	DD	9	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264049	DD	10	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264050	DD	11	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264051	DD	12	0.00	\$0	\$0.00	\$0.00	\$0.00
264052	DD	13	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264053	DD	14	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264054	DD	15	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264055	DD	16	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264056	DD	17	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264057	DD	18	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264058	DD	19	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264059	DD	20	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264060	DD	21	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264061	DD	22	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264062	DD	23	0.75	Prepaid	Prepaid	Prepaid	\$0.00
264063	DD	24	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264064	DD	25	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264065	DD	26	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264066	DD	27	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264067	DD	28	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264068	DD	29	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264069	DD	30	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264070	DD	31	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264071	DD	32	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264072	DD	33	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264073	DD	34	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264074	DD	35	0.75	\$5,745	\$425.91	\$121.19	\$547.10
268057	DD	2	0.75	\$5,745	\$425.91	\$121.19	\$547.10
264361	G	13	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264362	G	14	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264363	G	15	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264364	G	16	0.84	\$6,434	\$476.99	\$135.72	\$612.71

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Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
264365	G	17	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264366	G	18	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264367	G	19	0.84	Prepaid	Prepaid	Prepaid	\$0.00
264368	G	20	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264369	G	21	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264370	G	22	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264371	G	23	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264372	G	24	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264373	G	25	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264374	G	26	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264375	G	27	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264376	G	28	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264377	G	29	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264378	G	30	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264379	J	12	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264380	J	13	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264381	J	14	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264382	J	15	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264383	J	16	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264384	J	17	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264385	J	18	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264386	J	19	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264387	J	20	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264388	J	21	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264389	J	22	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264390	J	23	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264391	J	24	0.84	\$6,434	\$476.99	\$135.72	\$612.71
264933	P	6	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264934	P	7	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264935	P	8	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264936	P	9	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264937	P	10	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264938	Q	9	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264939	Q	10	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264940	Q	11	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264941	Q	12	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264942	Q	13	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264943	Q	14	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264944	Q	15	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264945	S	16	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264946	S	17	1.00	\$7,660	\$567.88	\$161.58	\$729.46

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Property ID	Block	Lot	Equivalent Units	Outstanding Assessment	Annual Installment 2019-20		
					Principal & Interest	Annual Collection Costs	Annual Installment
264947	S	18	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264948	S	19	1.00	\$7,660	\$567.88	\$161.58	\$729.46
264949	S	20	1.00	\$7,660	\$567.88	\$161.58	\$729.46
Total			97.79	\$725,390	\$53,777.30	\$15,301.50	\$69,078.80

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**NORTH GROVE
PUBLIC IMPROVEMENT DISTRICT
CITY OF WAXAHACHIE, TEXAS**

**ANNUAL SERVICE PLAN UPDATE
2019-20**

SEPTEMBER 16, 2019

PREPARED BY:

MUNICAP, INC.
— PUBLIC FINANCE —

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**NORTH GROVE
PUBLIC IMPROVEMENT DISTRICT
ANNUAL SERVICE PLAN UPDATE – 2019-20**

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A. INTRODUCTION

The North Grove Public Improvement District (the “PID”) was created pursuant to the PID Act and a resolution of the City Council on September 15, 2014 to finance certain public improvement projects for the benefit of the property in the PID. The City of Waxahachie, Texas Special Assessment Revenue Bonds, Series 2015 (North Grove Public Improvement District Improvement Area #1 Project) (the “Series 2015 Bonds”) in the aggregate principal amount of \$6,675,000 were issued to finance, refinance, provide or otherwise assist in the acquisition, construction and maintenance of the public improvements provided for the benefit of the property in the PID.

The PID consists of 768 acres of property within the City limits. The Improvement Area #1 consists of 483 acres within the PID. A service and assessment plan (the “Service and Assessment Plan”) was prepared at the direction of the City identifying the public improvements (the “Improvement Area #1 Improvements”) to be provided by the PID, the costs of the Improvement Area #1 Improvements, the indebtedness to be incurred for the Improvement Area #1 Improvements, and the manner of assessing the property in the PID for the costs of the Improvement Area #1 Improvements. Pursuant to Chapter 372, Texas Local Government Code, the Service and Assessment Plan must be reviewed and updated annually. This document is the annual update of the Service and Assessment Plan for 2019-20 (the “Annual Service Plan Update”).

The City also adopted an assessment roll (the “Assessment Roll”) identifying the Special Assessments on each Parcel within Improvement Area #1 of the PID, based on the method of assessment identified in the Service and Assessment Plan. This Annual Service Plan Update also updates the Assessment Roll for 2019-20.

Capitalized terms shall have the meanings set forth in the Service and Assessment Plan unless otherwise defined herein.

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B. UPDATE OF THE SERVICE PLAN

I. ANNUAL BUDGET FOR THE IMPROVEMENT AREA #1 IMPROVEMENTS

The total costs of the Improvement Area #1 Improvements are equal to \$4,530,000, which remains the same as the Developer has not reported any change from the budget estimates included in the original Service and Assessment Plan. According to the Developer's quarterly improvement implementation report dated June 30, 2019, all Improvement Area #1 Improvements are complete and have been accepted by the City.

As shown by Table B-1 below, the PID has incurred indebtedness in the total amount of \$6,675,000 in the form of the Series 2015 Bonds, which are to be repaid from the Special Assessments.

Table B-1
Sources and Uses of Funds
Public Improvements

Sources of Funds	Total Amount
Bond proceeds	\$6,675,000
Total sources of funds	\$6,675,000
Uses of Funds	
Improvement Area #1 Improvements	
Estimated costs paid with Bonds	\$4,530,000
Other Project Fund deposits	\$205,000
<i>Subtotal: Project Fund deposits</i>	<i>\$4,735,000</i>
Costs of issuing the Bonds	
Deposit to capitalized interest fund	\$795,000
Deposit to debt service reserve fund	\$510,000
Bond issue costs	\$635,000
<i>Subtotal: Costs of issuing the Bonds</i>	<i>\$1,940,000</i>
Total uses of funds	\$6,675,000

A service plan must cover a period of five years. All of the Improvement Area #1 Improvements are expected to be built within a period of five years. The anticipated budget for the Improvement Area #1 Improvements over a period of five years and the indebtedness expected to be incurred for these costs is shown by Table B-2 on the following page.

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Table B-2
Annual Projected Costs
2015 – 2024

Assessment Year ending 08/15	Projected Construction Costs	Net Series 2015 Bond Proceeds	Net Owner Contributions	Projected Annual Installments
2015-2019	\$4,530,000	\$4,530,000	\$0	\$2,262,080
2020	\$0	\$0	\$0	\$547,000
2021	\$0	\$0	\$0	\$573,160
2022				\$565,711
2023	\$0	\$0	\$0	\$558,275
2024	\$0	\$0	\$0	\$575,853
Total	\$4,530,000	\$4,530,000	\$0	\$5,082,078

1 – Net Series 2015 Bond Proceeds represents the estimated costs of the Improvement Area #1 Improvements. The remaining \$2,145,000 of the original \$6,675,000 Series 2015 Bond par amount represent additional Project Fund deposits and Series 2015 Bond issuance costs.

II. DEBT SERVICE AND COLLECTION COSTS

The Assessment imposed on any Parcel may be paid in full at any time. If not paid in full, the Assessment shall be payable in thirty-one Annual Installments of principal and interest beginning with the tax year following the issuance of the Series 2015 Bonds, of which twenty-six Annual Installments remain outstanding.

Pursuant to the Service and Assessment Plan, each Assessment shall bear interest at the rate on the Series 2015 Bonds commencing with the issuance of the Series 2015 Bonds. The effective interest rate on the Series 2015 Bonds is 5.98 percent for 2019-20. Pursuant to Section 372.018 of the PID Act, the interest rate for that Assessment may not exceed a rate that is one-half of one percent higher than the actual interest rate paid on the debt. Accordingly, the additional interest of one-half of one percent (the “Excess Interest Rate”) is included in the Annual Installment calculation for 2019-20. In addition, the estimated annual Administrative Expenses for 2019-20 are included in the Annual Installments for 2019-20. These Annual Installments of the Special Assessments shall be billed by the City, or any other party designated by the City, in 2019 and will be delinquent on February 1, 2020.

Pursuant to the Service and Assessment Plan, the Annual Service Plan Update shall show the remaining balance of the Special Assessments and the Annual Installment due for 2019-20 to be collected from each Parcel. The Annual Installment amount shall be allocated to each Parcel based on the percentage of Assessment allocated to each Parcel within Improvement Area #1, as calculated using the amount of Assessment on a Parcel to the total amount of Special Assessments within Improvement Area #1 of the PID as a whole that are payable at the time of such allocation. Each Annual Installment shall be reduced by any credits applied under an applicable ordinances or Indenture of Trust, such as capitalized interest and interest earnings on any account balances and by any other funds available to the PID.

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Annual Budget for the Repayment of Indebtedness

Debt service on the Series 2015 Bonds will be paid from the collection of the Annual Installments. Administrative Expenses are also to be collected with the Annual Installments to pay expenses related to the collection of the Annual Installments and other PID Administration Expenses. In addition, 40% of the additional interest amount collected as part of the Annual Installment will be used to fund the Prepayment Reserve and 60% of such additional interest amount collected will be used to fund the Delinquency Reserve, as described in the Service and Assessment Plan and the applicable Indenture of Trust.

Annual Installments to be Collected for 2019-20

The budget for the PID will be paid from the collection of Annual Installments collected for 2019-20 as shown by Table B-3 below.

Table B-3
Budget for the Annual Installments
to be Collected for 2019-20

Descriptions	Series 2015 Bonds
Interest payment on February 15, 2020	\$193,750
Interest payment on August 15, 2020	\$193,750
Principal payment on August 15, 2020	\$100,000
<i>Subtotal Debt Service on Bonds</i>	<i>\$487,500</i>
Excess Interest for Prepayment and Delinquency Reserves	\$32,375
Collection Costs	\$37,125
<i>Subtotal Expenses</i>	<i>\$557,000</i>
Available Capitalized Interest Funds	\$0
Available Administrative Account Funds	(\$10,000)
<i>Subtotal Funds Available</i>	<i>(\$10,000)</i>
Annual Installment to be Collected	\$547,000

As shown in Table B-3 above, the total Annual Installment for 2019-20 is equal to \$547,000. The total debt service payments on the Series 2015 Bonds, the excess interest for Prepayment and Delinquency Reserves to be collected, and the estimated Administrative Expenses for 2019-20 are shown as \$487,500, \$32,375 ($\$6,475,000 \times 0.5\% = \$32,375$) and \$27,125 ($\$37,125 - \$10,000 = \$27,125$), respectively.

According to the Ellis Central Appraisal District online records, there were Owner Association Properties in 2019. As a result, the Annual Installment for 2019-20 will be collected from all Assessed Property within Improvement Area #1 that are shown in the Ellis Central Appraisal District (ECAD) records for 2019. The Annual Installment to be collected from each Parcel in

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Improvement Area #1 is determined using the percentage of Special Assessments for each Parcel as shown in Table B-4 below.

