



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, DECEMBER 11, 2023
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

PLEDGE OF ALLEGIANCE

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

Mayor Jordan called the City Council meeting to order at 6:00 P.M. Councilmembers present were Jeff Jordan, Charles Gillenwater, Jason Nelson, Lisa Parker, Quattro Borders, and Ashlea Longenecker. Mayor Pro-Tem Matt Phillips was absent. Mayor Jordan declared a quorum present. Also present were City Manager Mike Holder, Assistant City Manager Rachel Balthrop Mendoza, City Attorney Patricia Adams, City Secretary Jessie Hanks, Public Works Director Tim Hopwood, Finance Director Mary Wennerstrom, Development Services Director Andrew Bogda, Planner Joy Henderson, Police Captain Colter Leftwich, and Police Chief Les Edwards.

CALL PLANNING AND ZONING COMMISSION MEETING TO ORDER Chairman calls the Planning and Zoning Commission Meeting to order, states the date and time, states Commissioners present, and declares a quorum present.**

Chairman Dunn called the Planning & Zoning meeting to order at 6:00 P.M. Commissioners present were Richard Dunn, Burton Brown, Kathleen Sisson, Mike Slye, and Kathy Thorpe. Commissioner Porfirio Lopez was absent. Chairman Dunn declared a quorum present.

CITIZENS COMMENTS / REQUEST TO SPEAK ON AGENDA ITEMS (5 MINUTES) Comments about any of the Joint Session 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 and Planning and Zoning Commission 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 and Commission as a whole. When addressing the Council and Commission, please step forward to the speaker's podium, state your name and address, and direct your comments to the Mayor and City Council and/or the Chair and the Planning and Zoning Commission.

No comments were given.

EXECUTIVE SESSION

Mayor Jordan and Chairman Dunn recessed into an executive session at 6:04 P.M.

1. The City Council and Planning and Zoning Commission 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: Subdivision Regulations and State law.

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

Mayor Jordan and Chairman Dunn reconvened into open session at 6:32 P.M.

DISCUSSION/ACTION ITEMS - CITY COUNCIL AND PLANNING AND ZONING COMMISSION

2. Joint work session with the Planning and Zoning Commission to receive a presentation, review, and discuss the proposed rewrite of the City of Kaufman Subdivision Regulations.

Mr. Bogda gave a brief review of the current subdivision ordinance. Marcy Ratcliffe, consultant with TNP, Inc., outlined the purpose of the amendment and a high-level overview of the proposed changes.

Mayor Jordan recessed the meeting for a break at 7:03 PM. Mayor Jordan reconvened the meeting at 7:14 PM.

Tom Rutledge, Executive Vice President with TNP, Inc., reviewed the public infrastructure requirements for the proposed amended Subdivision Regulations. There were discussions regarding the thoroughfare plan, future items that will need to be addressed outside this amendment, and other processes associated with these amendments.

ADJOURNMENT OF PLANNING AND ZONING COMMISSION

There being no further business for the Planning and Zoning Commission, Chairman Dunn adjourned the meeting at 7:54 P.M.

DISCUSSION/ACTION ITEMS- CITY COUNCIL

3. Consider and take appropriate action on Senate Bill 2038 petition for release from the Extraterritorial Jurisdiction (ETJ) received from Petitioner Bullhead Energy, LLC and East Fork Trinity, LLC on November 3, 2023 for property located in the S. Thompson Survey, A-528 and the S. Gilleland Survey, A-167.

Councilmember Nelson made a motion to deny the Senate Bill 2038 petition for release from the Extraterritorial Jurisdiction (ETJ) received from Petitioner Bullhead Energy, LLC and East Fork Trinity, LLC on November 3, 2023, for property located in the S. Thompson Survey, A-528 and the S. Gilleland Survey, A-167, and that Bullhead Energy, LLC and East Fort Trinity, LLC petition to remove property from the city's extraterritorial jurisdiction be denied for the following reasons: (1) because Senate Bill 2038, Local Government Code Section 42.104 and 42.105 are an unconstitutional delegation of legislative authority and conflict with the Local Government Code Section 42.023. The city does not consent to the removal of the property from its ETJ, and (2) the petition submitted does not comply with the requirements of state law for a valid petition. The motion was seconded by Councilmember Borders and passed 6/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

4. Receive an update and discussion regarding the following:
 - a. Employee Christmas Luncheon - December 13
 - b. TIRZ #3 and Regular City Council Meeting - December 18th

Mr. Holder gave an update on the above-stated items.

ADJOURNMENT OF CITY COUNCIL

There being no further business, Mayor Jordan adjourned the meeting at 7:59 P.M.

ATTEST:

**JEFF JORDAN
MAYOR**

**JESSIE HANKS
CITY SECRETARY**

