



AGENDA
MONDAY, JUNE 24, 2024
WORK SESSION - 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 WORK SESSION TO ORDER Mayor calls the Work Session to order, states the date and time, states Councilmembers present, and declares a quorum present.**

WORK SESSION A Work Session is used to explore matters of interest to one or more City Council Members or the City Manager for the purpose of giving staff direction on whether or not such matters should be placed on a future regular or special meeting of the Council for citizen's input, City Council deliberation and formal City action. Although Work Sessions are public meetings, and citizens have a legal right to attend, they are not public hearings, so citizens are not allowed to participate in the session.

1. Discussion regarding a Waste Water Treatment Plant Planning update.
2. Discussion regarding items on the Regular Session Agenda, including the consideration of Executive Session items

WORK SESSION ADJOURNMENT

PLEDGE OF ALLEGIANCE

CALL 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 - ARISE Gym
4. Introduction of Building Official - Johnny Bray
5. Certified Government Finance Officer - Jennifer Cook

CONSENT AGENDA

6. Consider and take appropriate action on the minutes from the May 20, 2024, Work Session and Regular City Council meeting.

END OF CONSENT AGENDA

PUBLIC HEARING

7. Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-08-24, 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 **1.1934-acre** tract of land (Property ID 409) out of the C. Askins Survey, City of Kaufman, Kaufman County, Texas, from **Agriculture/Open District (A-O)** to **Highway Commercial District (HC)**, said property being generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road; providing a penalty for violation; and providing an effective date. (Case No: Z-02-24)
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance No. O-08-24
8. Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-09-24, an ordinance of the City of Kaufman, Texas, repealing Ordinance No. O-54-21 approving Specific Use Permit No. 49 ("SUP-49") and 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 and adopting **Specific Use Permit-49 Revised (SUP-49R)**, a Specific Use Permit for **light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom (with conditions)** and a Revised Site Plan on an approximate **1.879-acre** tract of land (Property ID 49846) located at **2400 Tabor Parkway**, being Lot 4 of the Heritage Park Addition, City of Kaufman, Kaufman County, Texas, and zoned Commercial District "C"; providing a penalty for violation; and providing an effective date. (Case No: Z-03-24)
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance No. O-09-24

9. Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-10-24, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. O-13-02 creating Planned Development District-7-SF-6 (5000 Square Feet) 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 **41.00-acre** tract of land (Property ID 57208) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, from **PD Planned Development District-7-SF-6 (5,000 sq. ft.)** to **PD Planned Development District-27** for **single-family residential uses**, adopting Development Standards and a Concept Plan, said property being generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane; providing a penalty for violation; and providing an effective date. (Case No: Z-04-24)
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance No. O-10-24
10. Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-11-24, an ordinance of the City Council of the City of Kaufman, Texas, authorizing the **abandonment and relinquishment of Right-of-Way** on a portion of Block 28 in the Cottage Heights Addition, City of Kaufman, Kaufman County, Texas, comprising a called 30-feet-wide Alley and a portion of Third Street altogether containing **13,625 sq. ft.** (Tract 1) and a called 10-feet-wide Alley containing **1,544 sq. ft.** (Tract 2), said property being located in the T. Beedy Survey, Abstract No. 21, City of Kaufman, Kaufman County, Texas, generally **located on the south side of SH 243 between Third and Fourth Streets**; providing findings of compliance with State law and Subdivision Regulations; providing reservations; **providing for the conveyance of the vacated right of way by quitclaim deed to the single adjacent property owner**; authorizing the Mayor or designee to execute documents; and providing an effective date.
 - a. Presentation
 - b. Public Hearing
 - c. Consider and take appropriate action on Ordinance No. O-11-24
11. Conduct a public hearing, consider, and take appropriate action on Ordinance O-12-24, an ordinance of the City Council of the City of Kaufman, Texas, designating a contiguous geographic area within the extraterritorial jurisdiction of the city as a reinvestment zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Four, City of Kaufman, Texas; describing the boundaries of the zone as an approximate 73.09 acres of land located in the Thomas Beedy Survey, Abstract No. 21, Kaufman County, Texas; providing a preliminary project and financing plan for the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; and providing an effective date and notices as required by law. ("The Trails")

- a. Presentation
- b. Public Hearing
- c. Consider and take appropriate action on Ordinance No. O-12-24

DISCUSSION/ACTION ITEMS

- 12. Consider and take appropriate action on an emergency purchase order for a sewer repair on Rand Road and South Old Rail Road for an amount not to exceed \$61,775.00; and authorize the Mayor or his designee to execute necessary documents.
- 13. Consider and take appropriate actions on an interlocal agreement with the Texas Municipal League Intergovernmental Risk Pool for Cyber Liability and Data Breach Response; and authorize the City Manager or his designee to execute necessary documents.
- 14. Consider and take appropriate action on Resolution R-14-24, a resolution of the City Council of the City of Kaufman, authorizing the submission of an application for Federal Assistance (SF-424) by the Kaufman-Van Zandt Soil Conservation District #505 for federal rehabilitation of the flood retarding structure for Cedar Creek site 60 TX03350 (Kaufman Lake); and authorize the Mayor or his designee to execute necessary documents.
- 15. Consider and take appropriate action on an Investment Grade Audit Agreement with Schneider Electric Buildings Americas, Inc.; and authorize the Mayor or his designee to execute necessary documents.
- 16. Consider and take appropriate action on the authorization for the City Manager to expend a cumulative amount of \$100,000.00 for brush removal due to storm cleanup and execute necessary documents.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

- 17. Receive an update and discussion regarding the following:
 - a. Kaufman Red, White & BOOM Event - June 29th
 - b. Budget Work Session Meetings - August 5 & August 12 (if needed)
 - c. 2024 TML Conference - Houston - October 9-11, 2024
 - d. Discussion Items Report (DIR)
 - e. STAR Transit Ridership Report - May 2024
 - f. Careflite Compliance Report - May 2024
 - g. Fire Department Monthly Report - May 2024
 - h. Police Department Monthly Report - May 2024

- i. Development Services Monthly Report - May 2024
- j. Monthly Calendars Attached

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, JUNE 21, 2024, 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.



Meeting
Date: 6/24/2024

Date: 06/11/2024

Item #: 6.

Dept.: Administration

Consent Agenda

SUBJECT:

Consider and take appropriate action on the minutes from the May 20, 2024, Work Session and Regular City Council meeting.

BACKGROUND:

The minutes from the May 20, 2024, Work Session and Regular City Council meeting are attached for your review.

Author:

Jessie Hanks, City Secretary

Reviewed:

Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the minutes from the May 20, 2024, Work Session and Regular City Council meeting



**MINUTES OF THE
CITY COUNCIL MEETING
MONDAY, MAY 20, 2024
CITY HALL COUNCIL CHAMBERS
209 S. WASHINGTON STREET
KAUFMAN, TEXAS 75142**

CALL WORK SESSION TO ORDER Mayor calls the Work Session to order, states the date and time, states Councilmembers present, and declares a quorum present.**

Mayor Jordan called the work session to order at 6:01 PM. Councilmembers present were Matt Phillips, Jason Nelson, Ashlea Longenecker, Quattro Borders, Jeff Jordan, Lisa Parker, and Charles Gillenwater. 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, Economic Development Executive Director Stewart McGregor, Finance Director Mary Wennerstrom, Development Services Director Andrew Bogda, and Fire Chief Ronnie Davis.

WORK SESSION A Work Session is used to explore matters of interest to one or more City Council Members or the City Manager for the purpose of giving staff direction on whether or not such matters should be placed on a future regular or special meeting of the Council for citizen's input, City Council deliberation and formal City action. Although Work Sessions are public meetings, and citizens have a legal right to attend, they are not public hearings, so citizens are not allowed to participate in the session.

1. Discussion and review regarding a new Water Conservation Plan and Water Resource and Emergency Management Plan, and the City of Kaufman's water contracts.

Mr. Holder reviewed the new Water Conservation Plan required by North Texas Municipal Water District. He outlined the various updates to the proposed contract renewal with Becker-Jiba Special Utility District.

2. Discussion regarding items on the Regular Session Agenda, including the consideration of Executive Session items

There were no items to discuss from the Regular Session Agenda.

WORK SESSION ADJOURNMENT

There being no further business, Mayor Jordan adjourned the work session at 6:17 PM.

PLEDGE OF ALLEGIANCE

CALL MEETING TO ORDER Mayor calls the 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 6:30 PM. Councilmembers present were Matt Phillips, Jason Nelson, Ashlea Longenecker, Quattro Borders, Jeff Jordan, Lisa Parker, and Charles Gillenwater. 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, Finance Director Mary Wennerstrom, Economic Development Director

Stewart McGregor, Development Services Director Andrew Bogda, Code Enforcement Officer Stephen Mendoza, and Fire Chief Ronnie Davis.

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.**

No comments were given.

INAUGURATION

3. Judge Burt to administer Statement of Elected Officer and Oath of Office for newly elected officials.

Judge Burt administered the Statement of Elected Officer and Oath of Office to the newly Elected Officials.

APPOINTMENT

4. Consider and take appropriate action on the appointment of Mayor Pro-Tem.

Councilmember Gillenwater made a motion to appoint Matt Phillips as Mayor Pro-Tem. The motion was seconded by Councilmember Borders and passed 7/0.

RECOGNITION

5. Business of the Month - Jasien Insurance Group, LLC

Mayor Jordan, Mr. McGregor, and Anne Glasscock, President of the Kaufman Chamber of Commerce, announced Jasien Insurance Group as the May Business of the Month.

6. Bachelor's of Church Leadership and Associates in Bible - Stephen Mendoza

Mayor Jordan and Mr. Holder recognized Code Compliance Officer Stephen Mendoza on the completion of his Bachelor's of Church Leadership and Associates in Bible.

7. Award of Financial Reporting Achievement - Mary Wennerstrom

Mayor Jordan and Mr. Holder recognized Mary Wennerstrom on receiving the Award of Financial Reporting from the Government Finance Officers Association of The United States and Canada.

CONSENT AGENDA

8. Consider and take appropriate action on the minutes from the April 22, 2024, Work Session and Regular City Council meeting.
9. Consider and take appropriate action on the minutes from the April 29-30, 2024, City Council Planning Retreat Meeting.

Councilmember Borders made a motion to approve Consent Agenda items 8 and 9 as presented. The motion was seconded by Councilmember Nelson and passed 7/0.

END OF CONSENT AGENDA

PUBLIC HEARING

10. Receive public input and consider and take appropriate action on Ordinance O-08-24, an ordinance of the City Council of the City of Kaufman, Texas, repealing Section 12.11.001 of Chapter 12 of the Code of Ordinances and adopting a new Section 12.11.001 of Chapter 12 in order to adopt the 2024 Water Conservation Plan and 2024 Model Water Resource and Emergency Management Plan for the City of Kaufman to promote responsible use of water and to provide for criminal penalties up to \$2,000.00 per day and violation and/or the disconnection of water service for noncompliance with the provisions of the Water Conservation Plan in addition to other fees and penalties; providing a penalty clause, and an effective date.

- a. Presentation

Mr. Holder gave a brief overview of the 2024 Water Conservation Plan and the 2024 Model Water Resource and Emergency Management Plan.

- b. Public Hearing

Mayor Jordan opened the public hearing at 6:44 PM. There being no speakers present, he closed the public hearing at 6:45 PM.

- c. Consider and take appropriate action on Ordinance No. O-08-24

Councilmember Nelson made a motion to approve Ordinance No. O-08-24 as presented. The motion was seconded by Councilmember Longenecker and passed 7/0.

DISCUSSION/ACTION ITEMS

11. Consider and take appropriate action on the **Final Plat of Kaufman County Justice Center Addition, Block A, Lot 1**, being a revision of Lot 1 of Kaufman County Law Enforcement Center Addition, being a tract of land containing 52.454 acres (Property ID 202753), situated in the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas. The property is zoned Highway Commercial ("HC"), Planned Development – 17R – Multi-Family Residential-2 ("PD-17R-MF-2"), and Planned Development 15 – Light Industrial ("PD-15-LI") and is generally located at 1902 E. U.S. 175, with right-of-way extending up to SH 34. The final plat is for 1 non-residential lot and right-of-way. (Case No. FP-04-24)

Mr. Bogda presented the final plat for the Kaufman County Justice Center Addition and the plans for the connector road that will run from 34 to 175 behind the Justice Center.

Councilmember Nelson made a motion to approve the **Final Plat of Kaufman County Justice Center Addition, Block A, Lot 1** with the conditions of: 1. Recording information for the deed for the portion of property to be acquired by Kaufman County from the Kaufman Economic Development Corporation is added to the plat prior to plat recordation, and 2. The addresses (as assigned by Kaufman County 911 Addressing and approved by the City) are added to the plat prior to plat recordation. The motion was seconded by Councilmember Parker and passed 7/0.

12. Consider and take appropriate action on the **Preliminary Plat of Lexington Addition, Phase 2**, being a tract of land containing 2.430 acres, situated in the A.L. Carter Survey, Abstract No. 98, City of Kaufman, Kaufman County, Texas, said property being generally located on the east side of S. Wilson St. and at the east end of E. 3rd St. (Property IDs 36568 & 60582). The property is zoned Townhouse Residential ("TH"). The final plat is for 11 residential lots (to accommodate 22 duplex units) and right-of-way. (Case No. PP-01-24)

Mr. Bogda presented the proposed Preliminary Plat of the Lexington Addition to a property with 11 residential lots to accommodate 22 duplex units.

Councilmember Gillenwater made a motion to approve the **Preliminary Plat of Lexington Addition, Phase 2**. The motion was seconded by Mayor Pro-Tem Phillips and passed 7/0.

13. Consider and take appropriate action regarding Ordinance O-06-24, an ordinance of the City Council of the City of Kaufman, amending Ordinance No. O-17-23, adopting the 2023-2024 Fiscal Year Budget to balance Revenue Surplus, Expense Surplus, and Shortfall; and providing an effective date.

Ms. Wennerstrom reviewed the proposed mid-year budget amendments for FY 2023-2024.

Mayor Pro-Tem Phillips made a motion to approve Ordinance O-06-24 as presented. The motion was seconded by Councilmember Parker and passed 7/0.

14. Consider and take appropriate action on the renewal of the Potable Water Supply Contract with Becker Jiba Water Supply Corporation.

Mr. Holder informed the Council about the renewal of the water supply contract with Becker Jiba Water Supply Corporation.

Councilmember Borders made a motion to approve the renewal of the Potable Water Supply Contract with Becker Jiba Water Supply Corporation. The motion was seconded by Councilmember Parker and passed 7/0.

ANNOUNCEMENTS AND REPORTS FROM CITY MANAGER

15. Receive an update and discussion regarding the following:
 - a. Shannon Park Splash Pad Opening - May 24th

- b. Discussion Items Report (DIR)
- c. STAR Transit Ridership Report - April 2024
- d. Careflite Compliance Report - April 2024
- e. Fire Department Monthly Report - April 2024
- f. Police Department Monthly Report - April 2024
- g. Development Services Monthly Report - April 2024
- h. Monthly Calendars Attached

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

EXECUTIVE SESSION

Mayor Jordan recessed into Executive Session at 7:02 PM.

- 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 conflict with the Texas Open Meetings Act and (2) for Council to seek the advice of its attorney about pending or contemplated litigation: Winpoint Investments, LLC v. City of Kaufman, Texas, Cause No. 116248-86, Kaufman County 86th Judicial District
 - b. Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. T deliberate the purchase, exchange, lease, or value of real property regarding: "Project Pie South Pointe; Northeast Utilities; Convenience Station

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

Mayor Jordan reconvened into open session at 7:44 PM.

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

There was no action to take on matters discussed in executive session.

ADJOURNMENT

There being no further business, Mayor Jordan adjourned the meeting at 7:44 PM.

ATTEST:

JEFF JORDAN
MAYOR

JESSIE HANKS
CITY SECRETARY



Meeting
Date: 6/24/2024

Date: 05/28/2024

Item #: 7.

Dept.: Development
Services

PZ Item

SUBJECT:

Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-08-24, 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 **1.1934-acre** tract of land (Property ID 409) out of the C. Askins Survey, City of Kaufman, Kaufman County, Texas, from **Agriculture/Open District (A-O)** to **Highway Commercial District (HC)**, said property being generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road; providing a penalty for violation; and providing an effective date. (Case No: Z-02-24)

BACKGROUND:

See the attached June 4, 2024 Planning and Zoning Commission Report and attachments.

Author:

Reviewed:

Andrew Bogda, Director of Development Services Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: On June 4, 2024, the Planning and Zoning Commission held a public hearing, and recommended approval, by a vote of 6-0, of Z-02-24 to rezone 1.1934 acres from "A-O" Agriculture-Open District to "HC" Highway Commercial District, said property generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road (Property ID 409).

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☒	☐	☐	☐



Planning and Zoning Commission Report

Meeting Date: June 4, 2024

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a request for a change in zoning from Agriculture/Open District (A-O) to Highway Commercial District (HC) on approximately 1.1934 acres out of the C. Askins Survey, City of Kaufman, Kaufman County, TX, generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road (Property ID 409). (Case Z-02-24)

BACKGROUND/SUMMARY:

The request to rezone 1.1934 acres from “A-O” Agriculture-Open District to “HC” Highway Commercial District was submitted by the owner, Jacob Mohr. The property was given the base zoning designation A-O Agriculture-Open District when it was annexed into the City of Kaufman. We have seen properties along this section of US 175 be incrementally rezoned to the “HC” district as they come in for development, as the use of the property changes, or as its nonconforming status changes. The property owner is seeking to develop a contractor shop and is requesting the Highway Commercial zoning designation to allow for this use.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	A-O	Vacant land w/ propane tank
South:	A-O	Premier Diesel Engines
East:	ETJ	Single-family residential and vacant land
West:	C	US 175; Kaufman Lumber across the highway



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the land use of the subject property as Future Commercial. The requested Highway Commercial zoning designation is compatible with the 2014 Future Land Use Plan designation.

Thoroughfare Plan:

The Thoroughfare Plan designates East Highway 175 as a “Type AA”, Major Regional Arterial, requiring a future right-of-way width of 240 feet. Any additional necessary right-of-way dedication is done during the platting process. A plat is not required during the rezoning process.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 13 property owners within 300 feet of the subject property. The State requires a 200-foot notification and the City of Kaufman notifies an extra 100-foot radius for every notification required in the Comprehensive Zoning Ordinance. The results are as follows:

- Number of property owners who returned letter in agreement with the request: 0
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 13

If 20% of the area within 200 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The 20% rule is a State law.

RECOMMENDATION:

Staff recommends approval of Z-02-24 to rezone 1.1934 acres from “A-O” Agriculture-Open District to “HC” Highway Commercial District, said property generally located in the 3300 block of East Highway 175, approximately 500 feet south of Fair Road (Property ID 409).