Table B-4
Allocation of Annual Installment to Parcels for 2019-20

Parcel ID	Tract #	Outstanding Assessment ²	% of Total Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20 ³
262125	1	\$245,934	3.80%	\$20,776.17
262126	2	\$239,546	3.70%	\$20,236.54
262127	3	\$287,455	4.44%	\$24,283.85
262128	4	\$287,455	4.44%	\$24,283.85
262129	5	\$255,516	3.95%	\$21,585.65
262130	6	\$223,576	3.45%	\$18,887.44
269439	7	\$351,595	5.43%	\$29,702.31
262133	8A	\$218,924	3.38%	\$18,494.39
267119	8B	\$162,310	2.51%	\$13,711.74
262134	9	\$708,537	10.94%	\$59,856.31
262135	10	\$538,130	8.31%	\$45,460.58
262138	11	\$504,661	7.79%	\$42,633.15
190002	12	\$88,712	1.37%	\$7,494.25
223031	13	\$159,631	2.47%	\$13,485.42
75 residential Parcels		\$230,886	3.57%	\$19,505.00
83 residential Parcels		\$353,563	5.46%	\$29,868.59
190 residential Parcels		\$873,761	13.49%	\$73,814.25
94 residential Parcels		\$400,612	6.19%	\$33,843.23
274596		\$279,447	4.32%	\$23,607.30
272370		\$64,750	1.00%	\$5,470.00
		\$6,475,000	100.00%	\$547,000.00

1 – According to the Ellis CAD, there are Owner Association Properties in 2019 to be considered for Annual Installment collections.

2 – The Special Assessment amounts for each Parcel have been allocated and shown in the Service and Assessment Plan.

3 – The Annual Installment to be collected from each Parcel is calculated by multiplying the total Annual Installment amount of \$552,500 and the % of total Special Assessment calculated for each Parcel.

The list of Parcels within the PID, the Outstanding Special Assessments on each Parcel, the percentages calculated as shown in Table B-4 above and the Annual Installment to be collected for 2019-20 are shown in the Assessment Roll summary attached hereto as Appendix B.

III. BOND REFUNDING RELATED UPDATES

The Series 2015 Bonds were issued in 2015. Pursuant to Section 4.3 of the Indenture of Trust, the City reserves the right and option to redeem the Series 2015 Bonds before their scheduled maturity dates, in whole or in part, on any interest payment date on or after August 15, 2022, such redemption date or dates to be fixed by the City, at the redemption prices and dates shown in the Indenture of Trust.

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The Administrator has conducted a preliminary evaluation of the current refunding market conditions, recent PID bond refunding transactions, and other relevant factors. Based on this preliminary evaluation, the Administrator believes a refunding of the Series 2015 Bonds do not appear viable at this time. The Administrator will continue to monitor the refunding market conditions, applicable PID bond refunding transactions, and other relevant factors to determine if refunding becomes viable in the future and will inform the City accordingly.

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C. UPDATE OF THE ASSESSMENT PLAN

The Service and Assessment Plan adopted by the City Council provided that the Actual Costs of the portion of the Improvement Area #1 Improvements to be financed with the Series 2015 Bonds shall be allocated to the Assessed Property by spreading the entire Assessment across all Assessed Property within Improvement Area #1. This method is based on allocating the Assessment in the following order: 1) the allocation of 1% of the Assessment to the Owners Association Property; 2) the allocation between residential and commercial Parcels based on the Appraised Value; and, 3) according to the following allocation:

- *Residential:* The sum of two weighted ratios that when combined equals 100%. Those two ratios and their assigned weights (as percent of the total) are as follows: The ratio of the Appraised Value of each Residential Parcel to the total Appraised Value for all of the Residential Parcels in Improvement Area #1 (20%); and, the ratio of the estimated number of residential units within a Parcel to the total number of residential units in Improvement Area #1 (80%).
- *Commercial:* the ratio of the Appraised Value of each Commercial Parcel to the total Appraised Value for all of the Commercial Parcels in Improvement Area #1.

This method of assessing property has not been changed other than the updated 2019-20 Annual Installment allocation percentage calculations shown above and the Assessed Property will continue to be assessed as provided for in the Service and Assessment Plan.

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D. UPDATE OF THE ASSESSMENT ROLL

Pursuant to the original Service and Assessment Plan, the Assessment Roll shall be updated each year to reflect changes such as:

- (i) the identification of each Parcel; (ii) the Special Assessment for each Assessed Property, including any adjustments authorized by the Service and Assessment Plan or in the PID Act; (iii) the Annual Installment for the Assessed Property for the year (if the Special Assessment is payable in installments); and (iv) payments of the Special Assessment, if any, as provided by Section VI.G of the Service and Assessment Plan.

The summary Assessment Roll is shown in Appendix B. Each Parcel in the PID is identified, along with the Assessment on each Parcel and the Annual Installment to be collected from each Parcel.

I. PARCEL UPDATES

Upon the subdivision of any Improvement Area #1 Assessed Property based on a recorded subdivision plat, the Administrator shall reallocate the Assessment for the Improvement Area #1 Assessed Property prior to the subdivision among the new subdivided Lots according to the following formula below:

RESIDENTIAL $A = (B \times C)/D$

Where the terms have the following meanings:

- A = the Special Assessment for the new subdivided Lot
- B = the Special Assessment for the Improvement Area #1 Assessed Property prior to subdivision
- $C = [(a \div b) \times c] + [(d \div e) \times f]$
- a = the sum of the Residential Allocated Appraised Values of all the new subdivided residential Lots with the same Lot Type
- b = the Appraised Value for the Improvement Area #1 Assessed Property prior to subdivision
- c = Weight for the ratio of the appraised value = 20%
- d = the sum of the number of residential Lots for the new subdivided Improvement Area #1 Assessed Property with the same Lot Type
- e = the sum of the estimated number of residential Lots for the Improvement Area #1 Assessed Property prior to subdivision
- f = Weight for the ratio of the estimated residential Lots = 80%
- D = the number of residential Lots with same Lot Type.

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According to the Developer and Ellis CAD records, 94 residential Lots – Cove – Phase #2 – were subdivided for 2019 from Parcel 223031.

The total Special Assessment allocated to Parcel 223031 was \$560,243. A total of 94 Lots were subdivided from Parcel 223031. The remaining number of Lots on Parcel 223031, after these subdivisions, is estimated to be 52. The outstanding Assessment amount of \$560,243 initially allocated to Parcel 223031 is reallocated to the subdivided Parcels based on the weighting factors calculated for each Lot Type as shown in Table D-1 below.

Table D-1
Special Assessment Reallocation – Parcel 223031

Parcel	Lot Type	No. of Units	Calculated Weight	Total Assessment Allocated	Assessment per Unit
Various	50 Ft	15	10.62%	\$59,496	\$3,966
Various	60 Ft	42	33.64%	\$188,494	\$4,488
Various	70 Ft	37	27.24%	\$152,623	\$4,125
223031	Various	52	28.49%	\$159,631	
Total		146	100.00%	\$560,243	

According to the Developer and Ellis CAD records, 190 residential Lots – Estates of North Grove – Phase #1 – were subdivided for 2019, of which 53 Lots were platted from Parcel 262138 and 137 lots were platted from Parcel 190002. Additionally, a tract of land for an estimated 101 lots was platted for the Haven – Phase #1 from Parcel 190002.

The total Special Assessment allocated to Parcel 262138 was \$835,942. A total of 53 Lots were subdivided from Parcel 262138. In addition, Parcel 275414 was subdivided from Parcel 262138, which is planned to be a school site that is being classified As Non-Benefited Property. According to the Developer and Ellis CAD records, ownership of a future school site of approximately 11.28 acres was transferred to the Waxahachie ISD. The remaining number of Lots on Parcel 262138, after these subdivisions, is estimated to be 163. The outstanding Assessment amount of \$835,942 initially allocated to Parcel 262138 is reallocated to the subdivided Parcels based on the weighting factors calculated for each Lot Type as shown in Table D-2 on the following page.

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Table D-2
Special Assessment Reallocation – Parcel 262138

Parcel	Lot Type	No. of Units	Calculated Weight	Total Assessment Allocated	Assessment per Unit
Various	50 Ft	20	15.69%	\$131,191	\$6,560
Various	60 Ft	6	3.47%	\$29,032	\$4,839
Various	70 Ft	25	19.29%	\$161,272	\$6,451
Various	83 Ft	2	1.17%	\$9,786	\$4,893
262138	Various	163	60.37%	\$504,661	
Total		216	100.00%	\$835,942	

The total Special Assessment allocated to Parcel 190002 was \$910,638. A total of 137 Lots were subdivided from Parcel 190002. In addition, Parcel 274596 was subdivided from Parcel 190002, which is planned to be developed into 101 Lots. The remaining number of Lots on Parcel 190002, after these subdivisions, is estimated to be 33. The outstanding Assessment amount of \$910,638 initially allocated to Parcel 190002 is reallocated to the subdivided Parcels based on the weighting factors calculated for each Lot Type as shown in Table D-3 below.

Table D-3
Special Assessment Reallocation – Parcel 190002

Parcel	Lot Type	No. of Units	Calculated Weight	Total Assessment Allocated	Assessment per Unit
Various	50 Ft	6	2.22%	\$20,258	\$3,376
Various	60 Ft	3	1.02%	\$9,305	\$3,102
Various	70 Ft	66	31.10%	\$283,229	\$4,291
Various	83 Ft	47	20.09%	\$182,975	\$3,893
Various	90 Ft	15	5.13%	\$46,712	\$3,114
274596	Various	101	30.69%	\$279,447	
190002	Various	33	9.74%	\$88,712	
Total		271	100.00%	\$910,638	

The Assessments reallocated to each of the newly subdivided Lots are shown in the Assessment Roll summary included herein as Appendix B.

II. PREPAYMENT OF SPECIAL ASSESSMENTS

There have been no Special Assessment prepayments as of August 31, 2019.

The list of current Parcels within the PID, the tract numbers, the planned land use, the corresponding outstanding Special Assessments, and Annual Installment are shown in the Assessment Roll summary attached hereto as Appendix B.

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The complete Assessment Roll is available for review at Waxahachie City Hall, located at 401 S. Rogers Street, Waxahachie, Texas 75165.

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APPENDIX A
PID MAP

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APPENDIX B
2019-20 ASSESSMENT ROLL SUMMARY

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
262125	1	Commercial	\$245,934	3.80%	\$20,776.17
262126	2	Commercial	\$239,546	3.70%	\$20,236.54
262127	3	Commercial	\$287,455	4.44%	\$24,283.85
262128	4	Commercial	\$287,455	4.44%	\$24,283.85
262129	5	Commercial	\$255,516	3.95%	\$21,585.65
262130	6	Commercial	\$223,576	3.45%	\$18,887.44
269439	7	Commercial/Residential	\$351,595	5.43%	\$29,702.31
262133	8A	Residential	\$218,924	3.38%	\$18,494.39
267119	8B	Residential	\$162,310	2.51%	\$13,711.74
262134	9	Residential	\$708,537	10.94%	\$59,856.31
262135	10	Residential	\$538,130	8.31%	\$45,460.58
262138	11	Residential	\$504,661	7.79%	\$42,633.15
190002	12	Residential	\$88,712	1.37%	\$7,494.25
223031	13	Residential	\$159,631	2.47%	\$13,485.42
274596	Haven Ph. 1	Residential	\$279,447	4.32%	\$23,607.30
265951	0	Residential	\$4,260	0.07%	\$359.86
265952	0	Residential	\$4,260	0.07%	\$359.86
265953	0	Residential	\$4,260	0.07%	\$359.86
265954	0	Residential	\$4,260	0.07%	\$359.86
265955	0	Residential	\$4,260	0.07%	\$359.86
265956	0	Residential	\$4,260	0.07%	\$359.86
265957	0	Residential	\$4,260	0.07%	\$359.86
265958	0	Residential	\$4,260	0.07%	\$359.86
265959	0	Residential	\$4,260	0.07%	\$359.86
265960	0	Residential	\$4,260	0.07%	\$359.86
265961	0	Residential	\$4,260	0.07%	\$359.86
265962	0	Residential	\$4,260	0.07%	\$359.86
265963	0	Residential	\$4,260	0.07%	\$359.86
265964	0	Residential	\$4,260	0.07%	\$359.86
265965	0	Residential	\$4,260	0.07%	\$359.86
265966	0	Residential	\$4,260	0.07%	\$359.86
265967	0	Residential	\$4,260	0.07%	\$359.86
265968	0	Residential	\$4,260	0.07%	\$359.86
265969	0	Residential	\$4,260	0.07%	\$359.86
265970	0	Residential	\$4,260	0.07%	\$359.86
265971	0	Residential	\$4,260	0.07%	\$359.86
265972	0	Residential	\$4,260	0.07%	\$359.86
265973	0	Residential	\$4,260	0.07%	\$359.86
265974	0	Residential	\$4,260	0.07%	\$359.86
265975	0	Residential	\$4,260	0.07%	\$359.86
265976	0	Residential	\$4,260	0.07%	\$359.86

