



AGENDA
MONDAY, DECEMBER 18, 2023
TAX INCREMENT REINVESTMENT ZONE #3
(TIRZ #3) MEETING- 6:00 PM
& REGULAR CITY COUNCIL MEETING- 6:30 PM
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142
AND VIA VIDEOCONFERENCE/TELECONFERENCE

**This meeting will be held using
videoconferencing/teleconferencing
technology with public access via:
[WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR
(888)788-0099 (TOLL-FREE)
MEETING/WEBINAR ID: 883 6927 8412
PASSWORD: 562304**

CALL TIRZ #3 TO ORDER Chairman calls the TIRZ #3 meeting to order, states the date and time, states members present, and declares a quorum present.**

TIRZ #3 ITEMS

1. Consider and take appropriate action on the appointment of a vice chairman for the TIRZ #3 Board.
2. Consider and take appropriate action on the Final Project and Financing Plan for Tax Increment Reinvestment Zone No. 3, City of Kaufman, Texas, established pursuant to Chapter 311 of the Texas Tax Code. (Highland Meadows)

TIRZ #3 ADJOURNMENT

PLEDGE OF ALLEGIANCE

CALL CITY COUNCIL MEETING TO ORDER Mayor calls the Meeting to order, states the date and time, states Councilmembers present, and declares a quorum present.**

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the Council agenda items may be taken into consideration at this time or during the agenda item. Comments are limited to five (5) minutes per individual unless additional time is otherwise required by law for translation. Speaking time is not transferable. Citizens may address the City Council on any subject but must first complete a Request to Speak Form so that the Mayor may call your name to speak at the appropriate time on the Agenda. Comments must be directed to the Council as a whole. **When addressing the Council, please step forward to the speaker's podium, state your name and address, and direct your comments to the Mayor and City Council.**

RECOGNITION

3. Business of the Month - Elsie Halbert Real Estate

4. Inclusive Playground - Teague Nall & Perkins

CONSENT AGENDA

5. Consider and take appropriate action on the minutes from the November 20, 2023, Regular City Council Meeting.
6. Consider and take appropriate action on the **Final Plat of Highland Meadows Phase 1**, which will create 224 single-family residential lots, 1 fire station lot, 12 open space lots, and right-of-way on 62.193 acres out of the Thomas Beedy Survey, Abstract No. 21, and the William Peters Survey, Abstract No. 407, City of Kaufman, Kaufman County, Texas, generally located on the south side of State Highway 243 at Ola Road (Property IDs 2252, 2267, 2269, 2270, and 227628). (Case No. FP-15-23)
7. Consider and take appropriate action on Resolution R-35-23, a resolution of the City Council of the City of Kaufman, Texas, accepting public improvements for Georgetown Phase 2A and 2B; and establishing the warranty period for the public improvements.

END OF CONSENT AGENDA

PUBLIC HEARING

8. Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-31-23, an Ordinance of the City Council of the City of Kaufman, Texas, amending **Chapter 5, "Business Regulations"** of the Code of Ordinances of the City of Kaufman to add Article 5.10 "Unattended Donation Bins" to **regulate donation bins in the City limits**; and amending Ordinance No. O-02-07 and **Chapter 9A, "Zoning"** of the Code of Ordinances of the City of Kaufman, to add the use "Unattended Donation Bin" to certain Zoning Districts by amending Chart 3 "Accessory & Incidental Uses" of Section 33.4 "Use Regulations"; adding "Unattended Donation Bin" to Section 33.5 "Definitions"; and adding "Unattended Donation Bin" regulations to Section 37.5 "Accessory Building and Use Regulations". (Case Z-03-23)
 - a. Presentation.
 - b. Public Hearing.
 - c. Consider and take appropriate action on Ordinance O-31-23.
9. Conduct a public hearing and consider and take appropriate action on Ordinance No. O-32-23, an ordinance of the City Council of the City of Kaufman, Texas, amending the City of Kaufman Comprehensive Zoning Ordinance O-02-07, as amended, and Chapter 118, "Zoning" of the City of Kaufman's Code of Ordinances, and the official Zoning Map to **rezone** an approximate **10.00-acre** tract of land (Property ID 225369) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, from PD Planned Development District-17R-MF-2 to **PD Planned Development District-26 for multi-family residential and neighborhood retail service uses** on Lot 6 of Block A of Kings Fort Addition, generally located on the west side of SH 34 and the south side of Kings Fort Pkwy. (Case No: Z-09-23)

- a. Presentation.
- b. Public Hearing.
- c. Consider and take appropriate action on Ordinance O-32-23.

DISCUSSION/ACTION ITEMS

- 10. Consider and take appropriate action on the **Site Plan of Kings Fort Villas** on Lot 6 of Block A of Kings Fort Addition, being approximately 10.00 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located on the west side of SH 34 and the south side of Kings Fort Pkwy. (Property ID 225369) (Case No: SP-04-23)
- 11. Consider and take appropriate action on Ordinance O-33-23, an ordinance of the City Council of the City of Kaufman, Texas, approving the Final Project and Financing Plan of Tax Increment Reinvestment Zone Number Three, City of Kaufman, Texas, pursuant to Chapter 311 of the Texas Tax Code, identifying project costs; and providing an effective date. (Highland Meadows)
- 12. Consider and take appropriate action on an interlocal cooperation agreement between the City of Kaufman, Texas, and Kaufman County, Texas granting the City of Kaufman exclusive jurisdiction to regulate subdivision plats and to approve related permits in the extraterritorial jurisdiction, and authorizing the Mayor or his designee to execute necessary documents.
- 13. Consider and take appropriate action on the award of bid and contract for the Hickory Street Elevated Water Tank Repaint and Repaint Project to AMR Industrial Coatings, Inc. and authorize the Mayor or his designee to execute necessary documents.
- 14. Consider and take appropriate action on the award or rejection of a bid and contract for the Grant Administration for the 2023 GLO Grant Application and authorizing the Mayor or his designee to execute necessary documents.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