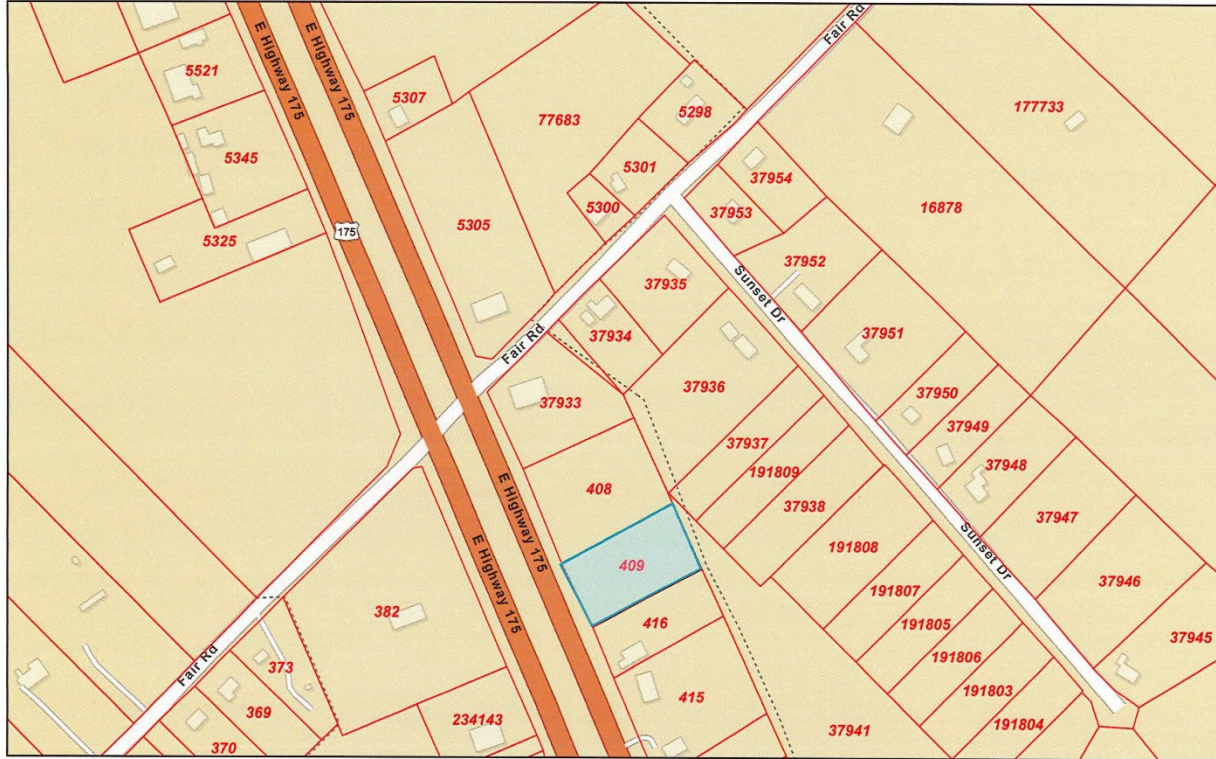
ATTACHMENTS:

- Location Map
- Property Description
- Survey

Andrew Bogda, AICP
Director of Development Services
972-932-2216 ext. 117
abogda@kaufmantx.org

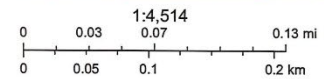
Location Map

3300 Block of Highway 175



5/10/2024, 2:20:25 PM

Parcels



Esri Community Maps Contributors, Baylor University, Kaufman County, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri,

Kaufman County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Property Description

#2020-0033555 Recording Date: 10/28/2020 09:13:55 AM Page 4 of 4 B: OPR V: 6655 P: 225

EXHIBIT 'A'

File No.: KCT-2202244 (AR)
Property: 0000 Hwy 175, Kaufman, TX 75142

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE CHARLES ASKINS SURVEY ABSTRACT NO. 2, KAUFMAN COUNTY, TEXAS, AS EVIDENCED BY THE DEED TO JUDITH C. JANICEK AS RECORDED, IN VOLUME 6199, PAGE 122 OF THE OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS AND BEING MORE COMPLETELY DESCRIBED FOLLOWS:

BEGINNING AT AN IRON ROD FOUND FOR CORNER AT THE SOUTHWEST CORNER OF SAID JANICEK TRACT, IN THE NORTHEAST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 175 AND BEING THE SOUTHEAST CORNER COUNCIL ESTATE TRACT AS RECORDED IN VOLUME 2746, PAGE 349 OF SAID PUBLIC RECORDS;

THENCE N 62 DEG. 26 MIN. 08 SEC. E, ALONG THE COMMON LINE OF SAID COUNCIL TRACT AND SAID JANICEK TRACT, A DISTANCE OF 357.42 FEET TO A 1/2 INCH IRON ROD ON THE SOUTHWESTERLY LINE OF THE ORLANDO GARCIA TRACT AS RECORDED IN VOLUME 5638, PAGE 452 OF SAID PUBLIC RECORDS;

THENCE S 25 DEG. 33 MIN. 25 SEC. E, WITH THE COMMON LINE OF SAID JANICEK TRACT AND SAID GARCIA TRACT, A DISTANCE OF 139.96 FEET TO THE NORTHWEST CORNER OF THE DENNIS AND CHERI CHILDRESS LIVING TRUST TRACT AS RECORDED IN VOLUME 4930, PAGE 212 OF SAID PUBLIC RECORDS, A 5/8 INCH IRON ROD SET FOR CORNER.

THENCE S 60 DEG. 51 MIN. 59 SEC. W, ALONG THE COMMON LINE OF SAID JANICEK TRACT AND SAID CHILDRESS TRACT, A DISTANCE OF 361.10 FEET TO THE SOUTHWEST CORNER OF SAID CHILDRESS TRACT, AND BEING IN THE NORTHEAST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 175.

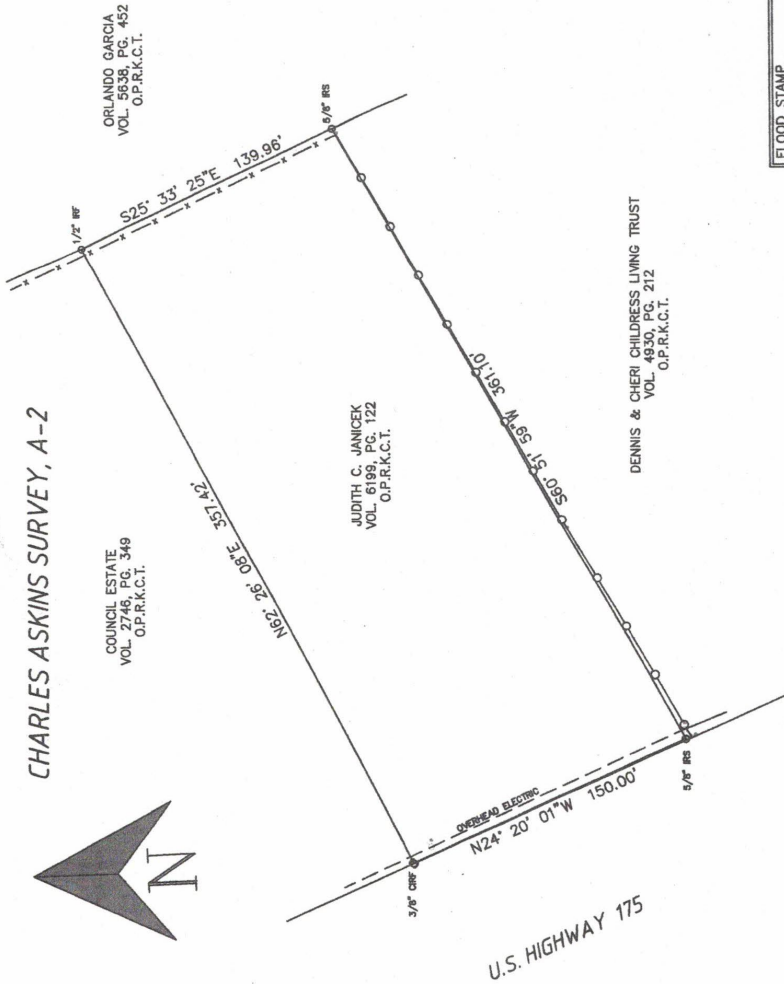
THENCE N 24 DEG. 20 MIN. 01 SEC. W, WITH SAID LINE AND WITH SAID RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.1934 ACRES (51,984 SQ. FT.) OF LAND.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

A.P.N. 409

Survey

CHARLES ASKINS SURVEY, A-2



All that certain lot, tract or parcel of land, part of the Charles Ask Kaufman County, Texas, as evidenced by the deed to Judith C. Janicek, Volume 6199, Page 122 of the Official Public Records of Kaufman County, Texas, more completely described follows:

BEGINNING at an iron rod found for corner at the southwest corner of the northeast right of way line of U. S. Highway No. 175, corner Council Estate tract as recorded in Volume 2746, Page 34; corner Council Estate tract as recorded in Volume 2746, Page 34;

THENCE 62 deg. 26 min. 08 sec. E, along the common line of said Janicek tract, a distance of 357.42 feet to a 1/2 inch iron rod line of the Orlando Garcia tract as recorded in Volume 5638, Page 452;

THENCE 25 deg. 33 min. 25 sec. E, with the common line of said Garcia tract, a distance of 139.96 feet to the northwest corner of Childress Living Trust tract as recorded in Volume 4930, Page 21; a 5/8 inch iron rod set for corner.

THENCE 56 deg. 51 min. 59 sec. W, along the common line of Childress tract, a distance of 361.10 feet to the southwest corner of Childress tract, a distance of 361.10 feet to the southwest corner and being in the northeast right of way line of U. S. Highway No. 175;

THENCE N 24 deg. 20 min. 01 sec. W, with said line and with a distance of 150.00 feet to the **PLACE OF BEGINNING**, contain (51,984 SQ. FT.) of land.

NOTES FROM SCHEDULE B:

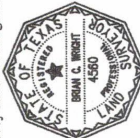
- Exemption dated January 9, 1928 executed by Joe R. Gillette to Texas Power & Light Co., Volume 205, Page 38, Deed Records of Kaufman County, Texas. (UNABLE TO DETAIL)
- Exemption dated September 23, 1927 executed by Joe R. Gillette to Texas Power & Light Co., Volume 212, Page 589, Deed Records of Kaufman County, Texas. (UNABLE TO DETAIL)
- Exemption Agreement dated October 5, 1954 executed by Roy L. Knowles and L. J. Zent, Soil Conservation District, recorded in Volume 380, Page 404, Deed Records of Kaufman County, Texas. (CONTAINS UNPLOTTABLE ELEMENTS)

FLOOD STAMP
THIS SURVEY HAS BEEN VISUAL INTERPOLATION
DATE MAPS, PANEL NO. 4052700320, THIS
PROPERTY IS NOT IN A FLOOD PRONE AREA,
ZONE X.

KAUFMAN COUNTY TITLE & ABSTRACT CO.
G.F. NO.: KCT 2202244
PURCHASER: MOHR

Notes:

- All bearings are based on Texas State Plane Coordinate System, Zone 4202.



TO ALL PARTIES INTERESTED IN PREMISES SURVEYED INCLUDING KAUFMAN COUNTY TITLE AND ABSTRACT CO., GF No. KCT-2202204, AND JACOB MOHR:

I, Brian C. Wright, Registered Professional Land Surveyor, do hereby certify that the above description correctly represents the results of a survey made on the ground under my direct supervision.

Brian C. Wright
Brian C. Wright R.P.L.S. No. 4560
September 15, 2020

EXHIBIT "A"
1.1934 ACRES IN THE
CHARLES ASKINS SURVEY, A-2
KAUFMAN COUNTY, TEXAS
VOL. 6199, PG. 122
O.P.R.K.C.T.

ORDINANCE O-08-24

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING ORDINANCE NO. O-02-07, AS AMENDED, AND CHAPTER 118, "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN, TEXAS, COLLECTIVELY "THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP" OF THE CITY IN ORDER TO CHANGE THE ZONING CLASSIFICATION ON AN APPROXIMATE 1.1934 ACRE TRACT OF LAND (PROPERTY ID 409) FROM AGRICULTURE-OPEN DISTRICT ("A-O") TO HIGHWAY COMMERCIAL DISTRICT ("HC"), SUCH PROPERTY BEING GENERALLY LOCATED IN THE 3300 BLOCK OF EAST U.S. HIGHWAY 175, APPROXIMATELY 500 FEET SOUTH OF FAIR ROAD, BEING A TRACT OF LAND SITUATED IN THE C. ASKINS SURVEY, ABSTRACT NO. 2, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS AND A ZONING MAP AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, at its regular meeting held on the 4th day of June, 2024, the Planning and Zoning Commission did hold a public hearing and did consider and make a recommendation for approval of a request to rezone an approximate 1.1934 acre tract of land (Property ID 409) from Agriculture-Open District ("A-O") to Highway Commercial District ("HC"), such property being generally located in the 3300 block of East U.S. Highway 175, approximately 500 feet south of Fair Road, being a tract of land situated in the C. Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas, and being more particularly described and depicted in **Exhibit "A"**, a copy of which is attached hereto and incorporated herein (the "Property"); and

WHEREAS, at its regular meeting held on the 24th day of June, 2024, the City Council held a public hearing for the proposed request to rezone the Property from Agriculture-Open District ("A-O") to Highway Commercial District ("HC"); and

WHEREAS, after determining that all legal requirements of notice and hearings were met, considering the recommendations of the Planning and Zoning Commission, providing the public an opportunity to provide input, considering public input, and considering the compatibility of the proposed Highway Commercial ("HC") zoning with surrounding properties and the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the City and the Future Land Use Plan, the City Council determined that the proposed amendment to the Zoning Ordinance and Zoning Map of the City set forth herein below is consistent with the goals of land development as set forth in the Comprehensive Plan and Future Land Use Plan of the City, and would allow

orderly development of the Property which would serve the best interest of the health, safety, and general welfare of the public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT. That Ordinance No. O-02-07, as amended, and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, Texas, collectively, "The Comprehensive Zoning Ordinance and The Official Zoning Map", are hereby amended to reflect the change in zoning for an approximate 1.1934 acre tract of land (Property ID 409), such property being generally located in the 3300 block of East U.S. Highway 175, approximately 500 feet south of Fair Road, being a tract of land situated in the C. Askins Survey, Abstract No. 2, City of Kaufman, Kaufman County, Texas, and being more particularly described and depicted in **Exhibit "A"**, a copy of which is attached hereto and incorporated herein (the "Property"), from Agriculture-Open District ("A-O") to Highway Commercial District ("HC").

SECTION 3. ZONING MAP AMENDMENT. In addition, the official Zoning Map of the City of Kaufman, Texas shall be amended and annotated to show the change in zoning classification of the Property from Agriculture-Open District ("A-O") to Highway Commercial District ("HC"), thereon.

SECTION 4. CUMULATIVE REPEALER. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY. If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 6. PENALTY. Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed two thousand dollars (\$2,000.00) for each offense, and a

separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 7. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and publication as required by law and Charter.

PASSED AND APPROVED this 24th day of June, 2024.

JEFF JORDAN
MAYOR

ATTEST:

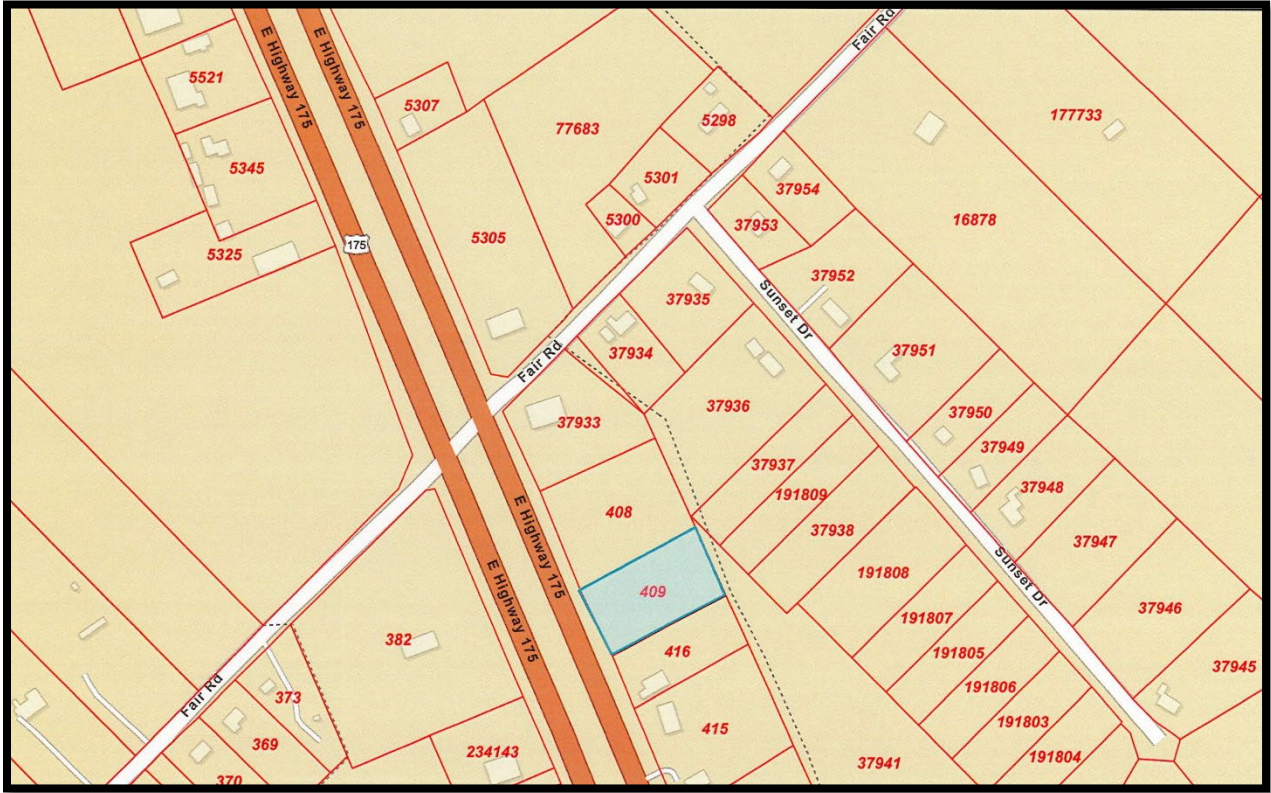
JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

"Exhibit A" Property Description

Z-02-24
Property ID 409
Location Map



“Exhibit A” Property Description

Z-02-24

Property ID 409

Property Description

#2020-0033555 Recording Date: 10/28/2020 09:13:55 AM Page 4 of 4 B: OPR V: 6655 P: 225

EXHIBIT 'A'

File No.: KCT-2202244 (AR)
Property: 0000 Hwy 175, Kaufman, TX 75142

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE CHARLES ASKINS SURVEY ABSTRACT NO. 2, KAUFMAN COUNTY, TEXAS, AS EVIDENCED BY THE DEED TO JUDITH C. JANICEK AS RECORDED, IN VOLUME 6199, PAGE 122 OF THE OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS AND BEING MORE COMPLETELY DESCRIBED FOLLOWS:

BEGINNING AT AN IRON ROD FOUND FOR CORNER AT THE SOUTHWEST CORNER OF SAID JANICEK TRACT, IN THE NORTHEAST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 175 AND BEING THE SOUTHEAST CORNER COUNCIL ESTATE TRACT AS RECORDED IN VOLUME 2746, PAGE 349 OF SAID PUBLIC RECORDS;

THENCE N 62 DEG. 26 MIN. 08 SEC. E, ALONG THE COMMON LINE OF SAID COUNCIL TRACT AND SAID JANICEK TRACT, A DISTANCE OF 357.42 FEET TO A 1/2 INCH IRON ROD ON THE SOUTHWESTERLY LINE OF THE ORLANDO GARCIA TRACT AS RECORDED IN VOLUME 5638, PAGE 452 OF SAID PUBLIC RECORDS;

THENCE S 25 DEG. 33 MIN. 25 SEC. E, WITH THE COMMON LINE OF SAID JANICEK TRACT AND SAID GARCIA TRACT, A DISTANCE OF 139.96 FEET TO THE NORTHWEST CORNER OF THE DENNIS AND CHERI CHILDRESS LIVING TRUST TRACT AS RECORDED IN VOLUME 4930, PAGE 212 OF SAID PUBLIC RECORDS, A 5/8 INCH IRON ROD SET FOR CORNER.