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
265977	0	Residential	\$4,260	0.07%	\$359.86
265978	0	Residential	\$4,260	0.07%	\$359.86
265979	0	Residential	\$4,260	0.07%	\$359.86
265980	0	Residential	\$4,260	0.07%	\$359.86
265981	0	Residential	\$4,260	0.07%	\$359.86
265982	0	Residential	\$4,260	0.07%	\$359.86
265983	0	Residential	\$4,260	0.07%	\$359.86
265984	0	Residential	\$4,260	0.07%	\$359.86
265985	0	Residential	\$4,260	0.07%	\$359.86
265986	0	Residential	\$4,260	0.07%	\$359.86
265987	0	Residential	\$4,260	0.07%	\$359.86
265988	0	Residential	\$4,260	0.07%	\$359.86
265989	0	Residential	\$4,260	0.07%	\$359.86
265990	0	Residential	\$4,260	0.07%	\$359.86
265991	0	Residential	\$4,260	0.07%	\$359.86
265992	0	Residential	\$4,260	0.07%	\$359.86
265993	0	Residential	\$4,260	0.07%	\$359.86
265994	0	Residential	\$4,260	0.07%	\$359.86
265996	0	Residential	\$4,260	0.07%	\$359.86
265997	0	Residential	\$4,260	0.07%	\$359.86
265998	0	Residential	\$4,260	0.07%	\$359.86
265999	0	Residential	\$4,260	0.07%	\$359.86
266000	0	Residential	\$4,260	0.07%	\$359.86
266001	0	Residential	\$4,260	0.07%	\$359.86
266002	0	Residential	\$4,260	0.07%	\$359.86
266003	0	Residential	\$4,260	0.07%	\$359.86
266004	0	Residential	\$4,260	0.07%	\$359.86
266005	0	Residential	\$4,260	0.07%	\$359.86
266006	0	Residential	\$4,260	0.07%	\$359.86
266007	0	Residential	\$4,260	0.07%	\$359.86
266008	0	Residential	\$4,260	0.07%	\$359.86
266009	0	Residential	\$4,260	0.07%	\$359.86
266010	0	Residential	\$4,260	0.07%	\$359.86
266011	0	Residential	\$4,260	0.07%	\$359.86
266012	0	Residential	\$4,260	0.07%	\$359.86
266013	0	Residential	\$4,260	0.07%	\$359.86
266014	0	Residential	\$4,260	0.07%	\$359.86
266015	0	Residential	\$4,260	0.07%	\$359.86
266016	0	Residential	\$4,260	0.07%	\$359.86
266017	0	Residential	\$4,260	0.07%	\$359.86
266018	0	Residential	\$4,260	0.07%	\$359.86

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
266019	0	Residential	\$4,260	0.07%	\$359.86
266021	0	Residential	\$4,260	0.07%	\$359.86
266022	0	Residential	\$4,260	0.07%	\$359.86
266023	0	Residential	\$4,260	0.07%	\$359.86
266024	0	Residential	\$4,260	0.07%	\$359.86
266025	0	Residential	\$4,260	0.07%	\$359.86
266026	0	Residential	\$4,260	0.07%	\$359.86
266027	0	Residential	\$4,260	0.07%	\$359.86
266028	0	Residential	\$4,260	0.07%	\$359.86
266029	0	Residential	\$4,260	0.07%	\$359.86
266030	0	Residential	\$4,260	0.07%	\$359.86
266031	0	Residential	\$4,260	0.07%	\$359.86
266032	0	Residential	\$4,260	0.07%	\$359.86
266033	0	Residential	\$4,260	0.07%	\$359.86
265995	0	Residential	\$4,260	0.07%	\$359.86
266020	0	Residential	\$4,260	0.07%	\$359.86
269582	0	Open Space	\$0	0.00%	\$0.00
269583	0	Residential	\$3,078	0.05%	\$260.07
269584	0	Residential	\$3,078	0.05%	\$260.07
269585	0	Residential	\$3,078	0.05%	\$260.07
269586	0	Residential	\$3,078	0.05%	\$260.07
269587	0	Residential	\$3,078	0.05%	\$260.07
269588	0	Residential	\$3,078	0.05%	\$260.07
269589	0	Residential	\$3,078	0.05%	\$260.07
269590	0	Residential	\$3,078	0.05%	\$260.07
269591	0	Residential	\$3,078	0.05%	\$260.07
269592	0	Residential	\$3,078	0.05%	\$260.07
269593	0	Residential	\$3,078	0.05%	\$260.07
269594	0	Residential	\$3,078	0.05%	\$260.07
269595	0	Residential	\$3,078	0.05%	\$260.07
269596	0	Residential	\$3,078	0.05%	\$260.07
269597	0	Residential	\$3,078	0.05%	\$260.07
269598	0	Residential	\$3,078	0.05%	\$260.07
269599	0	Residential	\$3,078	0.05%	\$260.07
269600	0	Residential	\$3,078	0.05%	\$260.07
269601	0	Residential	\$3,078	0.05%	\$260.07
269602	0	Residential	\$3,078	0.05%	\$260.07
269603	0	Residential	\$3,078	0.05%	\$260.07
269604	0	Residential	\$3,078	0.05%	\$260.07
269605	0	Residential	\$3,078	0.05%	\$260.07
269606	0	Residential	\$3,078	0.05%	\$260.07

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
269607	0	Residential	\$3,078	0.05%	\$260.07
269608	0	Residential	\$3,078	0.05%	\$260.07
269609	0	Residential	\$3,078	0.05%	\$260.07
269610	0	Residential	\$3,078	0.05%	\$260.07
269611	0	Residential	\$3,078	0.05%	\$260.07
269612	0	Residential	\$3,078	0.05%	\$260.07
269613	0	Residential	\$3,078	0.05%	\$260.07
269614	0	Residential	\$3,078	0.05%	\$260.07
269615	0	Residential	\$3,078	0.05%	\$260.07
269616	0	Residential	\$3,078	0.05%	\$260.07
269617	0	Residential	\$3,078	0.05%	\$260.07
269618	0	Residential	\$3,078	0.05%	\$260.07
269619	0	Residential	\$3,078	0.05%	\$260.07
269620	0	Residential	\$3,078	0.05%	\$260.07
269621	0	Residential	\$3,078	0.05%	\$260.07
269622	0	Residential	\$3,078	0.05%	\$260.07
269623	0	Residential	\$3,078	0.05%	\$260.07
269624	0	Residential	\$3,078	0.05%	\$260.07
269625	0	Residential	\$3,078	0.05%	\$260.07
269626	0	Residential	\$3,078	0.05%	\$260.07
269627	0	Residential	\$3,078	0.05%	\$260.07
269628	0	Residential	\$3,078	0.05%	\$260.07
269629	0	Residential	\$3,078	0.05%	\$260.07
269630	0	Residential	\$3,078	0.05%	\$260.07
269631	0	Residential	\$3,078	0.05%	\$260.07
269632	0	Residential	\$3,078	0.05%	\$260.07
269633	0	Residential	\$3,078	0.05%	\$260.07
269634	0	Residential	\$3,078	0.05%	\$260.07
269635	0	Residential	\$3,078	0.05%	\$260.07
269636	0	Residential	\$3,078	0.05%	\$260.07
269637	0	Residential	\$3,078	0.05%	\$260.07
269638	0	Residential	\$3,078	0.05%	\$260.07
269639	0	Residential	\$3,078	0.05%	\$260.07
269640	0	Residential	\$3,078	0.05%	\$260.07
269641	0	Residential	\$3,078	0.05%	\$260.07
269642	0	Residential	\$3,078	0.05%	\$260.07
269643	0	Residential	\$3,078	0.05%	\$260.07
269644	0	Residential	\$3,078	0.05%	\$260.07
269645	0	Residential	\$3,078	0.05%	\$260.07
269646	0	Residential	\$3,078	0.05%	\$260.07
269647	0	Residential	\$3,078	0.05%	\$260.07

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
269648	0	Residential	\$3,078	0.05%	\$260.07
269649	0	Residential	\$3,078	0.05%	\$260.07
269650	0	Residential	\$3,078	0.05%	\$260.07
269651	0	Residential	\$3,078	0.05%	\$260.07
269652	0	Residential	\$3,078	0.05%	\$260.07
269653	0	Residential	\$3,078	0.05%	\$260.07
269654	0	Residential	\$3,078	0.05%	\$260.07
269655	0	Residential	\$3,078	0.05%	\$260.07
269656	0	Residential	\$3,078	0.05%	\$260.07
269657	0	Residential	\$3,078	0.05%	\$260.07
273298	0	Residential	\$3,966	0.06%	\$335.08
273299	0	Residential	\$3,966	0.06%	\$335.08
273300	0	Residential	\$3,966	0.06%	\$335.08
273301	0	Residential	\$3,966	0.06%	\$335.08
273302	0	Residential	\$3,966	0.06%	\$335.08
273303	0	Residential	\$3,966	0.06%	\$335.08
273304	0	Residential	\$3,966	0.06%	\$335.08
273305	0	Residential	\$3,966	0.06%	\$335.08
273306	0	Residential	\$3,966	0.06%	\$335.08
273307	0	Residential	\$3,966	0.06%	\$335.08
273308	0	Residential	\$3,966	0.06%	\$335.08
273309	0	Residential	\$3,966	0.06%	\$335.08
273310	0	Residential	\$3,966	0.06%	\$335.08
273311	0	Residential	\$3,966	0.06%	\$335.08
273312	0	Residential	\$3,966	0.06%	\$335.08
273321	0	Residential	\$4,488	0.07%	\$379.14
273322	0	Residential	\$4,488	0.07%	\$379.14
273323	0	Residential	\$4,488	0.07%	\$379.14
273324	0	Residential	\$4,488	0.07%	\$379.14
273325	0	Residential	\$4,488	0.07%	\$379.14
273326	0	Residential	\$4,488	0.07%	\$379.14
273327	0	Residential	\$4,488	0.07%	\$379.14
273328	0	Residential	\$4,488	0.07%	\$379.14
273329	0	Residential	\$4,488	0.07%	\$379.14
273330	0	Residential	\$4,488	0.07%	\$379.14
273331	0	Residential	\$4,488	0.07%	\$379.14
273332	0	Residential	\$4,125	0.06%	\$348.47
273333	0	Residential	\$4,488	0.07%	\$379.14
273334	0	Residential	\$4,488	0.07%	\$379.14
273335	0	Residential	\$4,488	0.07%	\$379.14
273336	0	Residential	\$4,488	0.07%	\$379.14