- 15. Receive an update and discussion regarding the following:
 - a. Discussion Items Report (DIR)
 - b. STAR Transit Ridership Report- November 2023
 - c. Careflite Compliance Report- October & November 2023
 - d. Fire Department Monthly Report- November 2023
 - e. Police Department Monthly Report - November 2023
 - f. Development Services Monthly Report - November 2023
 - g. Monthly Calendars Attached

EXECUTIVE SESSION

16. The City Council will recess into Executive Session pursuant to Texas Government Code for an executive session regarding the following:
- a. Sec. 551.071(1) and (2); CONSULTATION WITH ATTORNEY: (1) To consult with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act and (2) for Council to seek the advice of its attorney about pending or contemplated litigation: ETJ Development; Utilities; KISD Off-Site Easements
 - b. Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. To deliberate the purchase, exchange, lease, or value of real property regarding: "Project Pie"
 - c. Sec. 551.087(1 & 2). DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations (Section 551.087(1)), and to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1). (Section 551.087(2)) regarding: "Project Cowbell"; "Project Snooze"

RECONVENE INTO OPEN SESSION In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session.

17. Consider and take appropriate action on a Chapter 380 Economic Development and Incentive Agreement between the City and Myrish Hospitality, LLC providing economic development incentives for a Hampton Inn branded hotel; and authorizing the Mayor or his designee to execute necessary documents.
18. Consider and take appropriate action regarding Kaufman ISD Off-Site Utilities water line easement condemnation and property acquisition(s) including, but not limited to, water facility easement(s) on an approximate 2.0-acre tract of land known as 1500 E. Mulberry Street, Kaufman, Texas (Property Tax ID 16828).
19. Consider and take appropriate action on a Resolution of the City Council of the City Of Kaufman, Texas Finding that a public necessity exists and authorizing condemnation to acquire permanent utility easement property and temporary construction easement on one tract for municipal purposes to install a public project, including but not limited to, public roadway, water and wastewater transmission lines, drainage facilities, grading, such appurtenant facilities as may be necessary, and other public uses, which tract is generally described being located in Kaufman County Land Survey A-608, Abstract No. 608, as recorded in Volume 2938, Page 354, 0.069 Acres for the permanent easement and an approximate 0.070 acre tract of land approximately fifteen feet (15') in width adjacent to the permanent easement, Property ID 16828, generally located 1500 E. Mulberry Street, Kaufman County, Texas, and being more particularly described herein; providing notice of an official determination to acquire real property for a 0.069 acre water facility easement and an

approximate 0.070 acre tract of land for a temporary easement on an approximate 2.0- acre tract of land; authorizing the City Manager to obtain the necessary appraisal report(s) and the making of bona fide offers of just compensation for the property; ratifying prior documents made for the acquisition of the property; authorizing legal counsel to institute eminent domain proceedings on behalf of the City for the acquisition of the property if negotiations are unsuccessful; appropriating funds from a lawful source; providing a cumulative repealer clause; providing a severability clause; and providing for an effective date.

20. Consider and take appropriate action, if any, on matters discussed in Executive Session.

ADJOURNMENT

I, JESSIE HANKS, CITY SECRETARY, DO HEREBY CERTIFY THAT THIS NOTICE OF MEETING WAS POSTED ON THE WINDOW AT KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS, A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES AND SAID NOTICE WAS POSTED AT THE KAUFMAN MUNICIPAL COMPLEX, 209 S. WASHINGTON, KAUFMAN, TEXAS AT 4:30 P.M. ON FRIDAY, DECEMBER 15, 2023, AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULE TIME OF SAID MEETING.


JESSIE HANKS
CITY SECRETARY



THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE. SECTION 551.071 (CONSULTATION WITH ATTORNEY).

****PURSUANT TO SECTION 551.127, TEXAS GOVERNMENT CODE, ONE OR MORE COUNCILMEMBERS OR EMPLOYEES MAY ATTEND THIS MEETING REMOTELY USING VIDEOCONFERENCING TECHNOLOGY. THE VIDEO AND AUDIO FEED OF THE VIDEOCONFERENCING EQUIPMENT CAN BE VIEWED AND HEARD BY THE PUBLIC BY ACCESSING [WWW.ZOOM.US/JOIN](https://www.zoom.us/join) OR (888)788-0099 (TOLL FREE) MEETING/WEBINAR ID: 883 6927 8412 PASSWORD: 562304**

THE BUILDING IN WHICH THE ABOVE MEETING WILL BE CONDUCTED IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES FOR THE MOBILITY IMPAIRED ARE AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AIDS OR SERVICES SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR LARGE PRINT ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 972-932-2216 AT LEAST TWO (2) WORKING DAYS PRIOR TO THE TIME OF THE MEETING SO THAT APPROPRIATE ARRANGEMENTS CAN BE MADE.