THENCE S 60 DEG. 51 MIN. 59 SEC. W, ALONG THE COMMON LINE OF SAID JANICEK TRACT AND SAID CHILDRESS TRACT, A DISTANCE OF 361.10 FEET TO THE SOUTHWEST CORNER OF SAID CHILDRESS TRACT, AND BEING IN THE NORTHEAST RIGHT OF WAY LINE OF U. S. HIGHWAY NO. 175.

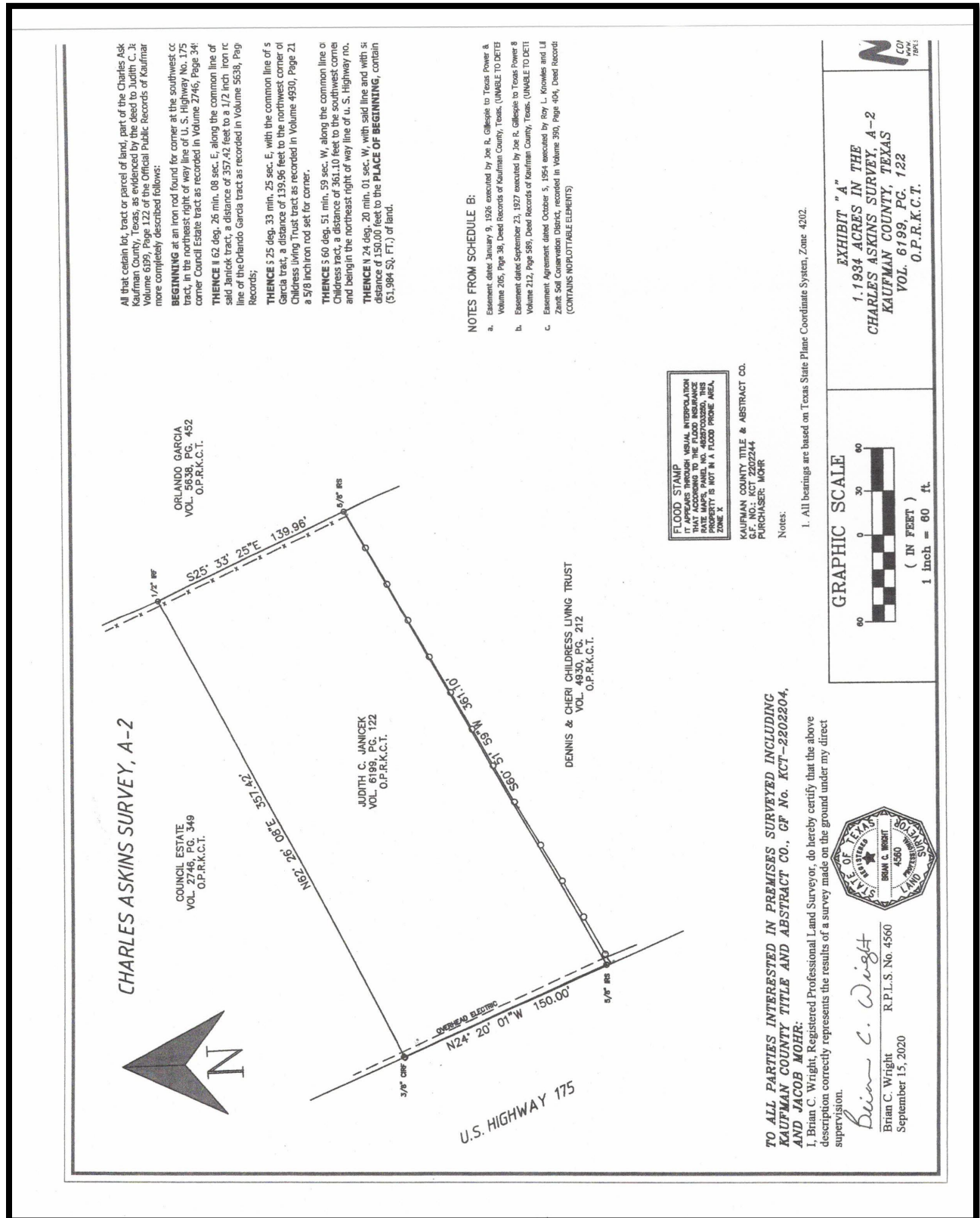
THENCE N 24 DEG. 20 MIN. 01 SEC. W, WITH SAID LINE AND WITH SAID RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.1934 ACRES (51,984 SQ. FT.) OF LAND.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

A.P.N. 409

"Exhibit A" Property Description

Z-02-24
Property ID 409
Survey





Meeting
Date: 6/24/2024

Date: 05/28/2024

Item #: 8.

Dept.: Development
Services

PZ Item

SUBJECT:

Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-09-24, an ordinance of the City of Kaufman, Texas, repealing Ordinance No. O-54-21 approving Specific Use Permit No. 49 ("SUP-49") and 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 and adopting **Specific Use Permit-49 Revised (SUP-49R)**, a Specific Use Permit for **light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom (with conditions)** and a Revised Site Plan on an approximate **1.879-acre** tract of land (Property ID 49846) located at **2400 Tabor Parkway**, being Lot 4 of the Heritage Park Addition, City of Kaufman, Kaufman County, Texas, and zoned Commercial District "C"; providing a penalty for violation; and providing an effective date. (Case No: Z-03-24)

BACKGROUND:

See the attached June 4, 2024 Planning and Zoning Commission Report and attachments.

Author:

Reviewed:

Andrew Bogda, Director of Development Services Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: On June 4, 2024, the Planning and Zoning Commission held a public hearing, and recommended approval, by a vote of 6-0, of Z-03-24 for Specific Use Permit-49R (SUP-49R) for a revision to Specific Use Permit-49 (SUP-49), being a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom on 1.879 acres located at 2400 Tabor Parkway, with the following conditions:

- 1. The Property, including all buildings, premise, or land used pursuant to this SUP-49R shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits unless an amendment to SUP-49R is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Site Plan, or associated exhibits.**
- 2. An exception to Section 36.6.B.3 of the Zoning Ordinance is authorized as there is no room to plant trees along the street frontage due to the presence of a utility easement.**

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☒	☐	☒	☐



Planning and Zoning Commission Report

Meeting Date: June 4, 2024

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a revision to Specific Use Permit (SUP-49), being a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom (with conditions) on property located in the Commercial District (C). The property is approximately 1.879 acres located at 2400 Tabor Parkway, being Lot 4 of the Heritage Park Addition, City of Kaufman. (Property ID 49846). (Case No. Z-03-24)

BACKGROUND/SUMMARY:

The applicant has submitted an application for a revision to Specific Use Permit-49 (SUP-49) primarily to authorize the expansion of the parking lot, which will also include some other enhancements, including landscaping and dumpster relocation and screening, as well as provisions for a future monument sign. SUP-49 was approved in December 2021 and allowed light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom (with conditions) on the 1.879-acre property located at 2400 Tabor Parkway. The business Furniture-N-Cabinets operates on the property. No changes to the building or to the use of the property are planned.

Revised Site Plan:

The Site Plan has been revised to show 21 new parking spaces with curb stops located in front of the building facing Kings Fort Parkway; 2 of the spaces are ADA-accessible. Due to space constraints, the new spaces will be angled and served by a one-way access drive, with the traffic being routed from east to west. The existing parking spaces on the sides of the building will remain, as will the three access points on Kings Fort Parkway and Tabor Parkway. The additional parking is necessary to provide more convenient and well-defined parking spaces for showroom customers, as well as provide additional employee parking, as the business has grown and continues to grow. No changes are planned to the building or floor plan.

In addition, the dumpster will be located to a less-visible location at the southwest corner of the site and will be screened by a 6' solid wood fence w/ gate. A future monument sign has been identified at the northeast corner of the property (facing the intersection of Tabor Parkway & Kings Fort Parkway), which will comply with the zoning regulations.

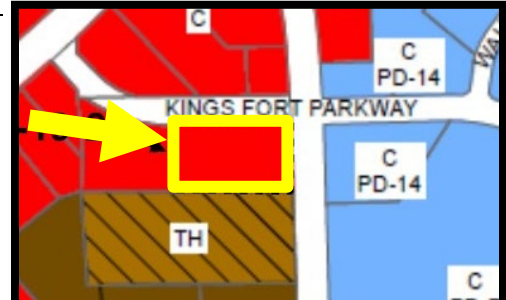
Revised Landscape Plan:

A revised Landscape Plan has been provided, which include a row of 18 3-gallon Boxwood shrubs to screen the new parking spaces, as well as four (4) 45-gallon Live Oak trees at the ends of the parking spaces near the entrance driveways off Kings Fort Parkway. The Zoning Ordinance requires trees in the parking lot (at the ends of parking rows), but it also requires a row of trees in a buffer yard along street frontages. Since there is no room for these trees, due to the presence of a 10' utility easement, the applicant is requesting an exception from Section

36.6.B.3 of the Zoning Ordinance due to these constraints. The applicant has worked with Staff to provide the shrub screen, dumpster screen, and trees at the ends of the parking rows, doing everything they can to try to meet the Ordinance requirements with the constraints they have.

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	C (across street)	Self storage; print shop
South:	TH	Multi-family residential
East:	PD-14-C (across street)	Retail, professional services, restaurants
West:	C	Vacant land



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designates the future land use of the subject property as Future Commercial. The property is zoned “C” Commercial with a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom. Staff finds the proposed revisions to the existing SUP-49 to accommodate the growth of the business to be consistent with the Future Land Use Plan.

DETERMINATIONS NECESSARY FOR CONSIDERING SPECIFIC USE PERMITS

Sec 30.2. – SPECIFIC USE PERMIT REGULATIONS:

- A. In recommending that a Specific Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening and open space, heights of structures, and compatibility of buildings. In approving a requested SUP, the Planning and Zoning Commission and City Council may consider any or all of the following:
1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
 2. The activities requested by the applicant are 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; and/or
 5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.
- B. In granting a Specific Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Building Official, or his designee, for use of the building on such property pursuant to such Specific Use Permit and such conditions

precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy, and shall be incorporated into the amending ordinance establishing the SUP.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 15 property owners within 300 feet of the property. The results are as follows:

- Number of property owners who returned letter in agreement of the request: 0
- Number of property owners who returned letter in opposition of the request: 0
- Number of property owners have not responded: 15

The 20% percent rule for rezoning is if 20% of the area (located within the city limits) within 200 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The zoning change 20% rule is a State law.

RECOMMENDATION:

Staff recommends approval of Z-03-24 for Specific Use Permit-49R (SUP-49R) for a revision to Specific Use Permit (SUP-49), being a Specific Use Permit for light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom on 1.879 acres located at 2400 Tabor Parkway, with the following conditions:

1. The Property, including all buildings, premise, or land used pursuant to this SUP-49R shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits unless an amendment to SUP-49R is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Site Plan, or associated exhibits.
2. An exception to Section 36.6.B.3 of the Zoning Ordinance is authorized as there is no room to plant trees along the street frontage due to the presence of a utility easement.

ATTACHMENTS:

- Location Map
- Exhibit A – Property Description/Survey
- Exhibit B – Revised Site Plan
- Exhibit C – Revised Landscape Plan
- Exhibit D – Photo with Easement
- Exhibit E – Photo of Building

Andrew Bogda, AICP
Director of Development Services
972-932-2216 ext. 117
abogda@kaufmantx.org

Location Map

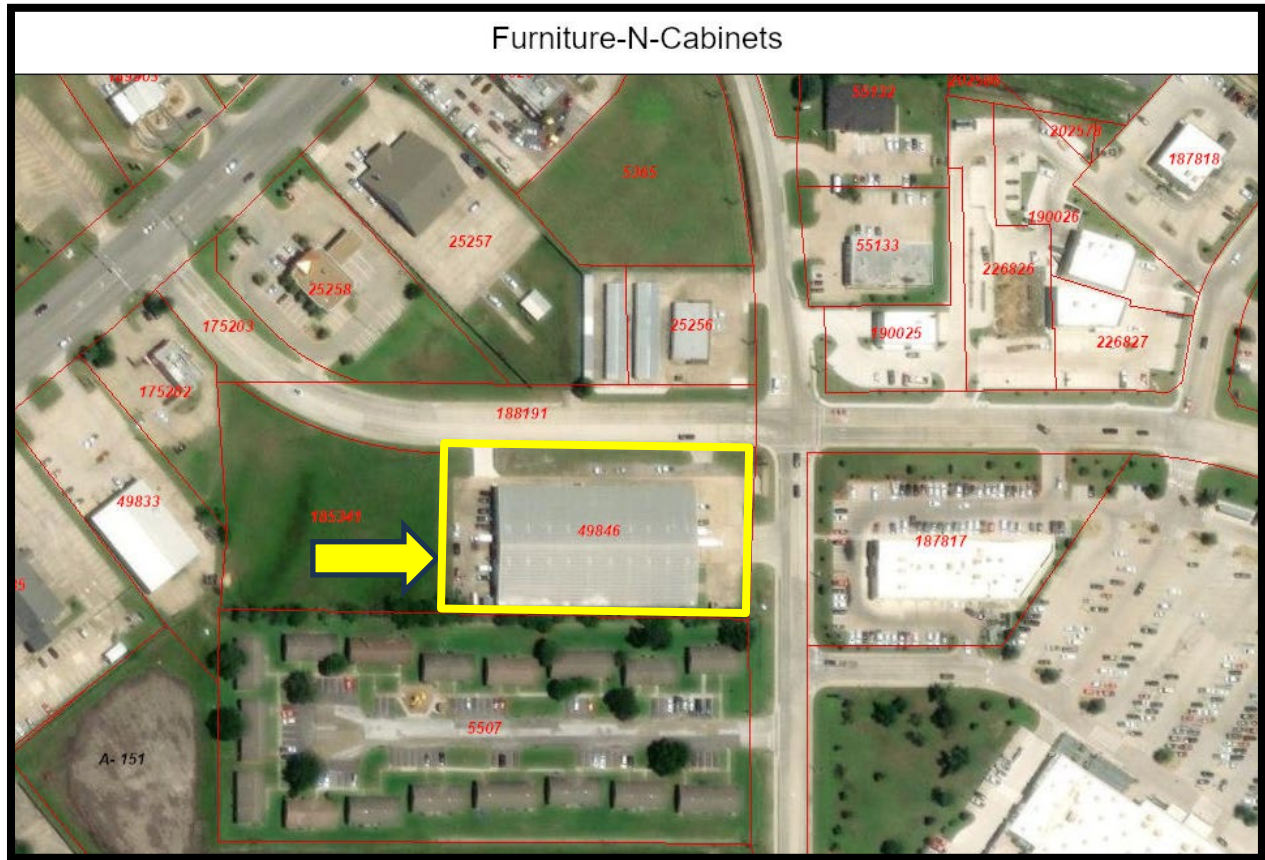
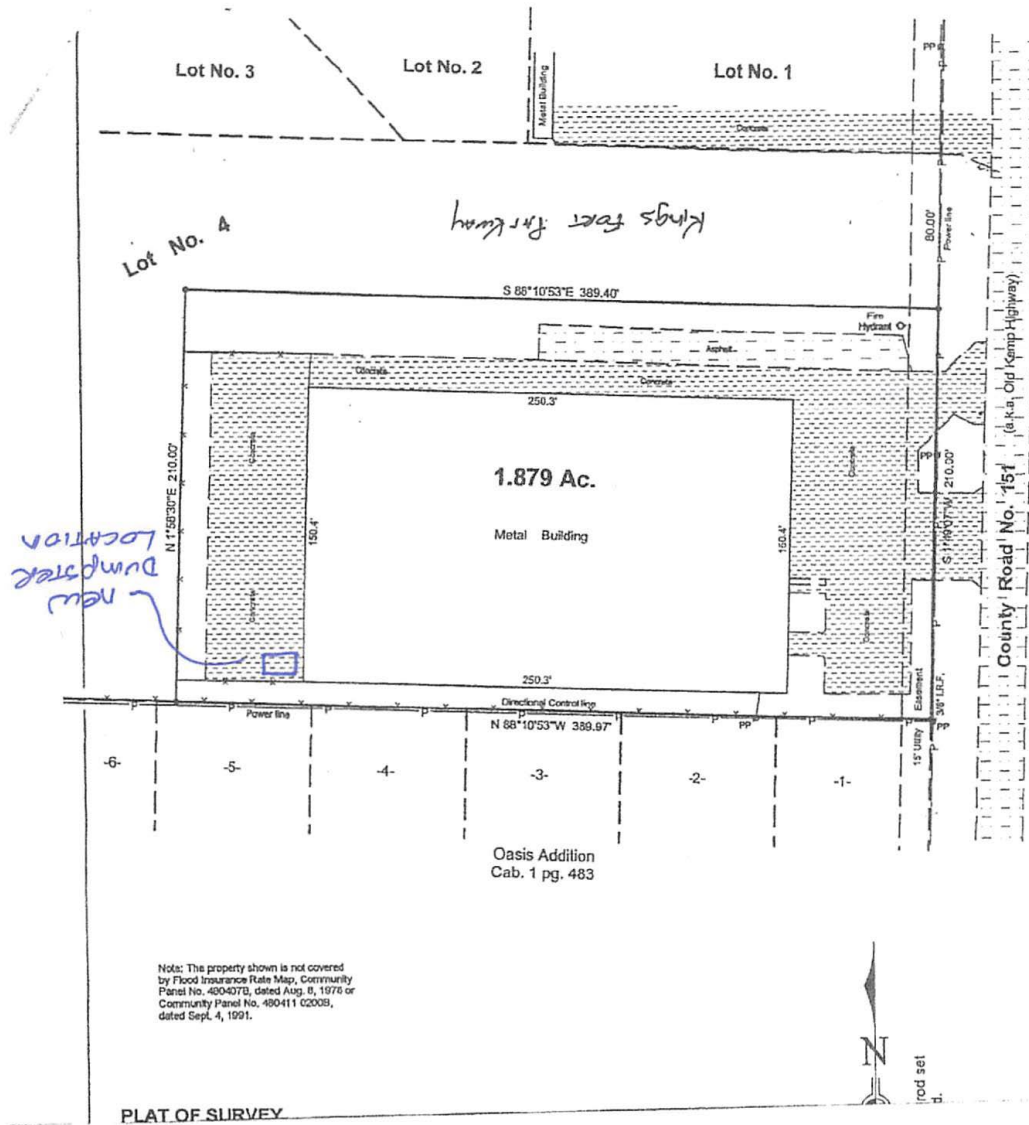
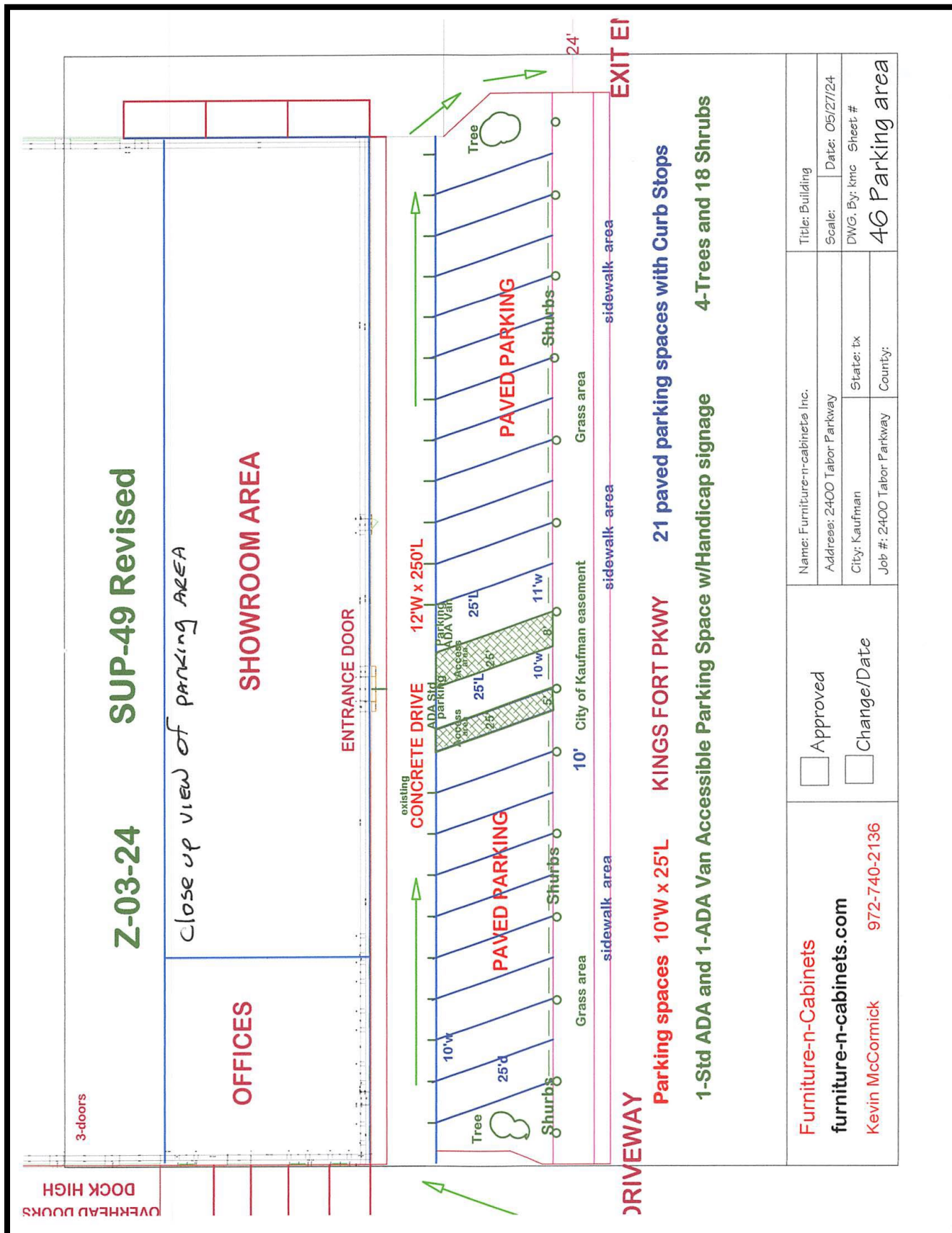