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
273337	0	Residential	\$4,488	0.07%	\$379.14
273338	0	Residential	\$4,488	0.07%	\$379.14
273339	0	Residential	\$4,125	0.06%	\$348.47
273340	0	Residential	\$4,125	0.06%	\$348.47
273341	0	Residential	\$4,125	0.06%	\$348.47
273342	0	Residential	\$4,125	0.06%	\$348.47
273343	0	Residential	\$4,125	0.06%	\$348.47
273344	0	Residential	\$4,125	0.06%	\$348.47
273345	0	Residential	\$4,125	0.06%	\$348.47
273346	0	Residential	\$4,125	0.06%	\$348.47
273347	0	Residential	\$4,125	0.06%	\$348.47
273348	0	Residential	\$4,125	0.06%	\$348.47
273349	0	Residential	\$4,488	0.07%	\$379.14
273350	0	Residential	\$4,488	0.07%	\$379.14
273351	0	Residential	\$4,488	0.07%	\$379.14
273352	0	Residential	\$4,488	0.07%	\$379.14
273353	0	Open Space	\$0	0.00%	\$0.00
273355	0	Residential	\$4,125	0.06%	\$348.47
273356	0	Residential	\$4,125	0.06%	\$348.47
273357	0	Residential	\$4,125	0.06%	\$348.47
273358	0	Residential	\$4,125	0.06%	\$348.47
273359	0	Residential	\$4,125	0.06%	\$348.47
273360	0	Residential	\$4,125	0.06%	\$348.47
273361	0	Residential	\$4,125	0.06%	\$348.47
273362	0	Residential	\$4,125	0.06%	\$348.47
273363	0	Residential	\$4,125	0.06%	\$348.47
273364	0	Residential	\$4,125	0.06%	\$348.47
273365	0	Residential	\$4,125	0.06%	\$348.47
273366	0	Residential	\$4,125	0.06%	\$348.47
273367	0	Residential	\$4,125	0.06%	\$348.47
273368	0	Residential	\$4,125	0.06%	\$348.47
273369	0	Residential	\$4,125	0.06%	\$348.47
273370	0	Residential	\$4,125	0.06%	\$348.47
273371	0	Residential	\$4,125	0.06%	\$348.47
273372	0	Residential	\$4,125	0.06%	\$348.47
273373	0	Residential	\$4,125	0.06%	\$348.47
273374	0	Residential	\$4,125	0.06%	\$348.47
273375	0	Residential	\$4,125	0.06%	\$348.47
273376	0	Residential	\$4,125	0.06%	\$348.47
273378	0	Residential	\$4,125	0.06%	\$348.47
273379	0	Residential	\$4,125	0.06%	\$348.47

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
273380	0	Residential	\$4,125	0.06%	\$348.47
273381	0	Residential	\$4,125	0.06%	\$348.47
273382	0	Residential	\$4,488	0.07%	\$379.14
273383	0	Residential	\$4,488	0.07%	\$379.14
273384	0	Residential	\$4,488	0.07%	\$379.14
273385	0	Residential	\$4,488	0.07%	\$379.14
273386	0	Residential	\$4,488	0.07%	\$379.14
273387	0	Residential	\$4,488	0.07%	\$379.14
273388	0	Residential	\$4,488	0.07%	\$379.14
273389	0	Residential	\$4,488	0.07%	\$379.14
273390	0	Residential	\$4,488	0.07%	\$379.14
273391	0	Residential	\$4,488	0.07%	\$379.14
273392	0	Residential	\$4,488	0.07%	\$379.14
273393	0	Residential	\$4,488	0.07%	\$379.14
273394	0	Residential	\$4,488	0.07%	\$379.14
273395	0	Residential	\$4,488	0.07%	\$379.14
273396	0	Residential	\$4,488	0.07%	\$379.14
273397	0	Residential	\$4,488	0.07%	\$379.14
273398	0	Residential	\$4,488	0.07%	\$379.14
273399	0	Residential	\$4,488	0.07%	\$379.14
273400	0	Residential	\$4,488	0.07%	\$379.14
273401	0	Residential	\$4,488	0.07%	\$379.14
273402	0	Residential	\$4,488	0.07%	\$379.14
272232	0	Residential	\$3,893	0.06%	\$328.88
272233	0	Residential	\$3,893	0.06%	\$328.88
272234	0	Residential	\$3,893	0.06%	\$328.88
272235	0	Residential	\$3,893	0.06%	\$328.88
272236	0	Residential	\$3,893	0.06%	\$328.88
272237	0	Residential	\$3,893	0.06%	\$328.88
272238	0	Residential	\$3,893	0.06%	\$328.88
272239	0	Residential	\$3,893	0.06%	\$328.88
272240	0	Residential	\$3,893	0.06%	\$328.88
272241	0	Residential	\$3,893	0.06%	\$328.88
272242	0	Residential	\$3,893	0.06%	\$328.88
272243	0	Residential	\$3,893	0.06%	\$328.88
272244	0	Residential	\$3,893	0.06%	\$328.88
272245	0	Residential	\$3,893	0.06%	\$328.88
272246	0	Residential	\$3,893	0.06%	\$328.88
272247	0	Residential	\$4,291	0.07%	\$362.53
272248	0	Residential	\$4,291	0.07%	\$362.53
272249	0	Residential	\$4,291	0.07%	\$362.53

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**North Grove PID
Assessment Roll Summary
2019-20**

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
272250	0	Residential	\$4,291	0.07%	\$362.53
272251	0	Residential	\$4,291	0.07%	\$362.53
272252	0	Residential	\$4,291	0.07%	\$362.53
272253	0	Residential	\$4,291	0.07%	\$362.53
272254	0	Residential	\$4,291	0.07%	\$362.53
272255	0	Residential	\$4,291	0.07%	\$362.53
272256	0	Residential	\$4,291	0.07%	\$362.53
272257	0	Residential	\$4,291	0.07%	\$362.53
272258	0	Residential	\$4,291	0.07%	\$362.53
272259	0	Residential	\$4,291	0.07%	\$362.53
272260	0	Residential	\$4,291	0.07%	\$362.53
272261	0	Residential	\$4,291	0.07%	\$362.53
272262	0	Residential	\$4,291	0.07%	\$362.53
272263	0	Residential	\$4,291	0.07%	\$362.53
272264	0	Residential	\$4,291	0.07%	\$362.53
272265	0	Residential	\$4,291	0.07%	\$362.53
272266	0	Residential	\$4,291	0.07%	\$362.53
272267	0	Residential	\$4,291	0.07%	\$362.53
272268	0	Residential	\$4,291	0.07%	\$362.53
272269	0	Residential	\$4,291	0.07%	\$362.53
272270	0	Residential	\$4,291	0.07%	\$362.53
272271	0	Residential	\$4,291	0.07%	\$362.53
272272	0	Residential	\$4,291	0.07%	\$362.53
272273	0	Residential	\$4,291	0.07%	\$362.53
272274	0	Residential	\$4,291	0.07%	\$362.53
272275	0	Residential	\$4,291	0.07%	\$362.53
272276	0	Residential	\$4,291	0.07%	\$362.53
272277	0	Residential	\$4,291	0.07%	\$362.53
272278	0	Open Space	\$0	0.00%	\$0.00
272281	0	Residential	\$3,893	0.06%	\$328.88
272282	0	Residential	\$3,893	0.06%	\$328.88
272283	0	Residential	\$3,893	0.06%	\$328.88
272284	0	Residential	\$3,893	0.06%	\$328.88
272285	0	Residential	\$3,893	0.06%	\$328.88
272286	0	Residential	\$3,893	0.06%	\$328.88
272287	0	Residential	\$3,893	0.06%	\$328.88
272288	0	Residential	\$3,893	0.06%	\$328.88
272289	0	Residential	\$3,893	0.06%	\$328.88
272290	0	Residential	\$3,893	0.06%	\$328.88
272291	0	Residential	\$3,893	0.06%	\$328.88
272292	0	Residential	\$3,893	0.06%	\$328.88

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
272293	0	Residential	\$4,291	0.07%	\$362.53
272294	0	Residential	\$4,291	0.07%	\$362.53
272295	0	Residential	\$4,291	0.07%	\$362.53
272296	0	Residential	\$4,291	0.07%	\$362.53
272297	0	Residential	\$4,291	0.07%	\$362.53
272298	0	Residential	\$4,291	0.07%	\$362.53
272299	0	Residential	\$4,291	0.07%	\$362.53
272300	0	Residential	\$4,291	0.07%	\$362.53
272301	0	Residential	\$4,291	0.07%	\$362.53
272302	0	Residential	\$4,291	0.07%	\$362.53
272303	0	Residential	\$4,291	0.07%	\$362.53
272304	0	Residential	\$4,291	0.07%	\$362.53
272305	0	Residential	\$4,291	0.07%	\$362.53
272306	0	Residential	\$4,291	0.07%	\$362.53
272307	0	Residential	\$4,291	0.07%	\$362.53
272308	0	Residential	\$3,102	0.05%	\$262.02
272309	0	Residential	\$3,102	0.05%	\$262.02
272310	0	Residential	\$3,102	0.05%	\$262.02
272311	0	Residential	\$3,376	0.05%	\$285.23
272312	0	Residential	\$3,376	0.05%	\$285.23
272313	0	Residential	\$3,376	0.05%	\$285.23
272314	0	Residential	\$3,376	0.05%	\$285.23
272315	0	Residential	\$3,376	0.05%	\$285.23
272316	0	Residential	\$3,376	0.05%	\$285.23
272319	0	Residential	\$3,114	0.05%	\$263.08
272320	0	Residential	\$3,893	0.06%	\$328.88
272321	0	Residential	\$3,893	0.06%	\$328.88
272322	0	Residential	\$3,893	0.06%	\$328.88
272323	0	Residential	\$3,893	0.06%	\$328.88
272324	0	Residential	\$3,893	0.06%	\$328.88
272325	0	Residential	\$3,893	0.06%	\$328.88
272326	0	Residential	\$3,893	0.06%	\$328.88
272327	0	Residential	\$3,893	0.06%	\$328.88
272328	0	Residential	\$3,893	0.06%	\$328.88
272329	0	Residential	\$3,114	0.05%	\$263.08
272330	0	Residential	\$3,893	0.06%	\$328.88
272331	0	Residential	\$3,893	0.06%	\$328.88
272332	0	Residential	\$3,114	0.05%	\$263.08
272333	0	Residential	\$3,114	0.05%	\$263.08
272334	0	Residential	\$3,893	0.06%	\$328.88
272335	0	Residential	\$3,893	0.06%	\$328.88

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**North Grove PID
Assessment Roll Summary
2019-20**