Exhibit A – Property Description/Survey





2400 Tabor Parkway site plan 05 26 24 Furniture-n-cabinets inc

Exhibit "B" Z-03-24 SUP-49 Revised

Add additional paved parking to existing paved parking between entrance and exit driveways on Kings Fort Parkway

19 Paved Parking Spaces with 2 ADA Parking Spaces

1 Standard ADA Parking Space with Signage

1 Van Accessible ADA Parking Space with Signage

Accessible areas at each ADA Parking Space

Standard Parking Spaces are 10'w x 25'L

10' City of Kaufman grass easement area

All Parking Spaces to have Curb Stops

Entrance and Exit signage installed

Parking Lot Stripping in all parking areas

Variance/Exception requested to Section 36.6.B.3 of Zoning to allow for 4-45 Gal Trees installed-Live Oak-at corners of Entrance & Exit Driveways facing Kings Fort Pkwy (2 Less than zoning ordinance)

18-3 Gal Shrubs installed-Boxwoods-to be place at city easement line facing Kings Fort Pkwy

Move Dumpster to southwest corner of building to be more secluded with 6' solid wood fence screen w/gate

Furniture-n-Cabinets

furniture-n-cabinets.com

Kevin McCormick 972-740-2136

☐ Approved

☐ Change/Date

Name: Furniture-n-cabinets Inc.

Address: 2400 Tabor Parkway

City: Kaufman

State: tx

Job #: 2400 Tabor Parkway

County:

Title: Building

Scale:

Date: 05/28/24

DWG. By: kmc

Sheet #

45 Exhibit "B"

2400 Tabor Parkway site plan 05 26 24

Exhibit "B" continued Z-03-24 SUP-49 Revised

Future Monument Sign installed at Northeast corner of property at intersection of Kings Fort & Tabor Parkway, approximately 20' from City and Utility easements installed at 45 angle to intersection will comply with zoning regulations for "C" Commercial zoning district

The property, including all buildings, premise, or land used pursuant to this SUP-49 shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits(Floorplan and Elevations) unless an amendment to SUP-49 is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Site Plan, or associated exhibits.

Furniture-n-Cabinets furniture-n-cabinets.com Kevin McCormick 972-740-2136	☐ Approved ☐ Change/Date	Name: Furniture-n-cabinets Inc.		Title: Building	
		Address: 2400 Tabor Parkway		Scale:	Date: 05/26/24
		City: Kaufman	State: tx	DWG. By: kmc Sheet #	
		Job #: 2400 Tabor Parkway		County: 47 Exhibit "B"	

Exhibit C – Revised Landscape Plan



Exhibit D – Photo with Easement

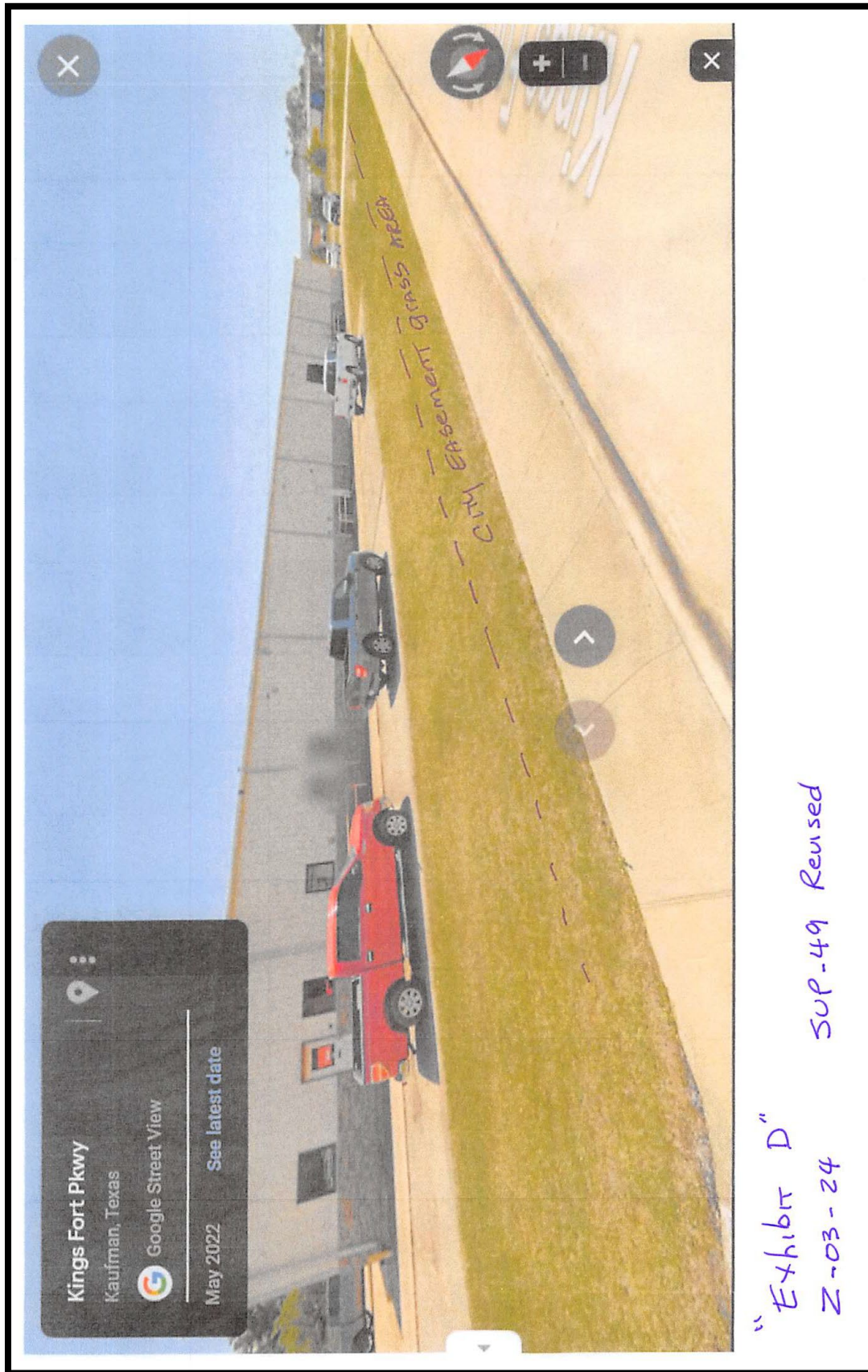
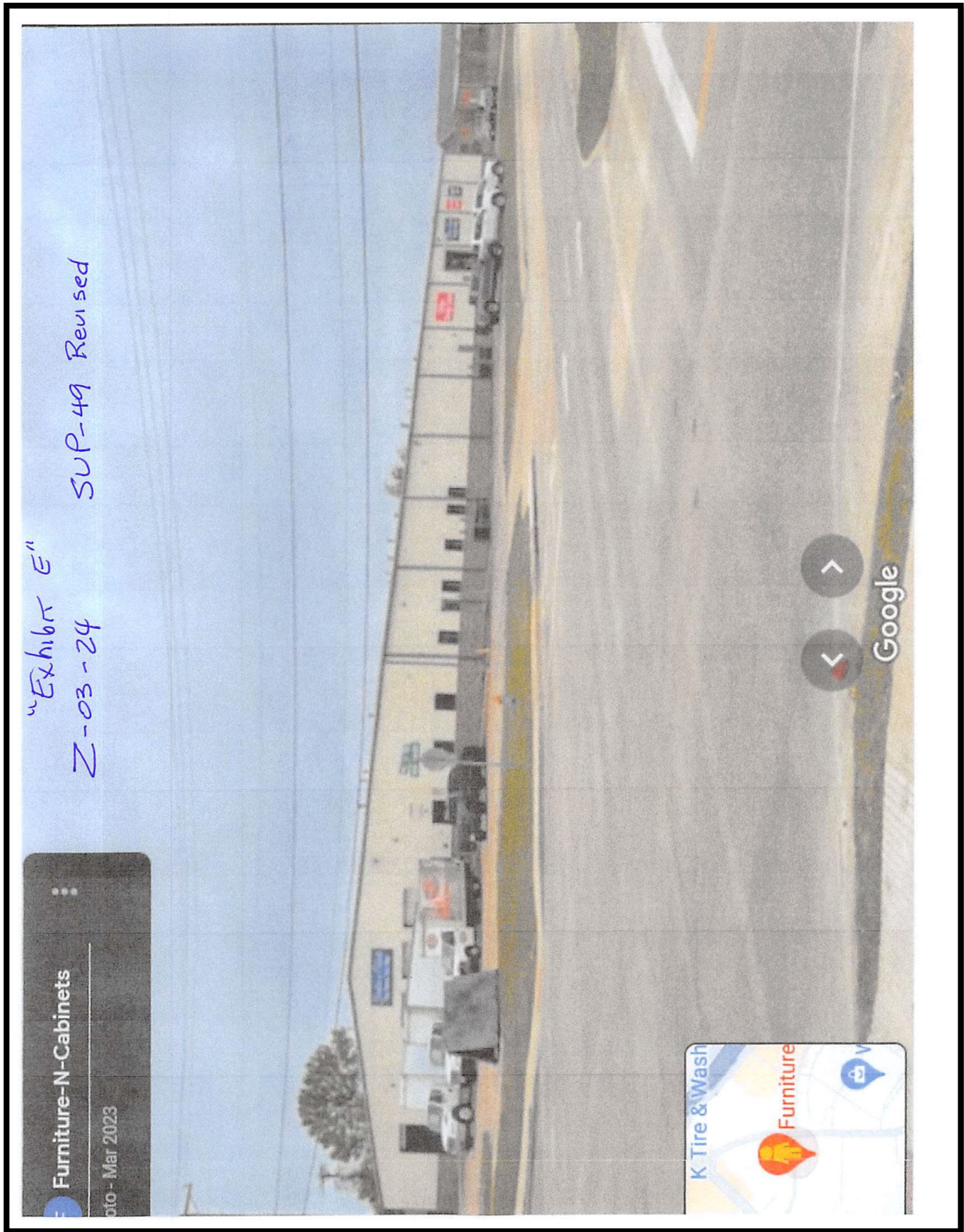


Exhibit E – Photo of Building



ORDINANCE O-09-24

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, REPEALING ORDINANCE NO. O-54-21 APPROVING SPECIFIC USE PERMIT NO. 49 (“SUP-49”) AND AMENDING ORDINANCE NO. O-02-07 AND CHAPTER 118, “ZONING”, OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN, COLLECTIVELY, “THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP” OF THE CITY, AND ADOPTING THIS ORDINANCE PROVIDING NEW REGULATIONS APPLICABLE TO SUP-49 AND RENAMING SUP-49 TO SPECIFIC USE PERMIT NO. FORTY-NINE REVISED, (“SUP-49R”), AND AMENDING THE SITE PLAN, AS DESCRIBED AND DEPICTED IN EXHIBIT “B”, (“REVISED SITE PLAN”) ON AN APPROXIMATE 1.879 ACRE TRACT OF LAND (PROPERTY ID 49846) ZONED COMMERCIAL DISTRICT “C”, SUCH PROPERTY BEING GENERALLY LOCATED AT 2400 TABOR PKWY., BEING LOT 4 OF THE HERITAGE PARK ADDITION, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS, AS DESCRIBED AND DEPICTED IN EXHIBIT “A” (“PROPERTY”) IN ORDER TO PERMIT LIGHT MANUFACTURING AND ASSEMBLY PROCESSING OF FURNITURE AND CABINETRY IN CONJUNCTION WITH A FURNITURE OFFICE/SHOWROOM, SUBJECT TO SPECIFIED CONDITIONS ON THE PROPERTY; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS AND ZONING MAP AMENDMENTS TO REFLECT THE ADOPTION OF SUP-49R AND IMPOSING CONDITIONS UPON THE PROPERTY, INCLUDING RESTRICTIONS ON USE OR BUILDING EXPANSION OR MODIFICATION, AUTHORIZING AN EXCEPTION TO THE REQUIREMENT FOR TREES ALONG THE STREET FRONTAGE, AND PROVIDING A REVISED SITE PLAN; PROVIDING ASSIGNABILITY AND EXPIRATION/RECISSION; PROVIDING LAND USE REGULATIONS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, on December 20, 2021, the City Council of the City of Kaufman, Texas (the “City Council”) adopted Ordinance No. O-54-21 approving Specific Use Permit No. 49 (“SUP-49”) for the Property described herein; and

WHEREAS, subsequent to the adoption of Ordinance No. O-54-21, the owners of the Property submitted an application for an amendment to SUP-49; and

WHEREAS, at its regular meeting held on the 4th day of June, 2024, the Planning and Zoning Commission, after holding a public hearing, did consider and make a recommendation to City Council for approval of Specific Use Permit No. 49

Revised ("SUP-49R"), and a Revised Site Plan (Z-03-24), to allow light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture office/showroom, with the conditions listed in Section 2 of this Ordinance, on an approximate 1.879 acre tract of land, Kaufman CAD Property ID 49846, zoned Commercial District "C", generally located at 2400 Tabor Pkwy., being Lot 4 of the Heritage Park Addition, City of Kaufman, Kaufman County, Texas; and more specifically described and depicted on **Exhibit "A"**, a copy of which is attached hereto and incorporated herein as, (the "Property"); and

WHEREAS, at its regular meeting held on the 24th day of June, 2024, the City Council held a public hearing to consider approving SUP-49R, and its Revised Site Plan as noted above and: (1) determined that all legal requirements of notice and hearings were met; (2) considered the recommendations of the Planning and Zoning Commission; (3) provided the public an opportunity to provide input; (4) considered public input; (5) considered the compatibility of the proposed SUP-49R zoning with surrounding properties and the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the City; and (6) determined that the proposed amendment to the Zoning Ordinance and Zoning Map of the City set forth herein below is consistent with the goals of land development as set forth in the Comprehensive Plan of the City, would allow orderly development of the Property which would serve the best interest of the health safety, and general welfare of the public; and

WHEREAS, pursuant to the foregoing findings, the City Council determined it necessary and beneficial to the public health, safety and welfare to adopt this Ordinance repealing Ordinance No. O-54-21 and approving SUP-49R with revised conditions and the Revised Site Plan as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT. That Ordinance No. O-54-21 approving Specific Use Permit 49 ("SUP-49") and amending Ordinance No. O-02-07 and Chapter 118, "Zoning", of the Code of Ordinances of the City of Kaufman, collectively, "The Comprehensive Zoning Ordinance and The Official Zoning Map", is hereby repealed in its entirety and this Ordinance is hereby adopted to reflect a change in zoning to the Property, described and depicted in **Exhibit "A"** (the "Property"), attached hereto and incorporated herein, from Commercial District with Specific Use Permit-49 to Commercial District with Specific Use Permit-49 Revised ("SUP-49R").

Pursuant to the zoning designation of Commercial District with SUP-49R, the Property shall only be used as allowed by the Commercial zoning district of the City of Kaufman, as amended by SUP-49R which hereby authorizes light manufacturing and assembly processing of furniture and cabinetry in conjunction with a furniture

office/showroom use, as those terms are defined in the Comprehensive Zoning Ordinance, subject to the following conditions, each of which shall also be included on the Site Plan for SUP-49R:

- a. The Property, including all buildings, premise, or land used pursuant to this SUP-49R shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Revised Site Plan unless an amendment to SUP-49R and to the Revised Site Plan is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property or Revised Site Plan.
- b. The regulations set forth in Section 36.6.B.3 of the Comprehensive Zoning Ordinance for “Required Trees” requiring the planting of one (1) large tree per forty (40) linear feet or portion thereof of street frontage, shall not apply to the Property due to the lack of area available to plant trees along the street frontage due to the presence of a utility easement. All other applicable regulations contained in Section 36.6 shall apply to the Property.

SECTION 3. ZONING MAP AMENDMENT. In addition, the official Zoning Map of the City of Kaufman, Texas shall be amended and annotated to show the change in zoning classification of the Property from Commercial District with Specific Use Permit-49 to Commercial District with Specific Use Permit-49R (“SUP-49R”), thereon and the updated map shall be on file with the Office of the City Secretary.

SECTION 4. SITE PLAN. The Site Plan adopted pursuant to Ordinance No. O-54-21 adopting SUP-49 is hereby repealed and a new Revised Site Plan for the Property as authorized by SUP-49R, attached hereto and incorporated as set forth fully herein as **Exhibit “B”**, (the “Revised Site Plan”), is hereby adopted for the Property. The Revised Site Plan meeting the requirements of this Section shall be adhered to in its entirety for the duration of the uses authorized by SUP-49R or its termination or expiration in accordance with Section 5 hereof.

SECTION 5. ASSIGNABILITY; TERMINATION/RECISSION. SUP-49R is non-transferrable. SUP-49R shall expire or terminate when the Planning and Zoning Commission and the City Council take proper zoning action to rescind the SUP, with appropriate publication notification and public hearing, pursuant to Section 30.1 of the City’s Comprehensive Zoning Ordinance.

SECTION 6. LAND USE REGULATIONS. The regulations contained in the City’s Comprehensive Zoning Ordinance for Commercial District zoning, as amended, shall control, except as expressly modified by SUP-49R.