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
272336	0	Residential	\$3,114	0.05%	\$263.08
272337	0	Residential	\$3,114	0.05%	\$263.08
272338	0	Residential	\$3,114	0.05%	\$263.08
272339	0	Residential	\$3,114	0.05%	\$263.08
272340	0	Residential	\$3,114	0.05%	\$263.08
272341	0	Residential	\$3,114	0.05%	\$263.08
272342	0	Residential	\$3,893	0.06%	\$328.88
272343	0	Residential	\$3,893	0.06%	\$328.88
272344	0	Residential	\$3,893	0.06%	\$328.88
272345	0	Residential	\$3,114	0.05%	\$263.08
272346	0	Residential	\$4,291	0.07%	\$362.53
272347	0	Residential	\$4,291	0.07%	\$362.53
272348	0	Residential	\$4,291	0.07%	\$362.53
272349	0	Residential	\$4,291	0.07%	\$362.53
272350	0	Residential	\$4,291	0.07%	\$362.53
272351	0	Residential	\$4,291	0.07%	\$362.53
272352	0	Residential	\$4,291	0.07%	\$362.53
272353	0	Residential	\$4,291	0.07%	\$362.53
272354	0	Residential	\$4,291	0.07%	\$362.53
272355	0	Residential	\$4,291	0.07%	\$362.53
272356	0	Residential	\$6,451	0.10%	\$544.96
272357	0	Residential	\$6,451	0.10%	\$544.96
272358	0	Residential	\$6,451	0.10%	\$544.96
272359	0	Residential	\$6,451	0.10%	\$544.96
272360	0	Residential	\$6,451	0.10%	\$544.96
272361	0	Residential	\$4,893	0.08%	\$413.36
272362	0	Residential	\$4,893	0.08%	\$413.36
272363	0	Residential	\$4,839	0.07%	\$408.76
272364	0	Residential	\$6,560	0.10%	\$554.14
272365	0	Residential	\$6,560	0.10%	\$554.14
272366	0	Residential	\$6,560	0.10%	\$554.14
272367	0	Residential	\$6,560	0.10%	\$554.14
272368	0	Residential	\$6,560	0.10%	\$554.14
272369	0	Residential	\$6,560	0.10%	\$554.14
272370	0	Open Space	\$0	0.00%	\$0.00
272371	0	Open Space	\$0	0.00%	\$0.00
272383	0	Residential	\$3,893	0.06%	\$328.88
272384	0	Residential	\$4,291	0.07%	\$362.53
272385	0	Residential	\$4,291	0.07%	\$362.53
272386	0	Residential	\$4,291	0.07%	\$362.53
272387	0	Residential	\$6,451	0.10%	\$544.96

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
272388	0	Residential	\$6,451	0.10%	\$544.96
272389	0	Residential	\$6,451	0.10%	\$544.96
272390	0	Residential	\$4,291	0.07%	\$362.53
272391	0	Residential	\$4,291	0.07%	\$362.53
272392	0	Residential	\$4,291	0.07%	\$362.53
272393	0	Residential	\$3,893	0.06%	\$328.88
272418	0	Residential	\$3,114	0.05%	\$263.08
272419	0	Residential	\$3,893	0.06%	\$328.88
272420	0	Residential	\$3,893	0.06%	\$328.88
272421	0	Residential	\$3,114	0.05%	\$263.08
272422	0	Residential	\$3,114	0.05%	\$263.08
272423	0	Residential	\$4,291	0.07%	\$362.53
272424	0	Residential	\$4,291	0.07%	\$362.53
272425	0	Residential	\$3,114	0.05%	\$263.08
272434	0	Residential	\$4,291	0.07%	\$362.53
272435	0	Residential	\$6,451	0.10%	\$544.96
272436	0	Residential	\$6,451	0.10%	\$544.96
272437	0	Residential	\$6,451	0.10%	\$544.96
272438	0	Residential	\$6,451	0.10%	\$544.96
272439	0	Residential	\$6,451	0.10%	\$544.96
272440	0	Residential	\$6,451	0.10%	\$544.96
272441	0	Residential	\$4,291	0.07%	\$362.53
272460	0	Residential	\$4,839	0.07%	\$408.76
272461	0	Residential	\$6,560	0.10%	\$554.14
272462	0	Residential	\$6,560	0.10%	\$554.14
272463	0	Residential	\$6,560	0.10%	\$554.14
272464	0	Residential	\$6,560	0.10%	\$554.14
272465	0	Residential	\$6,451	0.10%	\$544.96
272466	0	Residential	\$6,451	0.10%	\$544.96
272467	0	Residential	\$6,451	0.10%	\$544.96
272468	0	Residential	\$4,839	0.07%	\$408.76
272469	0	Residential	\$6,560	0.10%	\$554.14
272470	0	Residential	\$6,560	0.10%	\$554.14
272471	0	Residential	\$6,560	0.10%	\$554.14
272472	0	Residential	\$6,560	0.10%	\$554.14
272473	0	Residential	\$6,560	0.10%	\$554.14
272474	0	Residential	\$6,560	0.10%	\$554.14
272475	0	Residential	\$6,560	0.10%	\$554.14
272476	0	Residential	\$4,839	0.07%	\$408.76
272477	0	Residential	\$4,839	0.07%	\$408.76
272478	0	Residential	\$4,839	0.07%	\$408.76

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North Grove PID
Assessment Roll Summary
2019-20

Parcel ID	Tract #	Land Use	Special Assessment	% of Special Assessment for allocating the 2019-20 Annual Installment	Annual Installment 2019-20
272479	0	Residential	\$6,451	0.10%	\$544.96
272480	0	Residential	\$6,451	0.10%	\$544.96
272481	0	Residential	\$6,451	0.10%	\$544.96
272482	0	Residential	\$6,451	0.10%	\$544.96
272483	0	Residential	\$6,451	0.10%	\$544.96
272484	0	Residential	\$6,451	0.10%	\$544.96
272485	0	Residential	\$6,451	0.10%	\$544.96
272486	0	Residential	\$6,451	0.10%	\$544.96
272487	0	Residential	\$6,560	0.10%	\$554.14
272488	0	Residential	\$6,560	0.10%	\$554.14
272489	0	Residential	\$6,560	0.10%	\$554.14
272490	0	Open Space	\$0	0.00%	\$0.00
275414	0	School Site	\$0	0.00%	\$0.00
272370		Owner Association Property	\$64,750	1.00%	\$5,470.00
Total			\$6,475,000	100.00%	\$547,000.00

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS, APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2018-2019, FUNDS APPROPRIATED FOR STREET MAINTENANCE AND PROFESSIONAL SERVICES WILL BE USED FOR THAT PURPOSE, EITHER BY ENCUMBRANCE OR BY TRANSFER TO CAPITAL PROJECT FUND FOR STREETS; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND TERMINATING SEPTEMBER 30, 2020, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Waxahachie, Texas (hereinafter referred to as the "City") has caused to be filed with the City Secretary a budget to cover all proposed expenditures of the government of the City for the fiscal year beginning October 1, 2019, and ending September 30, 2020, (hereinafter referred to as the "Budget"); and

WHEREAS, public notice of the public hearing on the proposed annual budget, stating the date, time, place and subject matter of said public hearing, was given as required by the Charter of the City of Waxahachie and the laws of the State of Texas; and

WHEREAS, such public hearing was held on September 3, 2019, prior approval of such date being hereby ratified and confirmed by the City Council, and all those wishing to speak on the Budget were heard; and

WHEREAS, the City Council has studied the Budget and listened to the comments of the taxpayers at the public hearing therefore and has determined that the Budget attached hereto is in the best interest of the City.

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

Section 1. That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. That the revised budget figures, prepared and submitted by the City Manager for the 2018-2019 budget, be, and the same are hereby, in all things, approved and appropriated, and any necessary transfers between accounts and departments are hereby authorized, approved, and appropriated.

Section 3. That the Budget attached hereto and incorporated herein for all purposes is adopted for the Fiscal Year beginning October 1, 2019, and ending September 30, 2020; and there is hereby appropriated from the funds indicated such projects, operations, activities, purchases and other expenditures as proposed in the Budget.

Section 4. That the City Manager shall file or cause to be filed a true and correct copy of the approved Budget, along with this ordinance, with the City Secretary and in the office of the County Clerk of Ellis County, Texas, as required by State Law.

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Section 5. That the distribution and division of the above-named appropriations are made at the departmental level in the general fund and the water and sewer fund for the payment of operating expenses and capital outlay as set out in the municipal budget.

Section 6. That at any time during the fiscal year, the City Manager may transfer part or all of any unencumbered appropriation balance among or between general classifications within a department. The City Manager shall report such transfer to the City Council by written message at the next regular council meeting following the transfer action. The City Manager may not authorize transfer of part of all of any unencumbered appropriation balance among or between departments or funds of the City. The City Manager may recommend such transfer to the City Council. The City Council may, at the recommendation of the City Manager or on its own volition, transfer part or all of any unencumbered appropriation balance from one department or fund to another department or fund by resolution.

Section 7. That any and all ordinances, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of conflict herewith.

Section 8. That if any section, article, paragraph, sentence, clause, phrase or word in the Ordinance, or application thereto my person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction such holding shall not affect the validity of the remaining portions of the Ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 9. That the necessity of adopting and approving a proposed budget for the next fiscal year as required by the laws of the State of Texas requires that this Ordinance shall take effect immediately from and after its passage, and it is accordingly so ordained.

PASSED, APPROVED AND ADOPTED on this the 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary

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**CITY OF WAXAHACHIE
GENERAL FUND
SUMMARY OF EXPENDITURES BY DEPARTMENT
F Y 2019 - 2020**

DESCRIPTION	ORIGINAL BUDGET F Y 2018-19	REVISED / Y E ESTIMATE F Y 2018-19	BUDGET F Y 2019-20
Revenues	36,951,100	37,597,000	40,428,900
Transfers In	4,342,300	4,353,500	4,556,880
Total Revenues & Transfers In	<u>41,293,400</u>	<u>41,950,500</u>	<u>44,985,780</u>
Expenditures			
General Government			
General Administration	1,484,370	1,535,791	1,581,212
Finance	1,106,635	1,038,730	1,107,725
City Attorney	100,000	100,000	100,000
General Items	863,528	867,918	402,090
Facility Maintenance	336,098	379,221	412,184
Human Resources	489,250	522,141	629,169
Information Technology	604,630	808,288	827,014
Economic Development	1,580,206	2,103,923	1,645,097
Downtown Development	262,073	249,346	275,280
Planning	641,908	607,227	647,582
Airport Operations	28,540	28,465	23,638
Total General Government	<u>7,497,238</u>	<u>8,241,050</u>	<u>7,650,991</u>
Public Safety			
Police Department	10,262,215	10,286,225	11,177,055
Emergency Management	0	31,196	211,184
Fire Department	8,200,433	7,969,640	8,838,750
Building Services	1,186,938	1,201,542	943,235
Municipal Court	336,830	349,386	356,450
City Marshall	204,967	197,138	208,680
Total Public Safety	<u>20,191,383</u>	<u>20,035,127</u>	<u>21,735,354</u>
Public Works			
Street Department	5,770,833	7,263,173	6,193,723
Central Garage	292,780	292,513	302,320
Engineering	678,189	732,803	775,362
City Engineer	458,110	584,596	379,333
Community Services	478,932	442,080	428,481
Animal Control	269,109	237,163	272,830
Total Public Works	<u>7,947,953</u>	<u>9,552,328</u>	<u>8,352,049</u>
Culture & Recreation			
Parks & Recreation	2,408,969	2,562,942	2,234,811
Chautauqua Auditorium	202,420	201,621	29,450
Waxahachie Rodeo	17,390	17,461	18,030
Penn Park Pool	119,350	436,397	71,540
Optimist Pool	97,700	97,700	98,500
Amphitheater	33,000	13,840	100,680
Sims Library Tax Transfer	1,175,400	1,375,400	1,136,200
Senior Citizen Center	731,394	753,433	752,270
Total Culture & Recreation	<u>4,785,623</u>	<u>5,458,794</u>	<u>4,441,481</u>
Total Expenditures	<u>40,422,197</u>	<u>43,287,299</u>	<u>42,179,875</u>
Transfers Out			
Transfer to Main Street Prog Grant	0	20,000	20,000
Total Transfers Out	<u>0</u>	<u>20,000</u>	<u>20,000</u>
Total Expenditures & Transfers Out	<u>40,422,197</u>	<u>43,307,299</u>	<u>42,199,875</u>
Revenues & Transfers In less Expenditures	<u>871,203</u>	<u>(1,356,799)</u>	<u>2,785,905</u>

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ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE BUDGET, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF WAXAHACHIE'S WATER AND WASTEWATER OPERATIONS FOR THE PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 AND DECLARING AN EMERGENCY.

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

SECTION 1. The amounts listed are hereby appropriated out of the Water Fund for the following expenses of the operation, maintenance, debt service and construction of the municipally owned water system.

UTILITY ADMINISTRATION	614,309
METERS	832,113
WATER PRODUCTION	3,918,793
WATER DISTRIBUTION	1,804,714
UTILITY BILLING	393,907
DEBT SERVICE	2,187,341
TRANSFER TO GENERAL FUND	2,363,000
TRANSFER TO GENERAL FUND WATER USEAGE	150,000
TRA PAYMENT	356,055
TRANSFER TO SOKOLL WATER TREATMENT JOINT VENTURE	1,379,680
TOTAL WATER EXPENSES	13,999,912

SECTION 2. The amounts listed are hereby appropriated out of the Wastewater Fund for the following expenses of the operation, maintenance, debt service, and construction of the municipally owned wastewater system.

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UTILITY ADMINISTRATION	529,586
WASTEWATER COLLECTION	2,787,750
WASTEWATER TREATMENT	2,551,182
UTILITY BILLING	339,822
DEBT SERVICE	3,546,612
TRANSFER TO GENERAL FUND	1,723,000
TRANSFER GENERAL FUND WASTEWATER USAGE	35,000
TOTAL WASTEWATER EXPENSES	11,512,952

SECTION 3. Except in cases of emergency, no money shall be drawn from the City Treasury, nor shall any obligations for the expenditures of money be incurred, other than in accordance with the appropriations contained by the City Charter by transfer between or increases in the amounts appropriated herein.

SECTION 4. In order to provide for the efficient usual daily operation of the City of Waxahachie by immediately appropriating sufficient funds for the support and operation of the City, an emergency is hereby declared to exist, and this ordinance shall take effect immediately from and after its passage.

PASSED, APPROVED AND ADOPTED on this the 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary

ORDINANCE NO. _____

AN ORDINANCE AMENDING WATER AND WASTEWATER FEES, BY AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE OF OCTOBER 1, 2019 AND DECLARING AN EMERGENCY.

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

That Section 33 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

SECTION 33-33. Deposits required.

Residential: A deposit of ninety dollars (\$90.00) is required for regular residential service. A deposit of sixty-seven dollars (\$67.00) is required for accounts with wastewater and trash collection service. A deposit of forty-three dollars (\$43.00) is required for trash collection service only. The billing department may adjust the amount of deposit based on payment history.

Residential New Construction: A deposit of one hundred fifty-six dollars (\$156.00) is required for each new construction residential account.

Apartments, Commercial, and Industrial: The billing department may require higher amounts; however, deposits are generally based on meter size as follows:

up to 1" water meter	\$234.00
1 1/2" water meter	\$351.00
2" water meter	\$585.00
3" water meter	\$1,169.00
4" water meter	\$2,337.00
6" water meter	\$3,506.00
8" water meter	\$7,011.00
10" water meter or larger	\$11,685.00
Fire Hydrant meter with RPZ *	\$2,115.00

*Customer will be responsible for the cost of any damages incurred while meter is in their possession.

No interest shall be paid on deposits. No deposit is required for other government entities. The billing department may waive the deposit for separate irrigation meters.

That Section 33-36 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-36. Water and Wastewater Rates.

(A) Water inside city: From and after the effective date of this ordinance, uniform monthly water rates which shall prevail to all City of Waxahachie water customers are:

MONTHLY WATER RATES:

(1) Minimum water bill for the first fifteen hundred (1,500) gallons of usage (all accounts):

up to 1" water meter	\$19.42
1 1/2" water meter	\$43.36
2" water meter	\$63.65
3" water meter	\$123.76
4" water meter	\$256.04
6" water meter	\$497.93
8" water meter	\$861.48
10" water meter or larger	\$1,346.82
Fire Hydrant meter	\$213.20

(2) The amount shown for the first fifteen hundred gallons of consumption in the above schedule shall constitute a minimum bill for each customer. Billing shall be made in hundreds of gallons. Irrigation meters using less than 200 gallons per month will not be charged.

(3) Residential and sprinkler system meters will be subject to the following rates:

1,501 - 10,000	\$5.12
10,001 - 20,000	\$5.93
20,001 - 30,000	\$6.72
30,001 - 40,000	\$7.45
40,001 & above	\$8.43

Non-irrigation apartment meters, and commercial/industrial meters will be charged at a rate of \$5.12 per thousand gallons for all monthly usage above 1,500 gallons.

(B) Wastewater inside city: From and after the effective date of this ordinance, sewer charges to apply to each dwelling unit for all single family and duplex residential connections all mobile home parks or apartment complexes, and all commercial and industrial customers shall be as follows:

Monthly Wastewater Rates

Water Usage	Apartments, Mobile Home, Single-Family and Duplex Residence (Per Dwelling Unit)
First 1,500 gallons	\$24.28 (minimum charge)
Over 1,500 to 11,000 gallons	\$4.27 per 1,000 gallons
All over 11,000 gallons, maximum billing per dwelling	\$64.89

When there is a single billing for more than one (1) residence, each unit is to receive a one thousand five hundred-gallon credit before additional charges are made, not to exceed eleven thousand (11,000) gallons per unit.

Water Usage	Commercial	Industrial	Industrial Cost Recovery Per 1,000 Gallons
First 1,500 gallons	\$24.28 (minimum charge)	\$24.28 (minimum charge)	\$0.20 (minimum charge)
All usage over 1,500 gallons	\$4.27 per 1,000 gallons	\$4.27 per 1,000 gallons	\$0.20 per 1,000 gallons

That Section 33-40 of the Code of Ordinances, City of Waxahachie is hereby amended to read as follows:

SECTION 33-40. Late charges; service restored upon payment of bill; fee for returned checks; fee for replacement of cut-off valve; fire hydrant meter set fee; broken curb stop fee; cut lock fee; reread meter service charge; tampering penalty.

(a) Late Fee. Payment for utility service shall be due fourteen (14) days after the billing date. Any account with a balance due fourteen (14) days after the due date shall be assessed a penalty of \$10.00. If such date falls on the weekend or legal holiday, then payment is due the next business day.

(b) Disconnection for Nonpayment: Any account with a balance due greater than \$130.00, twenty-one (21) days after the billing date, shall be subject to disconnection. The past due amount plus a reconnect fee of \$41.00 (\$74.00 after regular office hours) must be paid prior to reconnection of services.

(c) Return Connection Fee: Customers are encouraged but not required to be present (or have a representative present) anytime service is reestablished (This is recommended in order to prevent flooding and water damage that could result from interior faucets being left in the "on" position, hanging toilets floats, leaks and other conditions that could arise subsequent to the disconnection.) In the event the customer or a designated representative (a) cannot be located on-site when the service is reconnected and (b) the meter registers usage after the service has been reestablished and thus presents the risk of water damage, the service will be turned back off and the customer will be notified of the problem and asked to reschedule the reconnection. Subsequent trips to reestablish service will be subject to a Return Reconnection Fee of \$41.00 each if performed during

(33)

working hours or \$74.00 if performed after working hours. This fee is applicable when service has been disconnected for nonpayment; when service to a new account is established or when service has been disconnected at the request of the customer.

(d) Return Check Fee. In the event the bank does not honor a customer's check, a \$35.00 fee will be charged.

(e) Replacement of Cut-off Valve. In the event a customer has damaged a cut-off valve or curb stop to the point the valve must be replaced, then, the customer shall be billed a \$74.00 replacement fee, plus the actual cost of materials to replace the damaged item. In the event a customer has broken a cut-off valve for the purpose of removing a lock, an additional tampering penalty of \$152.00 (see "(j)" below) must be paid before service is restored.

(f) Fire hydrant meter set fee: \$38.00

(g) Meter Box Replacement Fee: \$63.00 plus actual materials cost

(h) Cut lock fee: \$152.00

(i) Reread meter service charge: \$18.00

(j) Tampering penalty: \$152.00

(k) New account fee: \$19.00

(l) Sokoll Rate fee: \$1.53 per 1,000 gallons

(k) Solid Waste fee: \$14.13 (*excluding sales tax)

PASSED, APPROVED AND ADOPTED this the 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary

(34)

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE BUDGET, MAKING APPROPRIATIONS FOR THE SUPPORT OF THE SOKOLL WATER TREATMENT PLANT JOINT VENTURE FOR THE PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 AND DECLARING AN EMERGENCY.

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

SECTION 1. The amounts listed are hereby appropriated out of the Sokoll Water Treatment Plant for the following expenses of the operation, maintenance, and debt service of the Water Treatment Joint Venture water system.

WATER PRODUCTION	1,234,789
DEBT SERVICE	2,759,400
TRANSFER TO CITY OF WAXAHACHIE GENERAL FUND	117,200
TRANSFER TO CITY OF WAXAHACHIE WATER FUND	242,100
TOTAL WATER EXPENSES	4,353,489

SECTION 2. Except in cases of emergency, no money shall be drawn from the City Treasury, nor shall any obligations for expenditures of money be incurred, other than in accordance with the appropriations contained by the City Charter by transfer between or increases in the amounts appropriated herein.

SECTION 3. In order to provide for the efficient usual daily operation of the City of Waxahachie by immediately appropriating sufficient funds for the support and operation of the City, an emergency is hereby declared to exist, and this ordinance shall take effect immediately from and after its passage.

PASSED, APPROVED AND ADOPTED on this the 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary

(35)

ORDINANCE NO. _____

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF WAXAHACHIE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 AND DECLARING AN EFFECTIVE DATE.

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

SECTION. 1. The amount of \$1,828,068 is appropriated out of the Refuse Service Fund for disposal operations.

SECTION 2. The amount of \$927,260 is appropriated out of the Hotel Tax Fund for contractual obligations.

SECTION 3. The amount of \$5,826,583 is appropriated out of the Waxahachie Community Development Corporation of operation of the Civic Center, operation of the Sports Complex, Community Beautification, debt service, and economic development.

SECTION 4. The amount of \$6,540,009 is hereby appropriated out of the Interest and Sinking Fund for debt service requirements.

SECTION 5. Except in cases of emergency, no money shall be drawn from the City Treasury, nor shall any obligations for the expenditures of money be incurred, other than in accordance with the appropriations contained by the City Charter for transfer between or increases in the amounts appropriated herein.

SECTION 6. In order to provide for the efficient usual daily operation of the City of Waxahachie, by immediately appropriating sufficient funds for the support and operation of the City, an emergency is hereby declared to exist, and this ordinance shall take effect immediately from and after its passage.

INTRODUCED, PASSED, APPROVED AND ADOPTED on this the 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary

(36)

ORDINANCE NO. _____

AN ORDINANCE AMENDING SOLID WASTE AND RECYCLING PROVISIONS, BY AMENDING SECTION 14.25 (b) OF THE CODE OF ORDINANCES, CITY OF WAXAHACHIE, AND SETTING AN EFFECTIVE DATE.

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

That Section 14.25 (b) of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

Sec. 14.25 (b). Fees

(b) *Senior Citizens Discount.* Each resident who is age sixty-five (65) or older qualifies for a two dollar and ten cents (\$2.10) discount on their monthly bill. The resident must show a valid photo ID that states their date of birth.