SECTION 7. CUMULATIVE REPEALER/SAVINGS This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby

repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 8. SEVERABILITY. If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 9. PENALTY. Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed two thousand dollars (\$2,000.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 10. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and publication as required by law and Charter.

PASSED AND APPROVED this 24th day of June, 2024.

**JEFF JORDAN
MAYOR**

ATTEST:

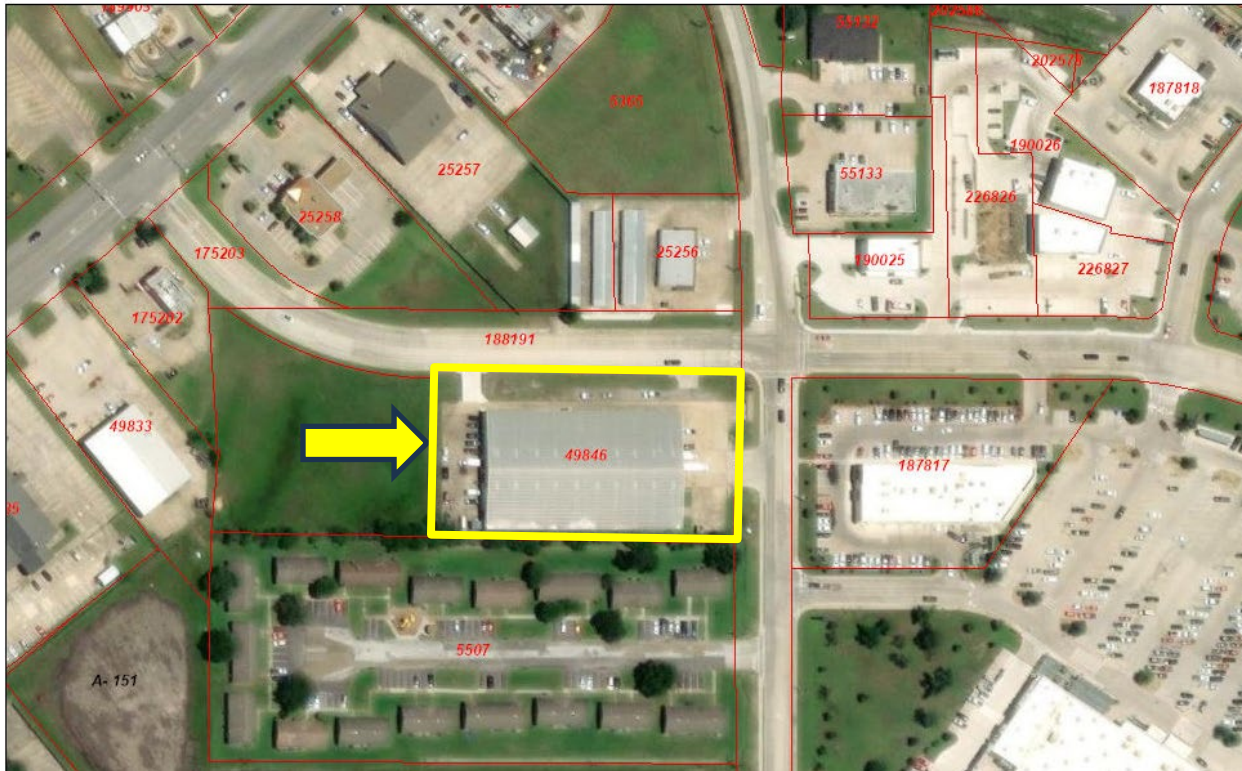
**JESSIE HANKS
CITY SECRETARY**

APPROVED AS TO FORM:

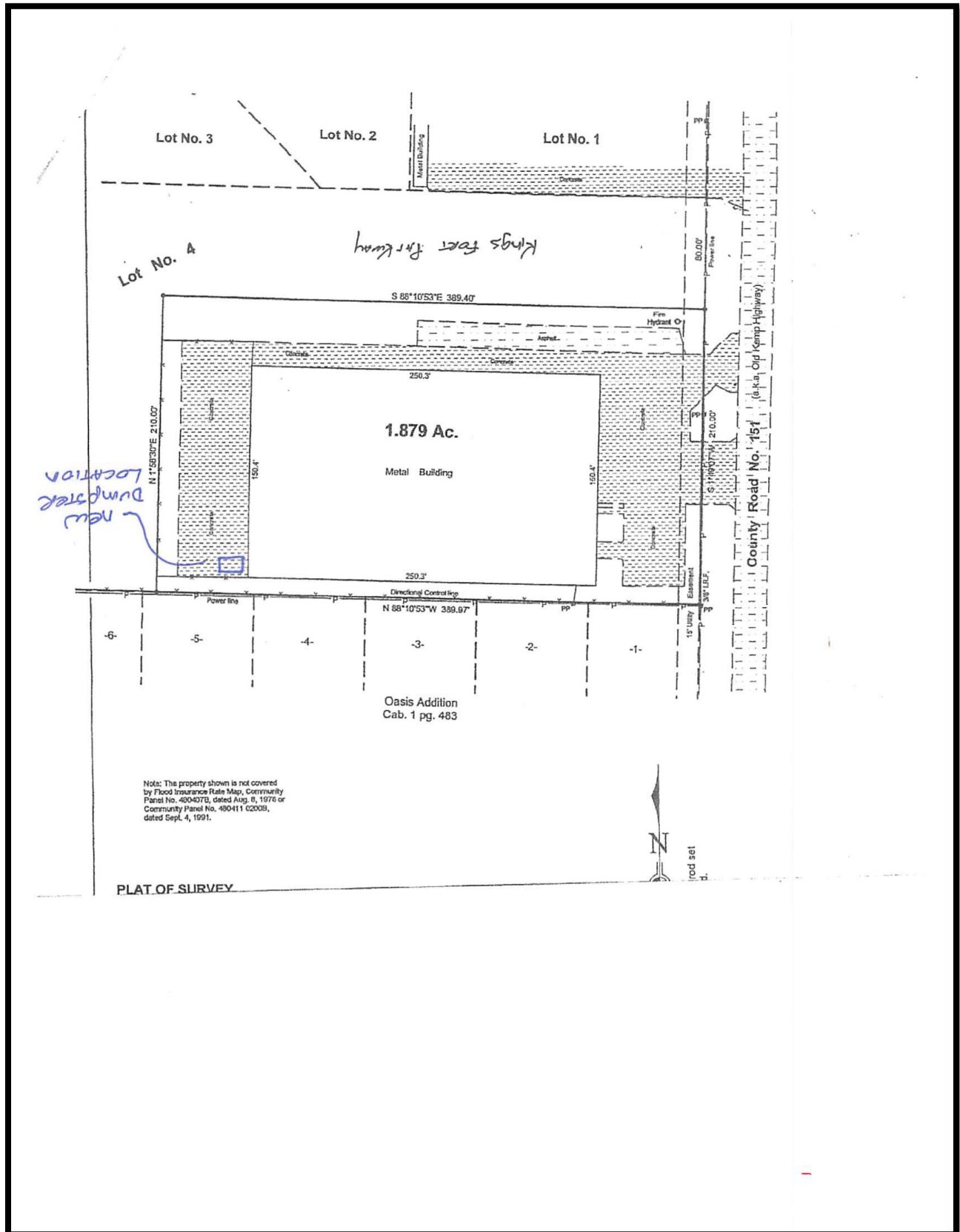
**PATRICIA A. ADAMS
CITY ATTORNEY**

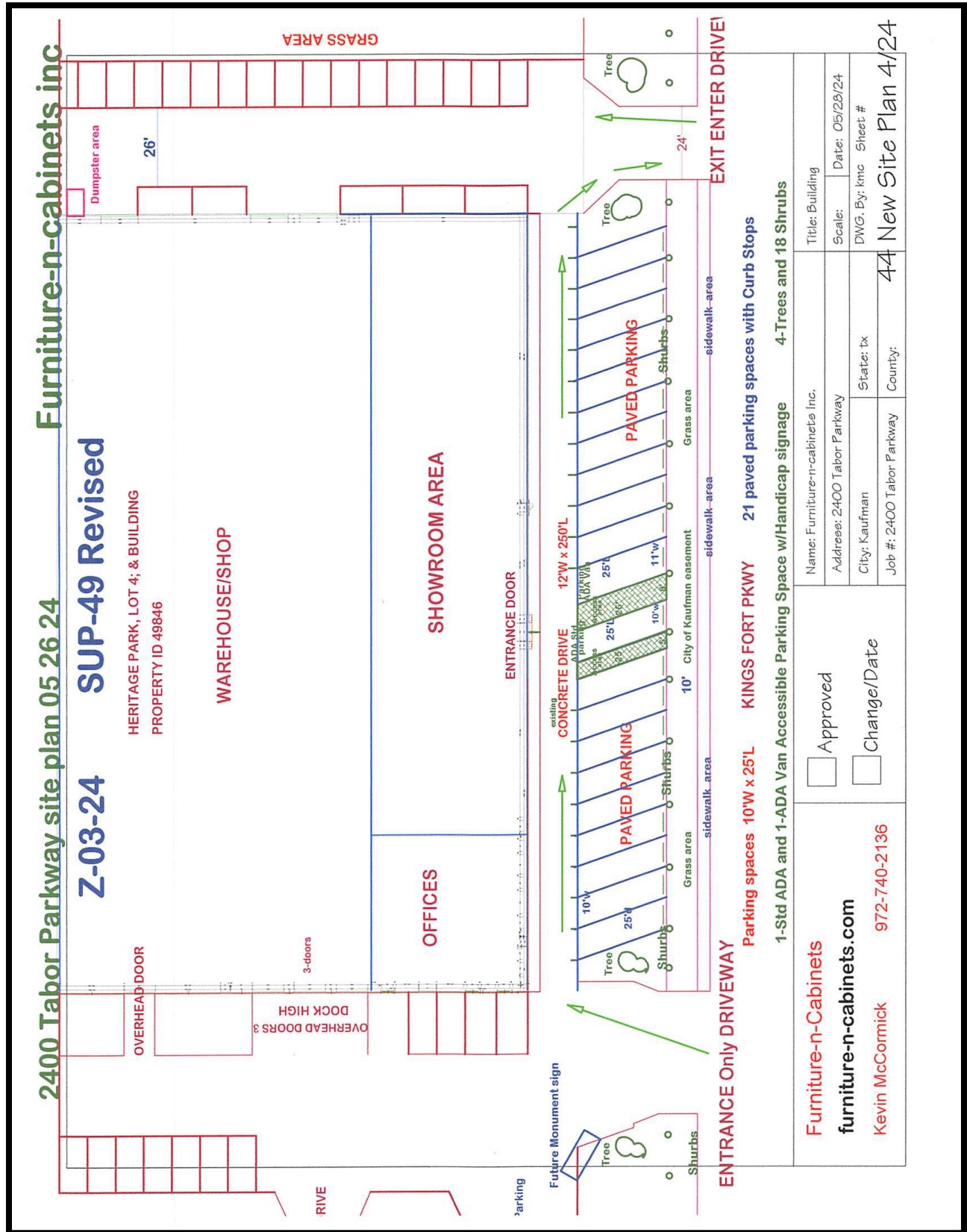
"EXHIBIT A" Property
(Description and Depiction)
Z-03-24
112 N. Washington St. –
Kaufman CAD Property ID 49846

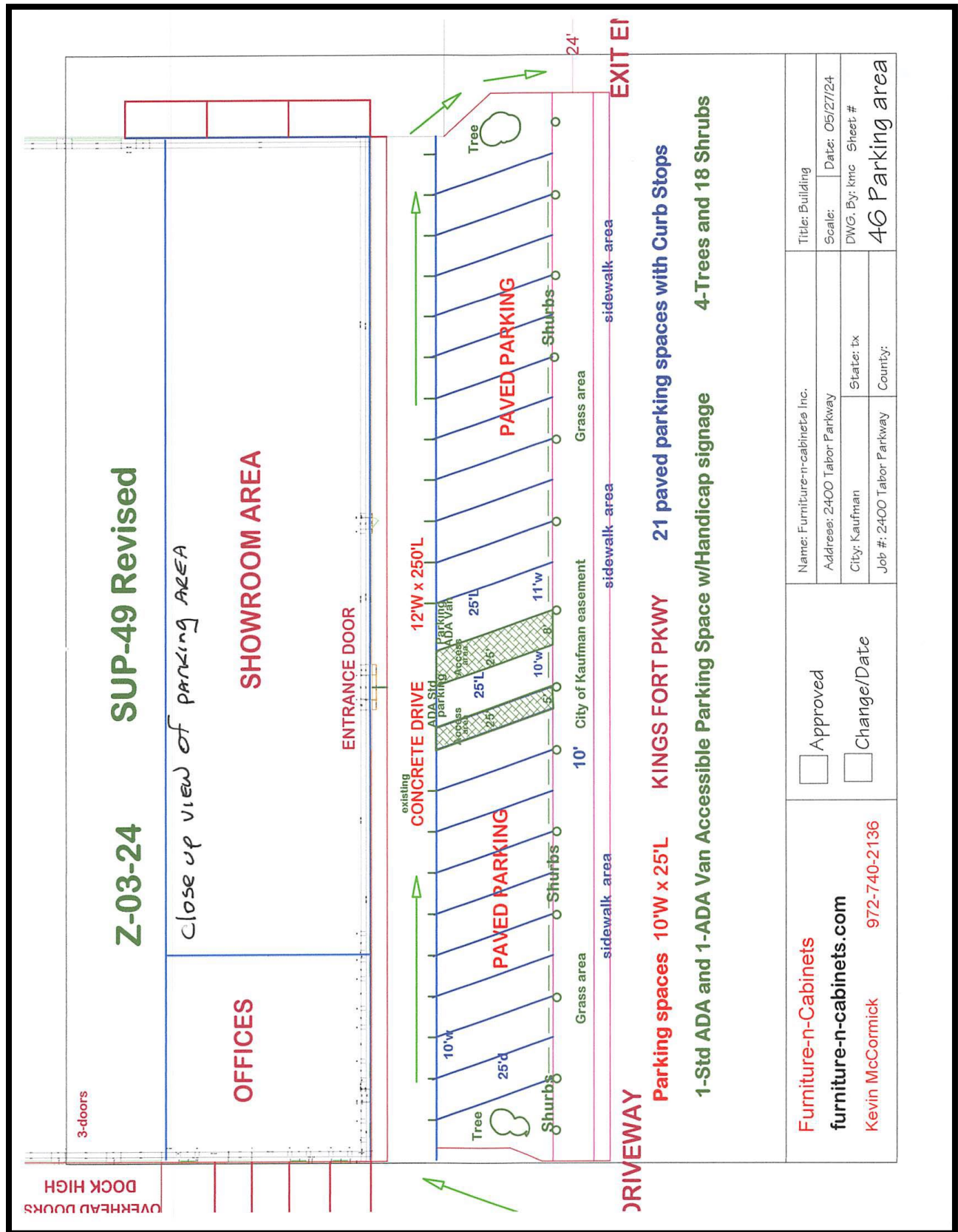
Furniture-N-Cabinets



**"EXHIBIT A" Property
(Description and Depiction)**







2400 Tabor Parkway site plan 05 26 24 Furniture-n-cabinets inc

Exhibit "B" Z-03-24 SUP-49 Revised

Add additional paved parking to existing paved parking between entrance and exit driveways on Kings Fort Parkway

- 19 Paved Parking Spaces with 2 ADA Parking Spaces
- 1 Standard ADA Parking Space with Signage
- 1 Van Accessible ADA Parking Space with Signage
- Accessible areas at each ADA Parking Space
- Standard Parking Spaces are 10'w x 25'L
- 10' City of Kaufman grass easement area
- All Parking Spaces to have Curb Stops
- Entrance and Exit signage installed
- Parking Lot Stripping in all parking areas

Variance/Exception requested to Section 36.6.B.3 of Zoning to allow for 4-45 Gal Trees installed-Live Oak-at corners of Entrance & Exit Driveways facing Kings Fort Pkwy (2 Less than zoning ordinance)

18-3 Gal Shrubs installed-Boxwoods-to be place at city easement line facing Kings Fort Pkwy

Move Dumpster to southwest corner of building to be more secluded with 6' solid wood fence screen w/gate

Furniture-n-Cabinets
furniture-n-cabinets.com
Kevin McCormick 972-740-2136

☐ Approved
☐ Change/Date

Name: Furniture-n-cabinets Inc.
Address: 2400 Tabor Parkway
City: Kaufman
Job #: 2400 Tabor Parkway

Title: Building
Scale:
DWG. By: kmc
Date: 05/28/24
Sheet #
45 Exhibit "B"

2400 Tabor Parkway site plan 05 26 24

Exhibit "B" continued Z-03-24 SUP-49 Revised

Future Monument Sign installed at Northeast corner of property at intersection of Kings Fort & Tabor Parkway, approximately 20' from City and Utility easements installed at 45 angle to intersection will comply with zoning regulations for "C" Commercial zoning district

The property, including all buildings, premise, or land used pursuant to this SUP-49 shall not be enlarged, modified, structurally altered, added to, or otherwise significantly changed in size nor from the layout on the approved Site Plan and associated exhibits(Floorplan and Elevations) unless an amendment to SUP-49 is first approved by the City Council specifically authorizing such enlargement, modification, structural alteration, or change to the Property, Site Plan, or associated exhibits.

Furniture-n-Cabinets
furniture-n-cabinets.com
Kevin McCormick 972-740-2136

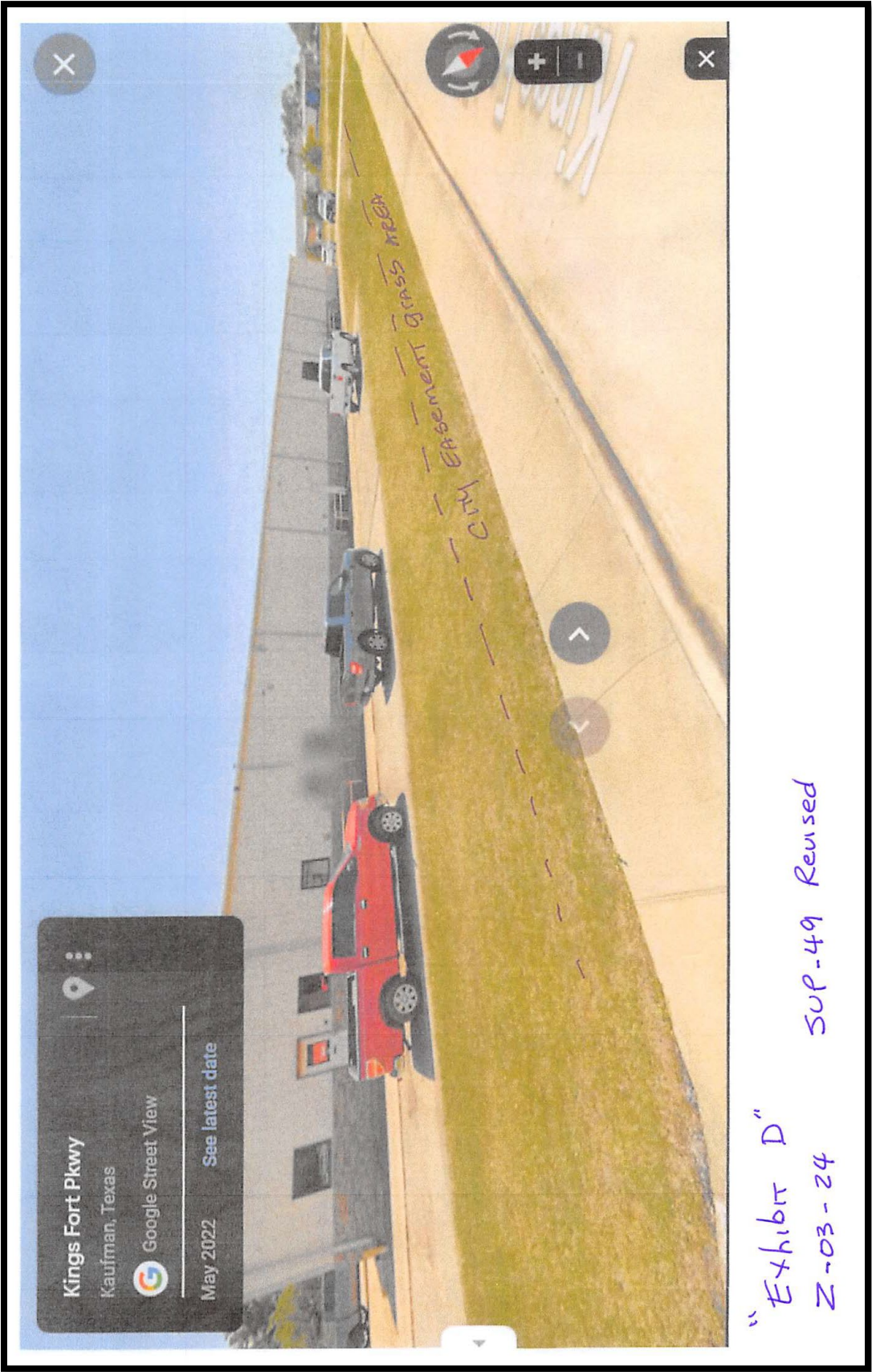
☐ Approved
☐ Change/Date

Name: Furniture-n-cabinets Inc.
Address: 2400 Tabor Parkway
City: Kaufman State: tx
Job #: 2400 Tabor Parkway County:

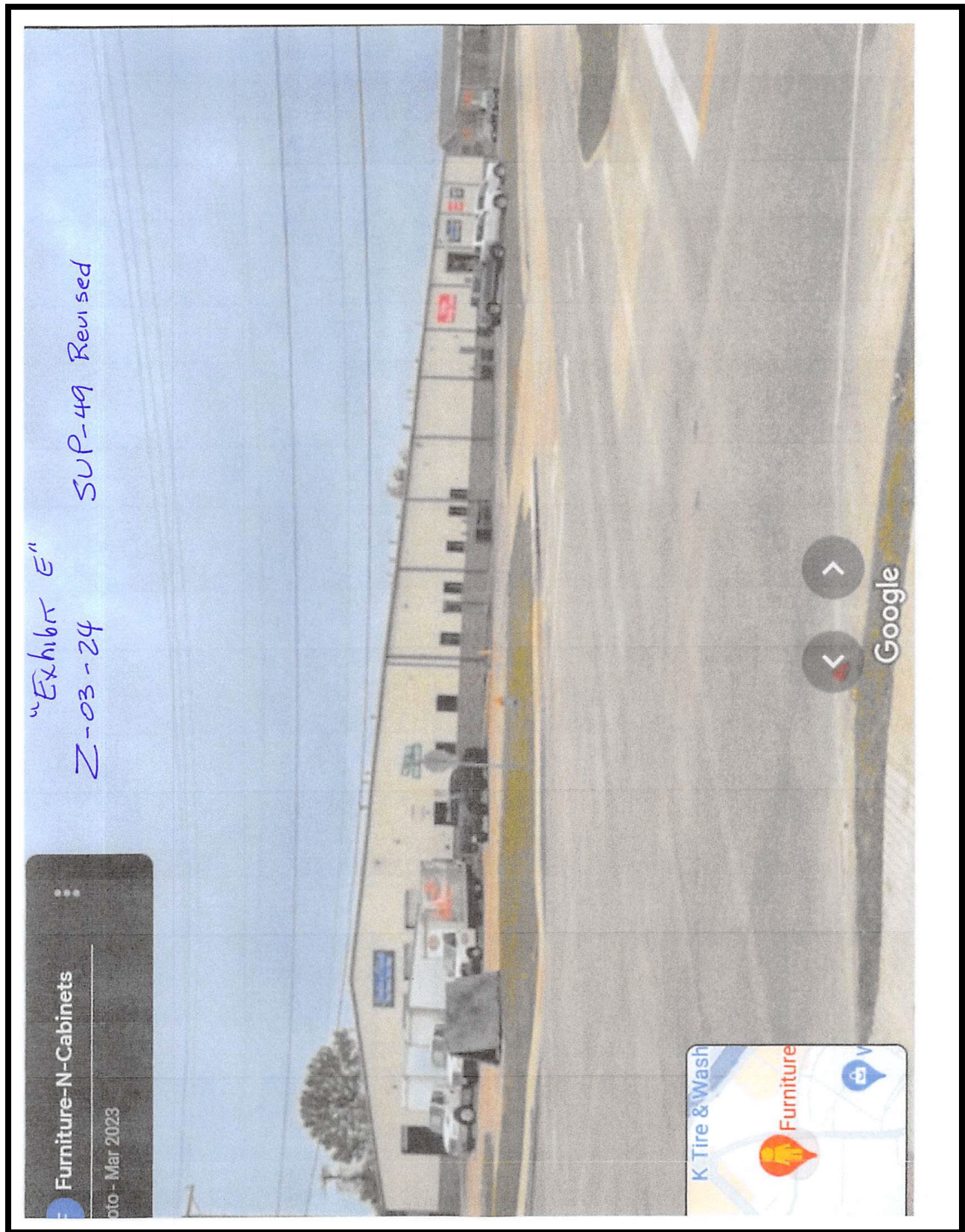
Title: Building
Scale: Date: 05/28/24
DWG. By: kmc Sheet #
47 Exhibit "B"



“EXHIBIT D” Photo of Property with Easement



"EXHIBIT E" Photo of Building





Meeting
Date: 6/24/2024

Date: 05/28/2024

Item #: 9.

Dept.: Development
Services

PZ Item

SUBJECT:

Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-10-24, an ordinance of the City Council of the City of Kaufman, Texas, amending Ordinance No. O-13-02 creating Planned Development District-7-SF-6 (5000 Square Feet) 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 **41.00-acre** tract of land (Property ID 57208) out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, Texas, from **PD Planned Development District-7-SF-6 (5,000 sq. ft.)** to **PD Planned Development District-27** for **single-family residential uses**, adopting Development Standards and a Concept Plan, said property being generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane; providing a penalty for violation; and providing an effective date. (Case No: Z-04-24)

BACKGROUND:

See the attached June 4, 2024 Planning and Zoning Commission Report and attachments.

Author:

Reviewed:

Andrew Bogda, Director of Development Services Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: On June 4, 2024, the Planning and Zoning Commission held a public hearing, and recommended approval, by a vote of 6-0, of Z-04-24, a request for a change of zoning from PD Planned Development District 7-SF-6 (5000 sq. ft.) to PD Planned Development District-27 for single-family residential uses on approximately 41.00 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane (Property ID 57208).

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☒	☐	☒	☐



Planning and Zoning Commission Report

Meeting Date: June 4, 2024

SUBJECT: Conduct a public hearing and make a recommendation to City Council for a request for a change of zoning from Planned Development District-7-SF-6 (5,000 sq. ft.) to PD Planned Development District-27 for single-family residential uses on approximately 41.00 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane (Property ID 57208). (Case No: Z-04-24)

BACKGROUND/SUMMARY:

Beginning with a preliminary plat and land study that were approved in June 2022 (consistent with the existing zoning), the City has been working with developers on the development of the subject property for the past two years. The final plat for Phase 1 of the development was approved in February 2024. A development agreement was approved in April 2024, which set the framework for the development of the property, including providing some higher development standards than would typically be required with the existing zoning. The development agreement required the rezoning of the property to be consistent with those development standards to ensure those standards would remain in perpetuity.

The requested Planned Development zoning provides for a single-family residential neighborhood with enhanced development standards, as well as recreational amenities and entryway features.

Development Standards:

The development standards allow for a minimum of 215 residential lots.

The lot and structure standards are summarized as follows:

- Minimum lot area: 5,500 sq. ft. (reduction to 5,000 sq. ft. for three lots on cul-de-sacs)
- Minimum lot width: 50' (reduction to 45' for lots on cul-de-sacs)
- Minimum lot depth: 110' (reduction to 95' for lots on cul-de-sacs)
- Minimum front yard setback: 25'
- Minimum interior side yard setback: 5'
- Minimum exterior side yard setback (for corner lots backing up to rear of another lot): 15'
- Minimum exterior side yard setback (for corner lots backing up to side of another lot): 25'
- Minimum rear yard setback: 10'
- Minimum residential floor area: 1,200 sq. ft. for no more than 10% of the homes; 1,600 sq. ft. for no more than 40% of the homes; 2,400 sq. ft. for the remainder of the homes (at least 50%)

- Accessory Structure Standards: shall be in the rear yard only, shall be allowed a minimum setback to property lines of 3', shall be allowed a reduced minimum distance to the main structure of 5', and shall adhere to all other City zoning regulations and HOA regulations
- Maximum Lot Coverage (by covered structures): 65%
- Maximum Height: 35'

The residential design standards are summarized as follows:

- The same house elevation will not be repeated within a four-lot block on the same side of the street
- Windows or other relief/articulation required at minimum 40' intervals along each floor of each façade of each home to avoid large expanses of blank wall
- All houses shall have an exterior with a minimum of 70% masonry, which shall include brick or natural stone, and cementitious fiber (hardi-board); stucco or wood may be used as accent materials on the remaining 30%
- A minimum of 30% of the houses shall have a front porch with at least 60% of usable space excluding the entryway; front porches may encroach up to 5' into the front yard
- Two-car garages with a minimum 16'-wide driveway required for each house
- Garage doors shall include decorative elements (i.e. window inserts, full-paneled doors, accent hardware, or carriage-style design)
- Two coach lights required on the front of each house
- Full gutters required around each house
- 6:12 roof pitch required for the primary roof on each house
- A minimum 6'-tall wooden privacy fence w/ galvanized posts is required on each lot
- Carports are prohibited; converting required two-car garages into living space is also prohibited

The residential landscaping standards are summarized as follows:

- Each residential lot will have one (1) 3-inch caliper tree planted in the front yard and full sod; each corner lot will have one (1) additional 3-inch caliper tree planted in the exterior side yard

Open Spaces, Amenities, and Perimeter Landscaping & Screening:

The development standards for the entryway landscaping & screening are summarized below:

- Along the rear of the lots backing to Tabor Parkway, the developer will install a 6'-tall board-on-board wood fence (with cap rail) with masonry columns spaced every 20'
- A masonry monument sign displaying the name of the neighborhood, along with landscaping for the property's perimeter open space, medians, perimeters, and entryways shall conform to the approved landscape and civil plans
- The existing trees along Tabor Parkway shall be preserved and protected during construction
- Decorative lighting shall be installed at the entrances to the development, as well as on the interior open space lots (Lot 14X of Block E and Lot 46X of Block A)
- A community mailbox with 4 off-street parking spaces and sidewalks shall be installed on Lot 14X of Block E
- On Lot 46X of Block A, the developer shall provide a trailhead amenity, including a concrete trail at least 10' in width that provides connection to the proposed trail in Kings Fort Park immediately to the southeast as well as the development's sidewalk system; the trailhead shall include a low stone seat wall and/or bench seating, trash receptacle,

pedestrian concrete pavers, shade structure, signage, landscaping, and at least 6 off-street parking spaces

The development standards also provide for the creation of a homeowners' association to maintain the above items, as well as other related requirements.

Concept Plan:

A concept plan exhibit has been provided showing the general planned distribution of the residential lots, streets, and open space in the development. The concept plan is consistent with the preliminary plat and land study that were approved in June 2022. The plan shows a total of 215 residential lots. While not indicated on the plan, the project is divided into two phases, with Phase 1 comprising 101 lots on the west side of the property (as approved in the final plat) and the balance (Phase 2) comprising 114 lots on the east side of the property. Phase 1 includes the perimeter landscaping, screening, and entryway features along Tabor Parkway, as well as a smaller open space lot, while Phase 2 will include a larger open space lot with a trailhead amenity.

The development will include 126 lots between 5,000 – 6,000 sq. ft., 58 lots between 6,000 – 7,000 sq. ft., and 31 lots greater than 7,000 sq. ft.

Access into the development will be provided via two access points off Tabor Parkway, with an additional access point connecting into the Georgetown at Kings Fort development to the south (King Street).

SURROUNDING ZONING AND EXISTING LAND USES:

	Zoning	Existing Land Use
North:	PD-15-C	Retail (Tractor Supply, Walmart) and vacant land
West:	TH & A-O (across street)	Duplexes & single-family residences
South:	PD-17R-SF-6	Single-family residential lots
East:	PD-26	Vacant land



COMPREHENSIVE PLAN:

Land Use Plan:

The 2014 Future Land Use Plan designated the future land use of the subject as Future Multi-Family (High Density). While the medium-density single-family residential zoning proposed for the property is not as intensive as the multi-family residential density identified in the future land use plan, the proposed zoning is consistent with the current zoning of the property.

Thoroughfare Plan:

The Thoroughfare Plan designates Tabor Parkway as a “Type B” Minor Arterial”, requiring a right-of-way width of 100 feet. 100’ of right-of-way for Tabor Parkway already exists and no additional dedication will be required.

PROPERTY OWNER RESPONSES:

The City of Kaufman mailed out notification letters to 13 property owners within 300' of the subject property. The results are as follows:

- Property owners returned letters in opposition to the request = 0
- Property owners returned the letter in agreement to the request = 0
- Property owners who have not responded = 13

If 20% of the area within 300 feet of the request objects to the application, then a favorable vote of $\frac{3}{4}$ of all members of the City Council (which is 6 members) shall be required to approve any change in zoning. The 20% rule is a State law.

RECOMMENDATION:

Staff recommends approval of Z-04-24, a request for a change of zoning from Planned Development District-7-SF-6 (5,000 sq. ft.) to PD Planned Development District-27 for single-family residential uses on approximately 41.00 acres out of the D. Falcon Survey, Abstract No. 151, City of Kaufman, Kaufman County, TX, generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and 850 feet north of Dillard Lane (Property ID 57208).

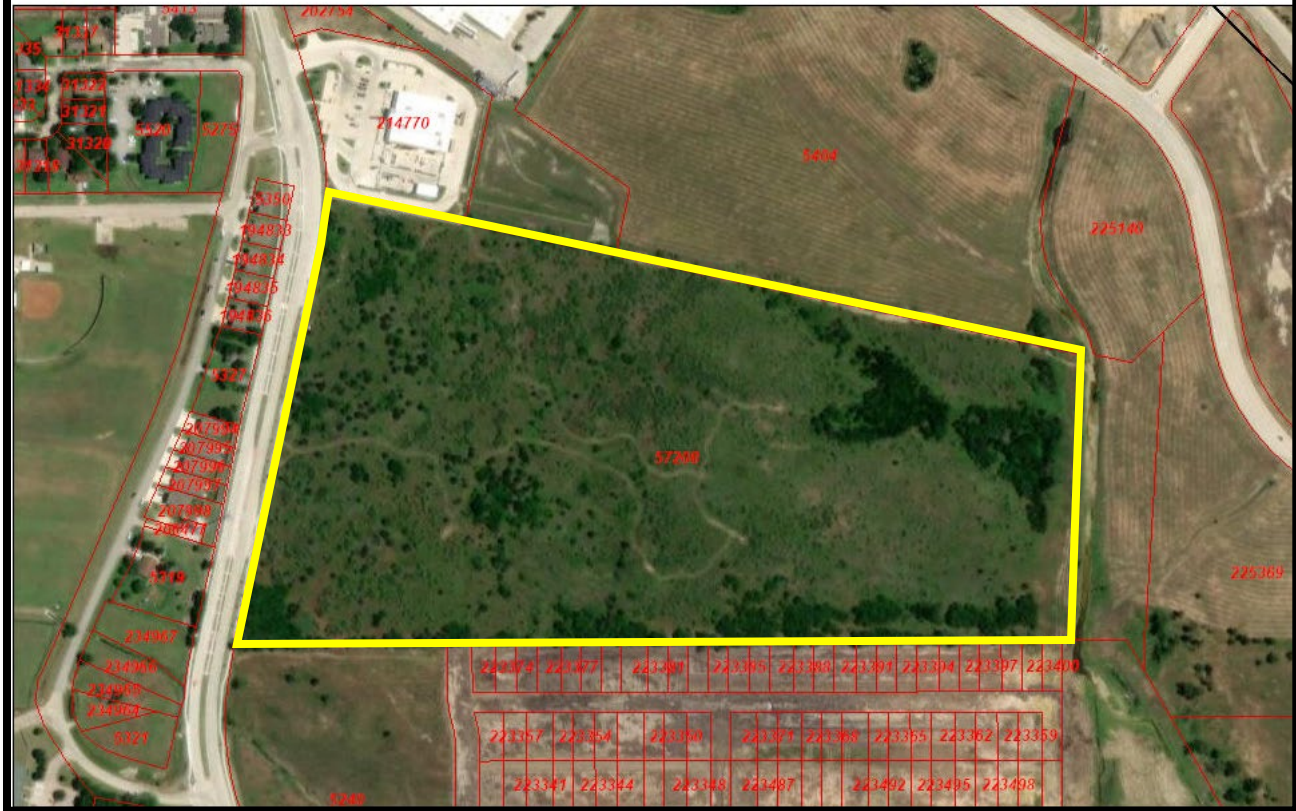
ATTACHMENTS:

- Location Map
- Exhibit A – Property Description/Survey
- Exhibit B – Development Standards
- Exhibit C – Concept Plan

Andrew Bogda, AICP
Director of Development Services
972-932-2216 ext. 117
abogda@kaufmantx.org