PASSED, APPROVED, AND ADOPTED on this 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary

(37)

ORDINANCE NO. _____

AN ORDINANCE LEVYING FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WAXAHACHIE, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR FISCAL YEAR 2020 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE.

Be it ordained by the City Council of the City of Waxahachie, Texas, that section 30-2 of the Code of Ordinances, City of Waxahachie, is hereby amended to read as follows:

Sec. 30-2. Tax Levy. There is hereby levied and there shall be assessed and collected for the Maintenance and Operation of the municipal government of the City of Waxahachie, Texas, and to meet Interest and Sinking requirements for fiscal year 2020, upon all property, real, personal and mixed within the corporate limits of the City subject to taxation, a total tax of 68 cents on each one hundred dollars (\$100.00) of assessed valuation based on 100% of market value of said property, said tax being so levied and apportioned to the specific purpose herein set forth.

- a. For the maintenance and operation of the general government including current expenses and for general improvements of the City and its property, known as the General Fund, 48.2190 cents on each one hundred dollars (\$100.00) of assessed valuation of all taxable property, and
- b. For the maintenance and operation of a public library within the City, known as Sims Library, 2.7810 cents on each one hundred dollars (\$100.00) of assessed valuation of all taxable property, and
- c. For the purpose of paying interest and principal for the redemption of bonds, warrants, and other long-term obligations heretofore legally issued by the City, known as the Interest and Sinking Fund, 17.000 cents on each one hundred dollars (\$100.00) of assessed valuation of all taxable property.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.83 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.00.

All Taxes as set out above shall be payable as set out by existing city ordinances and statutes of the State of Texas.

In order to provide for the efficient, usual daily operation of the City by immediately levying the tax rates for the current fiscal year, an emergency is hereby declared to exist and this ordinance shall take effect immediately from and after its passage.

PASSED, APPROVED AND ADOPTED on this the 16th day of September, 2019.

MAYOR

ATTEST:

City Secretary

(38)

ORDINANCE NO. _____

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.

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

SECTION 1. The classified positions under Civil Service in the Fire Department shall be as follows:

Assistant Fire Chief	1
Fire Marshal	1
Fire Battalion Chief	4
Fire Captain	9
Fire Lieutenant	4
Fire Pumper Engineer	12
Firefighter	27

SECTION 2. The classified positions under Civil Service in the Police Department shall be as follows:

Assistant Police Chief	2
Police Lieutenant	5
Sergeants	7
Corporal	4
Police Patrol Officer	52

SECTION 3. The annual/monthly base rate pay for each of the above captioned classified positions shall be determined by each year's budget.

SECTION 4. The positions of Assistant Fire Chief and Assistant Police Chief shall be appointed positions, appointed by the head of the department.

SECTION 5. That all ordinances of the City of Waxahachie heretofore adopted which are in conflict with the provisions of this ordinance be, and the same are hereby repealed.

SECTION 6. That this ordinance shall take effect thirty days after passage and all requirements under Chapter 143 of the Local Government Code have been satisfied.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2019.

MAYOR

ATTEST:

CITY SECRETARY

(39)



Memorandum

To: Mayor David Hill and City Council
From: John Smith
Thru: Michael Scott, City Manager 
Date: September 10, 2019
Re: Getzendaner Park Electrical Project

The Getzendaner Park Electrical Project was advertised for bid, starting on September 1st. The scope of work includes the installation of six electrical service pedestals in various places in the park to provide service for events and patrons activities. Two alternates are also included:

Alternate #1 – Provide electrical service plugs to Lions Park pavilion.

Alternate #2 – Provide electrical service plugs and lights in the Oaklawn Park pavilion.

The project is funded in the Parks Department FY2019 budget.

Bids will be opened at 10 am on the morning of 16th of September. The bids will be evaluated and the bid will be recommended for approval at the September 16th City Council meeting. As such, due to the timing of the bid opening and City Council meeting, I do not yet have the name of the contractor for consideration of this bid award.

Thank you for your consideration of this item.

(40)



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: September 16, 2019
Re: East University Avenue – Phase I Corridor Rehabilitation – CIP Project

On Monday September 16, 2019, a bid award associated with the corridor rehabilitation of East University Avenue – Phase I will appear before City Council for consideration in the amount of \$2,426,875. McMahon Contracting, L.P. was the lowest responsive bidder of 5 proposers, with a submission that was \$567,125.00 below staff's estimated cost for the project. This corridor rehabilitation is a planned expense for which staff budgeted \$2,994,000.00 in the City's Capital Improvement Plan. This project will provide new curbs, gutters, sidewalks, streetlights, utilities and pavement along East University Avenue, from West Marvin Avenue to Sycamore Street. This project is anticipated to take 270 calendar days with an estimated completion date of late summer of 2020.

I am available at your convenience should you need additional information.

Tommy Ludwig

(40)

Kimley»»Horn

September 11, 2019

Mr. James Gaertner
City of Waxahachie
401 S. Rogers Street
Waxahachie, Texas 75165

Re: East University Avenue Reconstruction – West Marvin Avenue to Sycamore Street
KHA No. 061269722

Dear Mr. Gaertner:

On August 22, 2019, the City of Waxahachie received bids for the East University Avenue Reconstruction – West Marvin Avenue to Sycamore Street project. The project consists of reconstructing East University Avenue from an existing asphalt roadway to a concrete roadway. The project also consists of installing water, sanitary sewer, storm, street lights and sidewalks.

Kimley-Horn's Opinion of Probable Construction Cost (OPCC) for the base bid is \$2,852,861.00. Kimley-Horn has reviewed the lowest base bidder's qualifications and has verified that the Contractor's bonding company is licensed in the State of Texas. Based on these reviews it appears that McMahon Contracting, LP is the lowest qualified responsive bidder. Enclosed is a copy of the Bid summary and itemized Bid Tabulation for your reference. The contract time for the project is 270 calendar days.

Thank you for the opportunity to be of service to the City of Waxahachie. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



Misty D. Christian, P.E., CFM

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**CITY OF WAXAHACHIE , TEXAS
East University Avenue Reconstruction Phase I**

BID SUMMARY

Bids Received at 11:00 am on Thursday, August 22, 2019

<u>Contractor</u>	<u>Total Base Bid</u>
1. McMahon Contracting, LP 3019 Roy Orr Blvd. Grand Prairie, TX 75050	\$2,426,875.00
2. J&K Excavation, LLC PO Box 886 Italy, TX 76651	\$2,491,815.68
3. Tiseo Paving Company 419 US Hwy 80 Mesquite, TX 75150	\$2,738,884.10
4. Pavecon Public Works, LP 3022 Roy Orr Blvd. Grand Prairie, TX 75050	\$2,908,690.11
5. Jackson Construction, Ltd. 5112 Sun Valley Dr. Fort Worth, TX 76119	\$3,069,325.00

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Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: September 16, 2019
Re: 2019 Scarification Program – CIP Project

On Monday September 16, 2019, a bid award associated with the 2019 Scarification Program will appear before City Council for consideration in the amount of \$1,430,829.52. Texas Materials Group, Inc., dba JLB Contracting was the lowest responsive bidder of 6 proposers, with a submission that was \$397,540.48 below staff's estimated cost for the project. This corridor rehabilitation is a planned expense for which staff budgeted \$1,828,370.00 in the City's Capital Improvement Plan. This project will provide new pavement among 26 streets throughout the City of Waxahachie (see attached list of proposed streets). This project is a planned expense and is funded through the Public Works Department's FY18-19 Operating and Maintenance Budget.

I am available at your convenience should you need additional information.

Tommy Ludwig

(241)

BIRKHOFF, HENDRICKS & CARTER, L.L.P.
PROFESSIONAL ENGINEERS

11910 Greenville Ave., Suite 600

Dallas, Texas 75243

Phone (214) 361-7900

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JOHN W. BIRKHOFF, P.E.
GARY C. HENDRICKS, P.E.
JOE R. CARTER, P.E.
MATT HICKEY, P.E.
ANDREW MATA, JR., P.E.
JOSEPH T. GRAJEWSKI, III, P.E.
DEREK B. CHANEY, P.E.
CRAIG M. KERKHOFF, P.E.

September 10, 2019

Mr. James Gaertner, P.E., CFM
Director of Public Works
City of Waxahachie
P. O. Box 757
Waxahachie, Texas 75168-0757

Re: 2019 Asphalt Street Rehabilitation Program
Project No. 19-007

Dear Mr. Gaertner:

We have checked the bids received at 2:00 p.m., Thursday, August 22, 2018, for the 2019 Asphalt Street Rehabilitation Program. We are enclosing two (2) copies of the Bid Summary and itemized Bid Tabulation.

Texas Materials Group, Inc., dba JLB Contracting of Fort Worth, Texas submitted the low bid in the amount of \$1,430,829.52. Texas Materials Group, Inc. has successfully completed similar programs for the Cities of Mesquite, Colleyville and Addison.

Accordingly, based on the information we have available to us, we recommend that the City accept the bid from Texas Materials Group, Inc. dba JLB Contracting and award them a contract in the amount of \$1,430,829.52 for construction of the 2019 Asphalt Street Rehabilitation Program.

We are available to discuss our recommendation further at your convenience.

Sincerely,


Joseph T. Grajewski, P.E.

Enclosures

Cc: Mr. Kip Dernovich

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**CITY OF WAXAHACHIE, TEXAS
2019 Asphalt Street Rehabilitation Program**

BID SUMMARY

Bids Received at 2:00 p.m., Friday, August 24, 2018

<u>Contractor</u>	<u>Total Amount Bid</u>
1) Texas Materials Group, Inc. P.O. Box 24131 Fort Worth, Texas 76124	<u>\$ 1,430,829.52</u>
2) Reyes Group Ltd. 1520 Parker Road Grand Prairie, Texas 75050	<u>\$ 1,434,314.45</u>
3) Anderson Asphalt & Concrete Paving, LLC 11343 Mathis Ave Dallas, Texas 75229	<u>\$ 1,639,936.10</u>
4) J & K Excavation P.O. Box 886 Italy, Texas 76651	<u>\$ 1,668,568.76</u>
5) Peachtree Construction, Ltd. 5801 Park Vista Circle Keller, TX 76244	<u>\$ 1,681,495.10</u>
6) Pavecon Public Works, LP 3022 Roy Orr Blvd. Grand Prairie, Texas 75050	<u>\$ 1,695,745.55</u>

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CITY OF WAXAHACHIE, TEXAS
2019 Street Rehabilitation Program
ESTIMATED QUANTITIES & OPINION OF COST

Site No.	Street Name	Location		Rehabilitation Method
		From	To	
1	DUNAWAY	CANTRELL	PASLEY	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
2	GIVENS	CANTRELL	PASLEY	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
3	DILLON ST	CANTRELL	W. LIGHT STREET	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
4	PASLEY	S. ROGERS	GIVENS	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
5	EWBERRY	S. ROGERS	GIVENS	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
6	W. AVENUE C	S. ROGERS	GIVENS	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
7	BRADY	DUNAWAY	CANTREL	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
8	W. LIGHT STREET	S. ROGERS	GIVENS	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
9	TURNER	S. ROGERS	GIVENS	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
10	5 POINTS RD	S. ROGERS	I-35 SERVICE RD	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
11	LOIS ST	5 POINTS RD	I-35 SERVICE RD	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
12	BAUDER	5 POINTS RD	S. ROGERS ST	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
13	OPAL	5 POINTS RD	S. ROGERS ST	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
14	WEST AVE	END	S. ROGERS ST	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
15	RUTH	LOIS	OPAL	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
16	NEAL	LOIS	BAUDER	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
17	EDGEFIELD	SUNNYSIDE	HILLTOP	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
18	MEADOWVIEW	SUNNYSIDE	HILLTOP	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
19	SUNNYSIDE	5 POINTS RD	EDGEFIELD	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
20	S. COLLEGE	U.S. 77	HILLTOP	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
21	HILLTOP	S. ROGERS	U.S. 77	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
22	HIGHLAND	500 LF		Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
23	BROWN INDUSTRIAL	I-35 SERVICE RD	END	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
24	TUGGLE	END	END	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
25	McCUEN	END	END	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay
26	GRAHAM STREET	END	END	Scarify, Remix & Reshape, Lime Treat Subgrade 6" Deep; 2" HMAC Overlay