Location Map

Enclave at Kings Fort



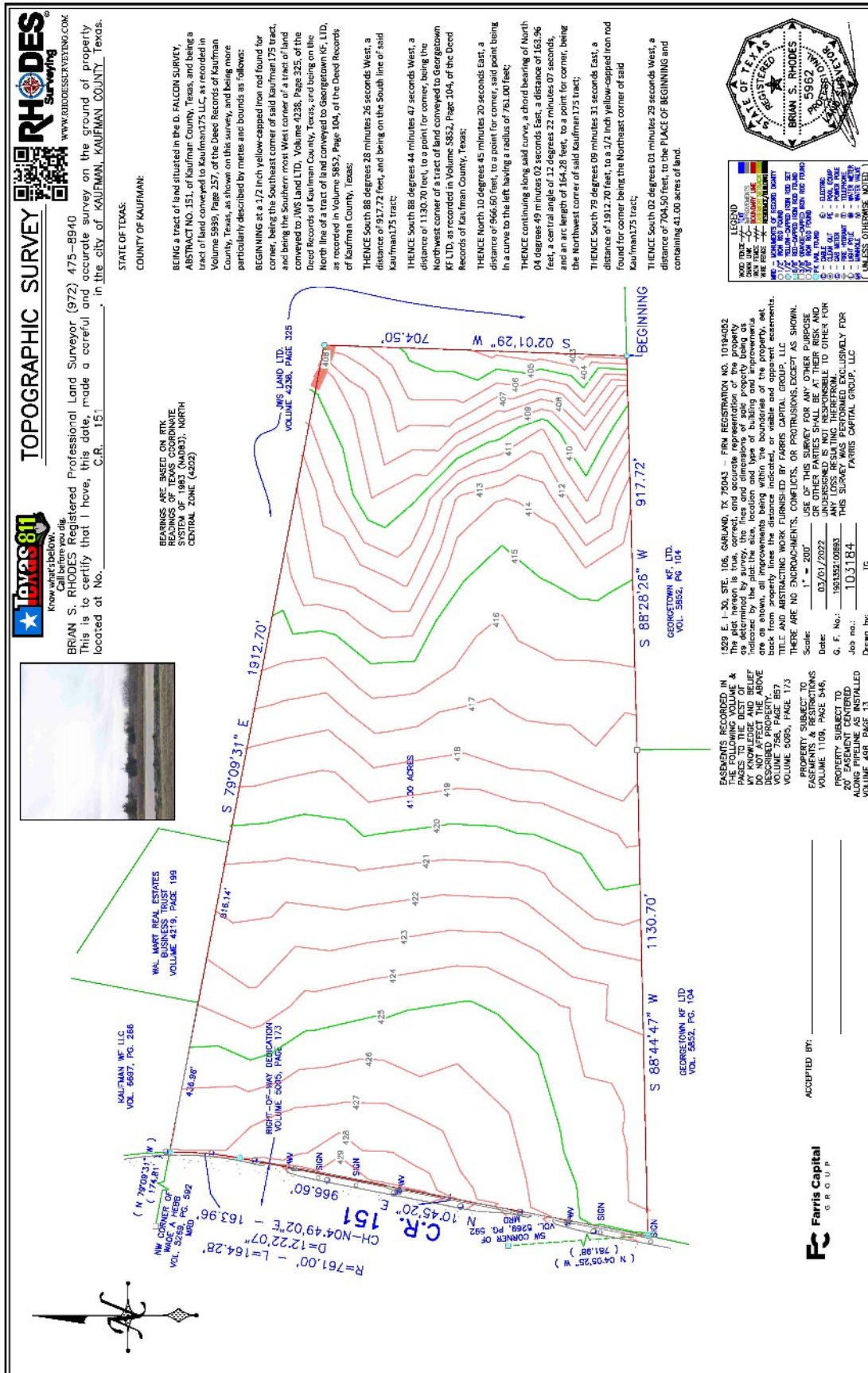


Exhibit B – Planned Development Standards

DEVELOPMENT STANDARDS

1. **Concept Plan:** The overall layout, design, and development of the Property shall generally comply with the Preliminary Plat and Land Study of the Enclave at Kings Fort that was approved by the City in June 2022. The Land Study is attached to this Ordinance as Exhibit C and identified as the Concept Plan. In the case of a conflict between the Concept Plan and these Development Standards, the Development Standards shall control.
2. **Maximum Number of Lots:** The maximum number of residential lots is 215.
3. **Single-Family Residential Lots:**
 - a. The single family detached residential portions of the property shall be in accordance with the development standards set forth below:
 - i. Minimum Lot Size: 5,500 sq. ft., with the exception that three lots (Lots 5, 36, and 39 of Block A, as shown on the Concept Plan) shall be allowed a reduced minimum lot area of 5,000 sq. ft.
 - ii. Minimum Lot Width (as measured at the front building line): 50 feet, except for cul de sac lots, which shall be allowed a reduced minimum lot width of 45 feet.
 - iii. Minimum Lot Depth (as measured at the center of the lot): 110 feet, except for cul de sac lots, which shall be allowed a reduced minimum lot depth of 95 feet.
 - iv. Minimum Front Yard Setback: 25 feet
 - v. Minimum Interior Side Yard Setback: 5 feet
 - vi. Minimum Side Yard Setback on Corner Lot Adjacent to a Street ROW: 15 feet for lots that back to the rear of another lot and 25 feet for lots that back to the side yard of another lot.
 - vii. Minimum Rear Yard Setback: 10 feet.
 - viii. Maximum Lot Coverage (measured as the percentage of the lot covered by buildings): 65 percent.
 - ix. Maximum Building/Structure Height: 35 feet.
 - x. Dwelling Unit Size (defined as air-conditioned, enclosed space used for residential purposes, excluding the garage): Not more than 10% of the lots shall have a minimum dwelling unit size of 1200 sq. ft. Not more than 40% of the lots shall have a minimum dwelling unit size of 1600 sq. ft. The remainder shall have a minimum dwelling unit size of 2400 sq. ft.
 - xi. 2-car garages are required for all lots, with a minimum driveway width of 16 feet.
 - xii. All garage door panels shall include decorative features such as window inserts, full-paneled doors, accent hardware, or carriage-style design.

Exhibit B – Planned Development Standards

- xiii. The front of each house shall include at least two coach lights.
- xiv. A minimum of 30% of the houses shall have a front porch with at least 60 sq. ft. of usable space excluding the entryway (defined as the 4-foot wide section of porch directly in front of the door). Front porches are allowed to encroach up to 5 feet into the front yard setback.
- xv. All houses shall have an exterior with a minimum of 70% masonry, which masonry shall include brick or natural stone, and cementitious fiber (hardi-board). Stucco or wood may be used as accent materials on the remaining 30%.
- xvi. A minimum roof pitch of 6:12 shall be provided for the primary roof for each home.
- xvii. The same elevation may not be repeated within a four-lot block on the same side of the street.
- xviii. Windows or some other sort of relief or articulation shall be provided at minimum 40 ft. intervals along each floor of each façade of each home to avoid large expanses of blank wall. City staff can administratively approve exceptions that meet the spirit or intent of this requirement.
- xix. Full gutters shall be provided around each house.
- xx. A minimum six-foot-tall wooden privacy fence with galvanized posts shall be required on each lot. The privacy fence shall not extend into the front yard setback or exterior side yard setback.
- xxi. Accessory structures are only allowed in the backyard, shall be allowed a reduced minimum setback to property lines of 3 feet, a reduced minimum distance to the main structure of 5 feet, and shall adhere to all other City zoning regulations and neighborhood covenants, conditions, and restrictions.
- xxii. Carports are prohibited. Converting the required 2-car garages into living space is also prohibited.
- xxiii. Each residential lot will have one 3-inch-caliper tree planted in the front yard, and full sod. Each corner lot will be required to have an additional 3-inch-caliper tree planted in the exterior side yard.

4. Open Space, Amenities, and Perimeter Landscaping & Screening:

- a. Open Space, Amenities, and Perimeter Landscaping & Screening shall be provided as set forth below:
 - i. Along the rear of the lots backing to Tabor Parkway, the developer shall install a 6'-tall board-on-board wood fence (with cap rail) with masonry columns spaced every 20'. This fence shall wrap around the exterior side yards of homes that side to the entrances to the development (Alamo Drive and Wentworth Drive).
 - ii. A Masonry monument sign displaying the name of the neighborhood, and landscaping for the Property's Open Space, medians, perimeters,

Exhibit B – Planned Development Standards

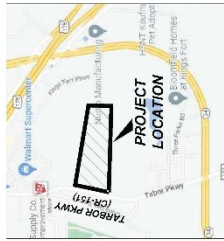
and entryways shall conform to the approved Landscape and Civil Plans.

- iii. The existing trees along Tabor Parkway shall be preserved and protected during infrastructure construction by the developer per the approved Landscape and Civil Plans.
- iv. Decorative lighting shall be installed at the entrances to the development and on Lot 14X of Block E and Lot 46X of Block A.
- v. On Lot 14X of Block E, the developer shall install a community mailbox with 4 off-street parking spaces, and concrete sidewalks. An additional community mailbox shall be installed on Lot 46X of Block A and at any other location as required by the U.S. Postal Service.
- vi. On Lot 46X of Block A, the developer shall provide a trailhead and concrete trail at least 10 feet in width that provides a connection to the proposed trail in Kings Fort Park immediately to the southeast. The trail shall connect to the sidewalk system in the development. The trailhead area shall be amenitized with a low stone seat wall and/or bench seating, trash receptacle, pedestrian concrete pavers, shade structure, signage, landscaping, and at least 6 off-street parking spaces.
- vii. All landscaping, screening, and amenities shall be included within the civil plans for each phase of development and subject to approval by City staff.
- viii. The developer shall be eligible for credits towards park fees for the improvements listed above in subsection 4.a.vi on Lot 46X of Block A.
- ix. All open space lots and improvements thereon shall be maintained by the homeowners' association.

5. Homeowners' Association:

A homeowners' association shall be established for the development, which shall be responsible for the maintenance of all open space lots and all improvements thereon, all perimeter landscaping & screening, all entryway features and landscaping (including the median), all drainage facilities, and all amenities. The homeowners' association shall also provide enhanced standards for the maintenance and upkeep of all residential properties. The homeowners' association covenants shall include a statement indemnifying the City from maintenance for any of the aforementioned items, but allowing the City to enter the property to conduct the maintenance of the aforementioned items if the homeowners' association fails to do so at the sole cost of the property owners within the development.

Exhibit C – Concept Plan



- LEGEND**
- EX SANITARY SEWER
 - EX 6" MANHOLE
 - EX WATER LINE
 - DRAINAGE EASEMENT
 - SANITARY SEWER EASEMENT
 - EXISTING CONTOURS
 - PROPOSED PAVEMENT CENTER
 - 5.000' (0.00' 0.00' 0.00')
 - 6.000' (0.00' 0.00' 0.00')
 - 7.000' (0.00' 0.00' 0.00')



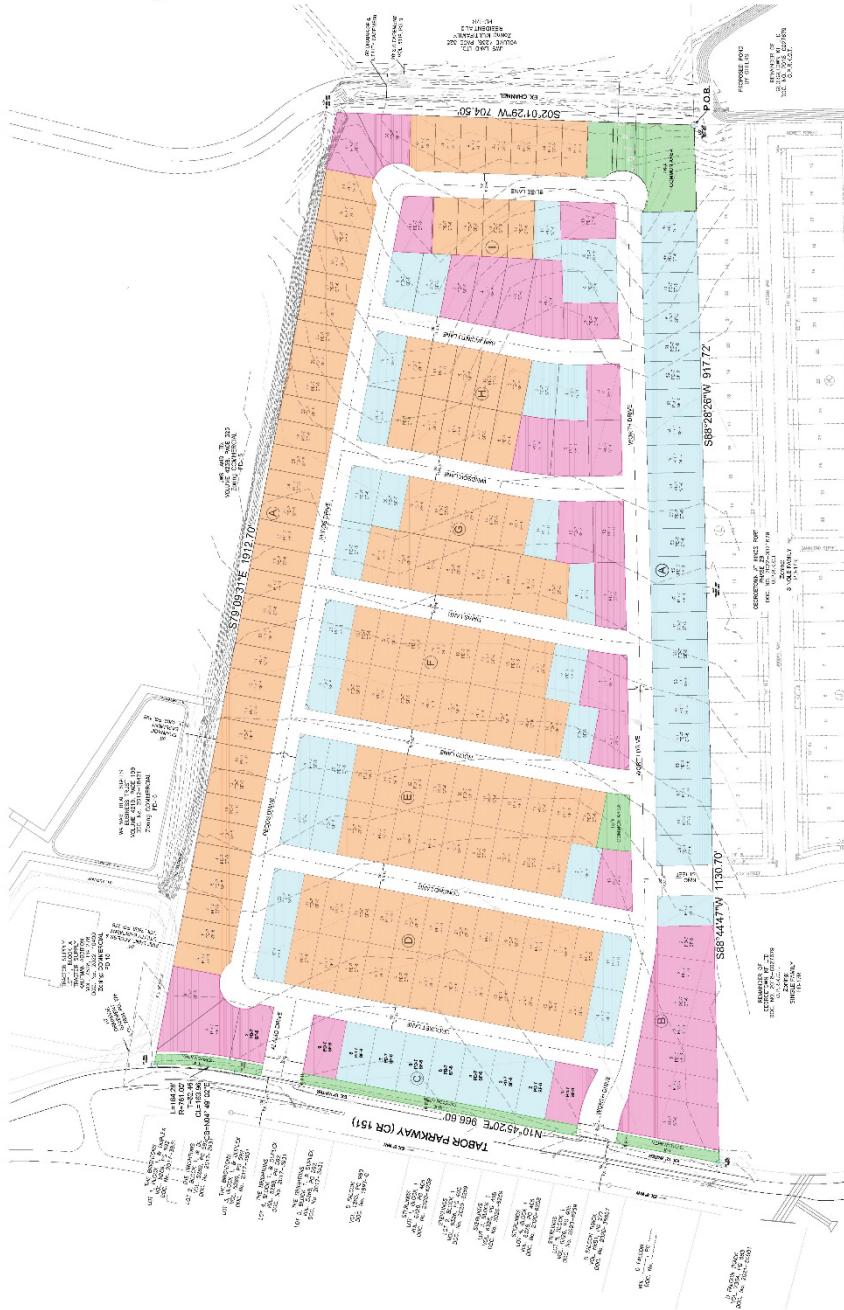
ZONING PD BF-6 - TYPICAL LOT DETAIL

LAND STUDY ENCLAVE AT KINGS FORT 41.00 ACRES

SITUATED IN THE
D. FALCON SURVEY, ABSTRACT NO. 151
CITY OF KAUFMAN, TEXAS
KAUFMAN COUNTY, TEXAS
215 SINGLE FAMILY LOTS: 6 COMMON AREA LOTS
JUNE 2022

PREPARED BY:
CCM ENGINEERING
2570 JUSTIN ROAD #309
HIGHLAND VILLAGE, TX
CONTACT: CODY CRANNELL
EMAIL: CODY@CCM-ENG.COM
(972) 691-6633

DESIGNED BY:
ENCLAVE AT KINGS FORT KAUFMAN LLC
129 S. MAIN STREET, SUITE 280
GRAPEVINE, TEXAS 76051
CONTACT: MATTHEW HARRIS
EMAIL: MATT@ENCLAVEATKINGSFORT.COM
(214) 616-4989



ORDINANCE O-10-24

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, AMENDING ORDINANCE NO. O-13-02 CREATING PLANNED DEVELOPMENT DISTRICT-7-SF-6 (5000 SF) ("PD-7-SF-6 (5000 SF)") AMENDING ORDINANCE NO. O-02-07, AS AMENDED, AND CHAPTER 118, "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF KAUFMAN, TEXAS, COLLECTIVELY "THE COMPREHENSIVE ZONING ORDINANCE AND THE OFFICIAL ZONING MAP" OF THE CITY IN ORDER TO CHANGE THE ZONING CLASSIFICATION ON AN APPROXIMATE 41.00 ACRE TRACT OF LAND (PROPERTY ID 57208) FROM PD-7-SF-6 (5000 SF) TO PLANNED DEVELOPMENT DISTRICT-27 ("PD-27") FOR SINGLE-FAMILY RESIDENTIAL USES, SUCH PROPERTY BEING GENERALLY LOCATED ON THE EAST SIDE OF TABOR PARKWAY, APPROXIMATELY 1,300 FEET SOUTH OF KINGS FORT PARKWAY AND APPROXIMATELY 850 FEET NORTH OF DILLARD LANE IN THE CORPORATE LIMITS OF THE CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING AMENDMENTS TO INCLUDE DEVELOPMENT STANDARDS SET FORTH IN EXHIBIT "B", A CONCEPT PLAN AS SET FORTH IN EXHIBIT "C", AND A ZONING MAP AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, on May 13, 2002, the City Council of the City of Kaufman, Texas (the "City Council") adopted Ordinance No. O-13-02 creating Planned Development District-7-SF-6 (5000 SF) ("PD-7-SF-6 (5000 SF)") for an approximate 77.30 acres out of a 190.09 acre tract of land as described therein; and

WHEREAS, subsequent to the adoption of Ordinance No. O-13-02, new property owners purchased an approximate 41.00 acre tract of land as more specifically described in Exhibit "A" hereto, and such owners requested rezoning of the Property to PD-27 (defined below); and

WHEREAS, at its regular meeting held on the 4th day of June, 2024, the Planning and Zoning Commission did hold a public hearing and did consider and make a recommendation for approval of a request to rezone an approximate 41.00 acre tract of land (Property ID 57208) from Planned Development-7-SF-6 (5000 SF) ("PD-7-SF-6 (5000 SF)") to Planned Development District-27 ("PD-27") for single-family residential uses, such property being generally located on the east side of Tabor Parkway, approximately 1,300 feet south of Kings Fort Parkway and approximately 850 feet north of Dillard Lane, in the corporate limits of the City of Kaufman, Kaufman County, Texas,

and being more particularly described and depicted in **Exhibit “A”**, a copy of which is attached hereto and incorporated herein (the “Property”); and

WHEREAS, Planned Development-27 will include specific Planned Development Standards as depicted on **Exhibit “B”**, and a Concept Plan as depicted on **Exhibit “C”**, which are attached hereto and incorporated herein, and reviewed as part of Case No. Z-04-24 by the Planning and Zoning Commission; and

WHEREAS, at its regular meeting held on the 24th day of June, 2024, the City Council held a public hearing for the proposed request to rezone the Property from Planned Development-7-SF-6 (5000 SF) (“PD-7-SF-6 (5000 SF)”) to Planned Development District-27 (“PD-27”); and

WHEREAS, after determining that all legal requirements of notice and hearings were met, considering the recommendations of the Planning and Zoning Commission, providing the public an opportunity to provide input, considering public input, and considering the compatibility of the proposed Planned Development District-27 (“PD-27”) zoning with surrounding properties and the goals and objectives of the Comprehensive Zoning Ordinance and Zoning Map of the City and the Future Land Use Plan, the City Council determined that the proposed amendment to the Zoning Ordinance and Zoning Map of the City set forth herein below is consistent with the goals of land development as set forth in the Comprehensive Plan and Future Land Use Plan of the City, and would allow orderly development of the Property which would serve the best interest of the health, safety, and general welfare of the public; and

WHEREAS, pursuant to the foregoing findings, the City Council determined it necessary and beneficial to the public health, safety and welfare to adopt this Ordinance rezoning the Property from its current zoning designation of PD-7-SF-6 (5000 SF), Ordinance No. O-13-02, to PD-27, and has further determined that this Ordinance rezones only the Property identified in Exhibit “A”, removes the Property (an approximate 41 acre tract of land identified in Exhibit “A”) from the boundaries of PD-7-SF-6 and rezones the Property as PD-27 in accordance with this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT. That Ordinance No. O-13-02 approving PD-7-SF-6 (5000 SF) and amending Ordinance No. O-02-07, as amended, and Chapter 118, “Zoning”, of the Code of Ordinances of the City of Kaufman, Texas, collectively, “The Comprehensive Zoning Ordinance and The Official Zoning Map”, are hereby amended to reflect the change in zoning for an approximate 41.00 acre tract of land (Property ID 57208), such property being generally located on the east side of Tabor Parkway,

approximately 1,300 feet south of Kings Fort Parkway and approximately 850 feet north of Dillard Lane, in the corporate limits of the City of Kaufman, Kaufman County, Texas, and being more particularly described and depicted in **Exhibit “A”**, a copy of which is attached hereto and incorporated herein (the “Property”) from Planned Development-7-SF-6 (5000 SF) (“PD-7-SF-6 (5000 SF)”) to Planned Development District-27 (“PD-27”). The Property shall be developed and uses shall be allowed in accordance with specific Planned Development Standards as set forth in **Exhibit “B”**, and a Concept Plan as depicted on **Exhibit “C”**, each of which are attached hereto and incorporated herein.

SECTION 3. ZONING MAP AMENDMENT. In addition, the official Zoning Map of the City of Kaufman, Texas shall be amended and annotated to show the change in zoning classification of the Property from Planned Development-7-SF-6 (5000 SF) (“PD-7-SF-6 (5000 SF)”) to Planned Development-27 (“PD-27”), thereon.

SECTION 4. CUMULATIVE REPEALER. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except that this Ordinance shall expressly repeal the provisions of Ordinance No. O-13-02 only as specifically applicable to the Property, and except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY. If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 6. PENALTY. Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed two thousand dollars (\$2,000.00) for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

SECTION 7. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and publication as required by law and Charter.