(42)



Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: September 16, 2019
Re: 2019 Sidewalk Program – CIP Project

On Monday September 16, 2019, a bid award associated with the 2019 Sidewalk Program will appear before City Council for consideration in the amount of \$228,008.94. HD Cook's Rock Solid, Inc. was the lowest responsive bidder of 9 proposers, with a submission that was \$16,594.06 below the next responsive bidder for the project. This Sidewalk Program is a planned expense, and part of the City's Five Year Capital Improvement Plan (CIP). Specifically, this project will provide for installing sidewalks at four locations within Waxahachie, Texas. The project sites and descriptions are as follow:

- Base Bids: East Marvin Avenue from North Flat Street to Ennis Street (East Side)-This project includes installing approximately 2,500 LF of 5' wide sidewalks and ADA barrier free ramps at various intersections
- Base Bid: M.L.K Jr. Blvd. from Kaufman Street to Wyatt Street (Southside)-This project includes installing approximately 900 LF of 5' wide sidewalks
- Additive Alternate Bid: Brown Street (FM 813) from Kirksey Street to Criddle Street (East Side)-This project includes installing approximately 1,800 LF of 5' wide sidewalks and ADA barrier free ramps at various intersections

The fourth portion of the Sidewalk Program was included in the FM 813 12" Water Line CIP Project, but will be funded via the Public Works Department. This was done to ensure that this portion of sidewalk was not damaged during the construction phase of the water line project.

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- FM813 from the Church of Christ to existing sidewalk just north of Garden Valley (South Side) – This project was to install approximately 500 LF of 5' wide sidewalks. This project was incorporated into an existing Water Department project to receive discounted costs for concrete due to volume and to ensure that the sidewalk isn't damaged during the construction phase

Please note this is the inaugural year for the sidewalk program and staff has proposed to include funding in each year of the 5 Year CIP moving forward. In total the 2019 Sidewalk Program is \$269,008.94, which is \$383,991.06 below budgeted funding.

I am available at your convenience should you need additional information.

Tommy Ludwig

(42)

Kimley»»Horn

September 11, 2019

Mr. James Gaertner
City of Waxahachie
401 S. Rogers Street
Waxahachie, Texas 75165

Re: Sidewalk Program
KHA No. 061269744

Dear Mr. Gaertner:

On August 29, 2019, the City of Waxahachie received bids for the Sidewalk Program. The project consists of installing sidewalks at 2-3 location sites within Waxahachie, Texas. The project sites and project descriptions are as follows:

- **Base Bids:** East Marvin Avenue from North Flat Street to Ennis Street (East Side)-This project includes installing approximately 2,500 LF of 5' wide sidewalks and ADA barrier free ramps at various intersections.
- **Base Bid:** M.L.K Jr. Blvd. from Kaufman Street to Wyatt Street (Southside)-This project includes installing approximately 900 LF of 5' wide sidewalks.
- **Additive Alternate Bid:** Brown Street (FM 813) from Kirksey Street to Criddle Street (East Side)-This project includes installing approximately 1,800 LF of 5' wide sidewalks and ADA barrier free ramps at various intersections.

Kimley-Horn has reviewed the lowest bidder's qualifications and has verified that the Contractor's bonding company is licensed in the State of Texas. Based on these reviews it appears that HD Cook's Rock Solid, Inc. is the lowest qualified responsive bidder. Kimley-Horn does encourage the City to budget funds for testing, landscape and irrigation conflicts and other contingencies associated with this type of project. Enclosed is a copy of the Bid Summary and itemized Bid Tabulation for your reference. The contract time for the project is 120 calendar days.

Thank you for the opportunity to be of service to the City of Waxahachie. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



Misty D. Christian, P.E., CFM
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CITY OF WAXAHACHIE , TEXAS
Sidewalk Program

BID SUMMARY

Bids Received at 9:00 am on Thursday, August 29, 2019

Contractor	Total Base Bid	Total Base Bid (w/Additive Alternate)
1. HD Cook's Rock Solid Inc. 664 Manor Drive Argyle, TX 76226	\$146,776.25	\$228,008.94
2. Circle H Contractors, LP PO Box 200 Midlothian, TX 76065	\$165,528.00	\$244,603.00
3. Mobil Construction Corp, LLC PO Box 1876 Coppell, TX 75019	\$183,205.00	\$283,405.00
4. Don Smith Concrete, LLC 1071A Enterprise Dr. Midlothian, TX 76065	\$190,958.00	\$286,787.00
5. FM Utilities, LLC 4911 Redbird Trail Argyle, TX 76226	\$192,307.00	\$287,297.00
6. Overall Concrete Solutions PO Box 1527 Roanoke, TX 76262	\$194,910.00	\$286,760.00
7. J&K Excavation, LLC PO Box 886 Italy, TX 76651	\$195,593.75	\$302,558.30
8. Macias Specialty Contracting, LLC 802 S. Carrier Pkwy #530609 Grand Prairie, TX 75053	\$216,715.00	\$297,467.50
9. Hwy Intelligent Traffic Solutions, Inc. 1500 High Meadows Way Cedar Hill, TX 75104	\$303,842.73	\$455,292.76



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Memorandum

To: Honorable Mayor and City Council
From: Tommy Ludwig, Assistant City Manager
Thru: Michael Scott, City Manager
Date: September 16, 2019
Re: Bid Award – FM 813 12" Water Line Project (791/769 Service Area Realignment)

On Monday, September 16th, 2019 a bid award associated with construction of the FM 813 12" Water Line Project (791/769 Service Area Realignment) and Sidewalk Trail project will appear before the City Council in an amount of \$480,897.50. Circle H Contractors, LP was the lowest responsive bidder of nine proposers and was \$127,000 below the engineer's estimate of probable cost. This project is a planned expense and is included in the FY 2018-19 Bond Sale.

As a reminder, this project will consist of approx. 2400-linear feet of 12" PVC water line, a pressure reducing valve and vault and additional fire hydrants along FM 813 from Dean Box Drive to Sandstone Ranch. This project will provide a more defined service area boundary and enhance water circulation in this portion of the 791 service area. The project will also include a 12' wide Sidewalk Trail from Sandstone ranch subdivision to the Church of Christ Property. The cost for the sidewalk (\$40,950) is included in this construction bid and will be funded through the Public Works Department.

I am available at your convenience should you need any additional information.

Tommy Ludwig

(43)

Kimley»»Horn

August 28, 2019

Mr. David Bailey
City of Waxahachie
401 S. Rogers Street
Waxahachie, Texas 75165

Re: FM 813 12" Water Line
KHA No. 061269731

Dear Mr. Bailey:

On August 22, 2019, the City of Waxahachie received bids for the FM 813 12" Water Line. The project consists of installing approximately 2,400 LF of 12" PVC water line, a pressure reducing valve and vault and driveway, curb, and sidewalk repair (referred to as the Water Line Base Bid). In addition, the project will also include a 12' wide Sidewalk Trail from Sandstone Ranch subdivision to the Church of Christ property (referred to as the Sidewalk Trail Base Bid).

The following bid proposals were received:

<u>Bidder</u>	<u>Water Line Base Bid</u>	<u>Sidewalk Trail Base Bid</u>	<u>Total for Base Bids</u>
Circle H Contractors, LP	\$439,947.50	\$40,950.00	\$480,897.50
FM Utilities, LLC	\$496,659.20	\$51,240.00	\$547,899.20
LA Banda, LLC	\$517,260.00	\$45,500.00	\$562,760.00
Gomez Brothers Construction, Inc	\$529,240.00	\$45,500.00	\$574,740.00
Dowager Utility Construction, Ltd	\$538,530.00	\$42,000.00	\$580,530.00
Atkins Bros.	\$509,200.00	\$140,000.00	\$649,200.00
Interstate Pipeline Utility Construction, LLC	Non-Responsive		
Rumsey Construction	Non-Responsive		
Saber Development Corporation	Non-Responsive		

Kimley-Horn's Opinion of Probable Construction Cost (OPCC) is \$607,585. Kimley-Horn has reviewed the lowest bidder's qualifications and has verified that the Contractor's bonding company is licensed in the State of Texas. Based on these reviews it appears that Circle H Contractors, LP is the lowest qualified responsive bidder. Enclosed is a copy of the bid tabulation for your reference. The contract time for the project is 120 calendar days.

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Thank you for the opportunity to be of service to the City of Waxahachie. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Misty Christian".

Misty D. Christian, P.E., CFM
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Memorandum

To: Honorable Mayor and City Council
From: Lori Cartwright, City Secretary
Thru: Michael Scott, City Manager
Date: September 16, 2019
Re: Appointments to Boards and Commissions

Please consider the following appointments to various Boards and Commissions:

AIRPORT BOARD (3 year term)
Alex Smith

BUILDING STANDARDS COMMISSION (2 year term)
Jay Adams
Chris Oliver
Ruthie Sutton

CEMETERY BOARD (2 year term)
Perry Giles
Chelsea Holder
Connie McGuire

ECONOMIC DEVELOPMENT COMMISSION (No Term Limit)
Mackey Morgan
Ryan Phillips

ELECTRICAL ADVISORY BOARD (2 year term)
Jimmy Haney
Wayne Eiland

**ELLIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 1
(2 year term)**

Michael Langford
Mackey Morgan

HERITAGE PRESERVATION (2 year term)

Peggy Crabtree
Glinda Felty
Shannon Simpson
Whitney Spillman

INDUSTRIAL DEVELOPMENT COMMITTEE (2 year term)

Ginger Cole
Michael Hirtzel

INVESTMENT ADVISORY COMMITTEE (2 year term)

Brian Ford
Kent McGuire
Barry Moore

PARK BOARD (3 year term)

Judy Demoney
Chad Hicks

PLANNING AND ZONING COMMISSION (2 year term)

Melissa Ballard
Betty Square Coleman
David Hudgins
Rick Keeler

SENIOR CENTER ADVISORY COMMITTEE (2 year term)

Heather Fuller (filling unexpired term to September 2020)

Brad Burns
Cheryl Lassetter
Mike Lee
Jane Vineyard

TAX INCREMENT REINVESTMENT ZONE (2 year term)

Dusty Autrey
Mike Lee
Jane Vineyard

WAXAHACHIE COMMUNITY DEVELOPMENT CORPORATION (2 year term)

Jenny Bridges
Dave McSpadden

Elizabeth Tull

WAXAHACHIE HOUSING AUTHORITY (2 year term)

Adrian Cooper
Ruthie Sutton

WATER & WASTEWATER UTILITY ADVISORY COMMITTEE (2 year term)

Brian Ford
Walter Johnson
Mackey Morgan
Joe Rust

ZONING BOARD OF ADJUSTMENTS (2 year term)

Nick Box
Mike Fenton