PASSED AND APPROVED this 24th day of June, 2024.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

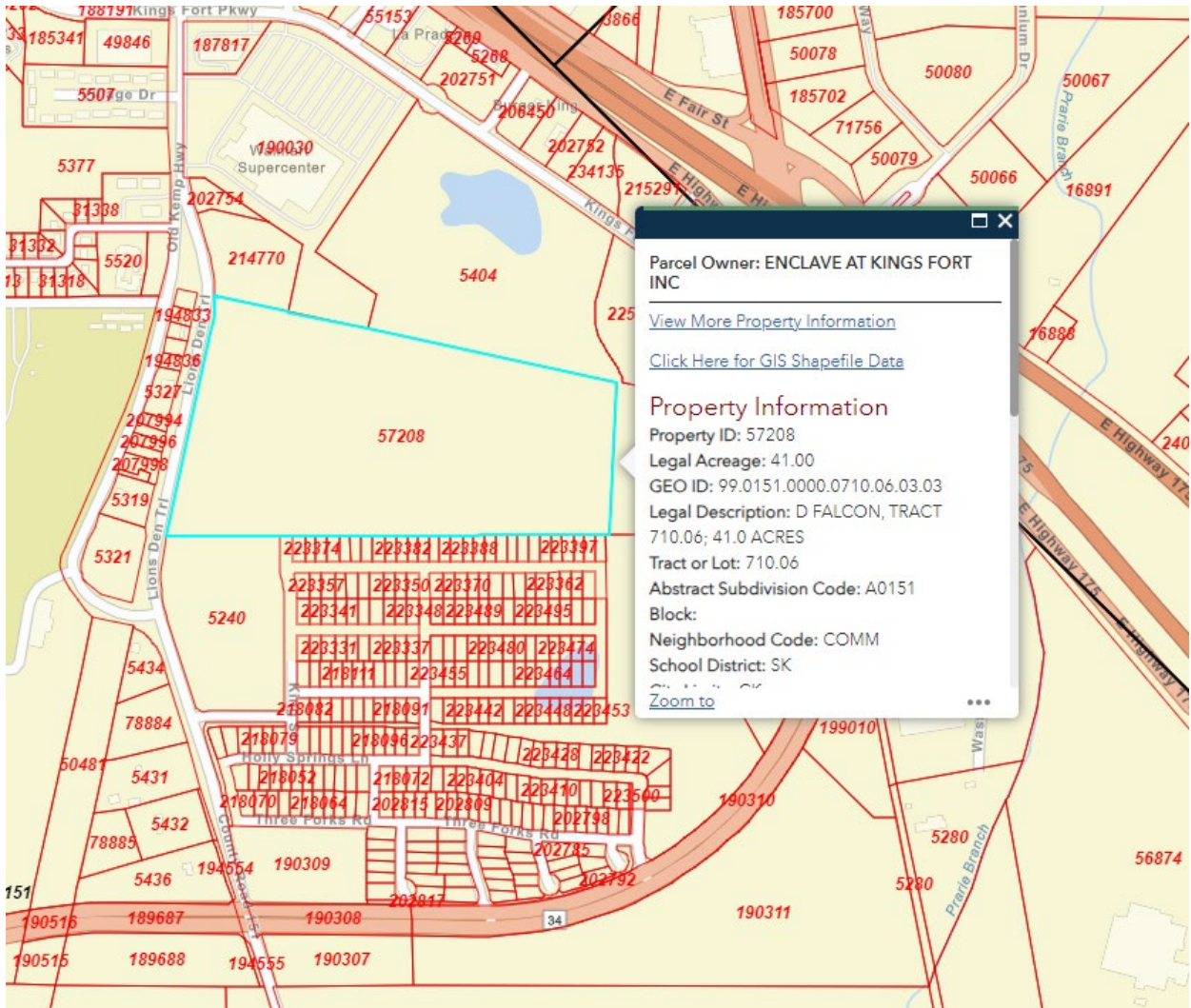
PATRICIA A. ADAMS
CITY ATTORNEY

“Exhibit A” Property Description

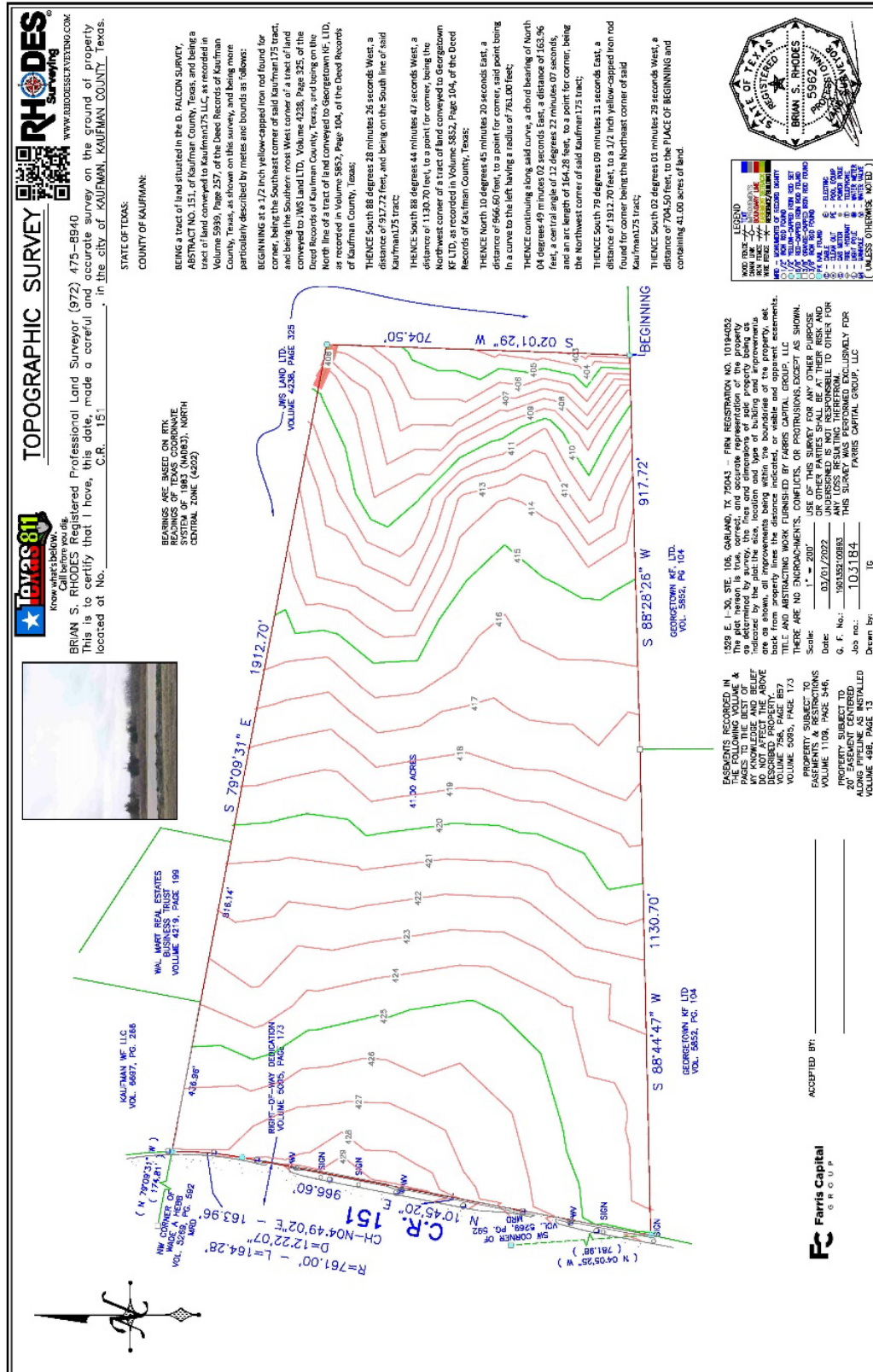
Z-04-24

Property ID 57208

Location Map



Z-04-24
Property ID 57208
Survey



“Exhibit B” Planned Development Standards

DEVELOPMENT STANDARDS

1. **Concept Plan:** The overall layout, design, and development of the Property shall generally comply with the Preliminary Plat and Land Study of the Enclave at Kings Fort that was approved by the City in June 2022. The Land Study is attached to this Ordinance as Exhibit C and identified as the Concept Plan. In the case of a conflict between the Concept Plan and these Development Standards, the Development Standards shall control.
2. **Maximum Number of Lots:** The maximum number of residential lots is 215.
3. **Single-Family Residential Lots:**
 - a. The single family detached residential portions of the property shall be in accordance with the development standards set forth below:
 - i. Minimum Lot Size: 5,500 sq. ft., with the exception that three lots (Lots 5, 36, and 39 of Block A, as shown on the Concept Plan) shall be allowed a reduced minimum lot area of 5,000 sq. ft.
 - ii. Minimum Lot Width (as measured at the front building line): 50 feet, except for cul de sac lots, which shall be allowed a reduced minimum lot width of 45 feet.
 - iii. Minimum Lot Depth (as measured at the center of the lot): 110 feet, except for cul de sac lots, which shall be allowed a reduced minimum lot depth of 95 feet.
 - iv. Minimum Front Yard Setback: 25 feet
 - v. Minimum Interior Side Yard Setback: 5 feet
 - vi. Minimum Side Yard Setback on Corner Lot Adjacent to a Street ROW: 15 feet for lots that back to the rear of another lot and 25 feet for lots that back to the side yard of another lot.
 - vii. Minimum Rear Yard Setback: 10 feet.
 - viii. Maximum Lot Coverage (measured as the percentage of the lot covered by buildings): 65 percent.
 - ix. Maximum Building/Structure Height: 35 feet.
 - x. Dwelling Unit Size (defined as air-conditioned, enclosed space used for residential purposes, excluding the garage): Not more than 10% of the lots shall have a minimum dwelling unit size of 1200 sq. ft. Not more than 40% of the lots shall have a minimum dwelling unit size of 1600 sq. ft. The remainder shall have a minimum dwelling unit size of 2400 sq. ft.
 - xi. 2-car garages are required for all lots, with a minimum driveway width of 16 feet.
 - xii. All garage door panels shall include decorative features such as window inserts, full-paneled doors, accent hardware, or carriage-style design.

“Exhibit B” Planned Development Standards

- xiii. The front of each house shall include at least two coach lights.
- xiv. A minimum of 30% of the houses shall have a front porch with at least 60 sq. ft. of usable space excluding the entryway (defined as the 4-foot wide section of porch directly in front of the door). Front porches are allowed to encroach up to 5 feet into the front yard setback.
- xv. All houses shall have an exterior with a minimum of 70% masonry, which masonry shall include brick or natural stone, and cementitious fiber (hardi-board). Stucco or wood may be used as accent materials on the remaining 30%.
- xvi. A minimum roof pitch of 6:12 shall be provided for the primary roof for each home.
- xvii. The same elevation may not be repeated within a four-lot block on the same side of the street.
- xviii. Windows or some other sort of relief or articulation shall be provided at minimum 40 ft. intervals along each floor of each façade of each home to avoid large expanses of blank wall. City staff can administratively approve exceptions that meet the spirit or intent of this requirement.
- xix. Full gutters shall be provided around each house.
- xx. A minimum six-foot-tall wooden privacy fence with galvanized posts shall be required on each lot. The privacy fence shall not extend into the front yard setback or exterior side yard setback.
- xxi. Accessory structures are only allowed in the backyard, shall be allowed a reduced minimum setback to property lines of 3 feet, a reduced minimum distance to the main structure of 5 feet, and shall adhere to all other City zoning regulations and neighborhood covenants, conditions, and restrictions.
- xxii. Carports are prohibited. Converting the required 2-car garages into living space is also prohibited.
- xxiii. Each residential lot will have one 3-inch-caliper tree planted in the front yard, and full sod. Each corner lot will be required to have an additional 3-inch-caliper tree planted in the exterior side yard.

4. Open Space, Amenities, and Perimeter Landscaping & Screening:

- a. Open Space, Amenities, and Perimeter Landscaping & Screening shall be provided as set forth below:
 - i. Along the rear of the lots backing to Tabor Parkway, the developer shall install a 6'-tall board-on-board wood fence (with cap rail) with masonry columns spaced every 20'. This fence shall wrap around the exterior side yards of homes that side to the entrances to the development (Alamo Drive and Wentworth Drive).
 - ii. A Masonry monument sign displaying the name of the neighborhood, and landscaping for the Property's Open Space, medians, perimeters,

“Exhibit B” Planned Development Standards

and entryways shall conform to the approved Landscape and Civil Plans.

- iii. The existing trees along Tabor Parkway shall be preserved and protected during infrastructure construction by the developer per the approved Landscape and Civil Plans.
- iv. Decorative lighting shall be installed at the entrances to the development and on Lot 14X of Block E and Lot 46X of Block A.
- v. On Lot 14X of Block E, the developer shall install a community mailbox with 4 off-street parking spaces, and concrete sidewalks. An additional community mailbox shall be installed on Lot 46X of Block A and at any other location as required by the U.S. Postal Service.
- vi. On Lot 46X of Block A, the developer shall provide a trailhead and concrete trail at least 10 feet in width that provides a connection to the proposed trail in Kings Fort Park immediately to the southeast. The trail shall connect to the sidewalk system in the development. The trailhead area shall be amenitized with a low stone seat wall and/or bench seating, trash receptacle, pedestrian concrete pavers, shade structure, signage, landscaping, and at least 6 off-street parking spaces.
- vii. All landscaping, screening, and amenities shall be included within the civil plans for each phase of development and subject to approval by City staff.
- viii. The developer shall be eligible for credits towards park fees for the improvements listed above in subsection 4.a.vi on Lot 46X of Block A.
- ix. All open space lots and improvements thereon shall be maintained by the homeowners' association.

5. Homeowners' Association:

A homeowners' association shall be established for the development, which shall be responsible for the maintenance of all open space lots and all improvements thereon, all perimeter landscaping & screening, all entryway features and landscaping (including the median), all drainage facilities, and all amenities. The homeowners' association shall also provide enhanced standards for the maintenance and upkeep of all residential properties. The homeowners' association covenants shall include a statement indemnifying the City from maintenance for any of the aforementioned items, but allowing the City to enter the property to conduct the maintenance of the aforementioned items if the homeowners' association fails to do so at the sole cost of the property owners within the development.

“Exhibit C” Concept Plan





Meeting
Date: 6/24/2024

Date: 05/28/2024

Item #: 10.

Dept.: Development
Services

Ordinance

SUBJECT:

Conduct a public hearing, consider, and take appropriate action on Ordinance No. O-11-24, an ordinance of the City Council of the City of Kaufman, Texas, authorizing the **abandonment and relinquishment of Right-of-Way** on a portion of Block 28 in the Cottage Heights Addition, City of Kaufman, Kaufman County, Texas, comprising a called 30-foot-wide Alley and a portion of Third Street altogether containing **13,625 sq. ft.** (Tract 1) and a called 10-foot-wide Alley containing **1,544 sq. ft.** (Tract 2), said property being located in the T. Beedy Survey, Abstract No. 21, City of Kaufman, Kaufman County, Texas, generally **located on the south side of SH 243 between Third and Fourth Streets**; providing findings of compliance with State law and Subdivision Regulations; providing reservations; **providing for the conveyance of the vacated right of way by quitclaim deed to the single adjacent property owner**; authorizing the Mayor or designee to execute documents; and providing an effective date.

BACKGROUND:

The City proposes to vacate, abandon, and relinquish right-of-way located on the Kaufman Veterinary Clinic (KVC) property located at 1700 E. Mulberry St. (Property ID 21025). The right-of-way proposed to be abandoned was originally part of the Cottage Heights Addition, which was never properly abandoned when State Highway 243 was routed through the area and zoning and development patterns along the south side of SH 243 changed from residential blocks to larger commercial tracts that no longer required the residential right-of-way. The right-of-way consists of a 30-foot-wide alley and a portion of Third Street altogether containing approximately 13,625 square feet (Tract 1) and a 10-foot-wide alley containing approximately 1,544 square feet (Tract 2), said property being located on a portion of Block 28 of the Cottage Heights Addition. All of the right-of-way is located on the KVC property and has been used by the property owner for decades. Based on the changed development patterns, the City does not find the right-of-way to be necessary anymore. The right-of-way for a future extension of Fourth Street still exists immediately to the east of the subject property and will provide for additional access to the other properties in this area in the future. In addition, pursuant to a memorandum of agreement between the City and KVC dated September 7, 2023, the City agreed to abandon this right-of-way in exchange for KVC granting the City two (2) water facility easements along the frontage of SH 243 comprising 2,679 square feet and 2,397 square feet, respectively.

Author:

Reviewed:

Andrew Bogda, Director of Development Services Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Ordinance No. O-11-24, an ordinance to vacate, abandon, and relinquish a called 30-foot-wide alley and a portion of Third Street altogether containing approximately 13,625 square feet (Tract 1) and a called 10-foot-wide alley containing approximately 1,544 square feet (Tract 2), located on a portion of Block 28 of the Cottage Heights Addition, City of Kaufman, Kaufman County, Texas, generally located on the south side of State Highway 243 between Third and Fourth Streets on Property ID 21025, and convey said right-of-way to KVC Properties, LLC, the owner of said parcel.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
				

ORDINANCE O-11-24

AN ORDINANCE OF THE CITY OF KAUFMAN, TEXAS, PROVIDING FOR THE VACATION, ABANDONMENT, AND RELINQUISHMENT OF RIGHT-OF-WAY COMPRISING A CALLED THIRTY (30) FOOT WIDE ALLEY AND A PORTION OF THIRD STREET ALTOGETHER CONTAINING APPROXIMATELY 13,625 SQUARE FEET (TRACT 1) AND A CALLED TEN (10) FOOT WIDE ALLEY CONTAINING APPROXIMATELY 1,544 SQUARE FEET (TRACT 2), SAID PROPERTY BEING LOCATED ON A PORTION OF BLOCK 28 OF THE COTTAGE HEIGHTS ADDITION, CITY OF KAUFMAN, KAUFMAN COUNTY, TEXAS, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY 243 BETWEEN THIRD AND FOURTH STREETS, AND AS MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR THE ABANDONMENT OF THE RIGHT-OF-WAY; PROVIDING RESERVATIONS; PROVIDING FOR THE CONVEYANCE OF THE VACATED RIGHT-OF-WAY BY QUIT CLAIM DEED TO THE SINGLE ADJACENT PROPERTY OWNER FOR GOOD AND VALID CONSIDERATION; AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE NECESSARY DOCUMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Article II, Section 2.01 of the City of Kaufman Home Rule Charter authorizes the City to contract and to sell public property and to vacate rights-of-way owned or controlled by the City; and

WHEREAS, Section 272.001 of the Texas Local Government Code provides an exception for the notice and bidding requirements applicable to a city conveying its interest in land to a third party and allows for the conveyance of land for less than fair market value when the conveyance is to one or more abutting property owners who own the adjacent property in fee simple when the property being conveyed is for streets and alleys owned in fee or used by easement; and

WHEREAS, Section 02.03.0392 of the City's Subdivision Ordinance provides for abandonment of right of way based upon the City's determination that vehicular and circulation needs have changed such that right of way previously dedicated to or acquired by the City for public travel is no longer necessary, and it provides a process for the vacation, abandonment, and relinquishment of right-of-way after notice and public hearing; and

WHEREAS, a called thirty (30) foot wide alley and a portion of Third Street altogether containing approximately 13,625 square feet (Tract 1) and a called ten (10) foot wide alley containing approximately 1,544 square feet (Tract 2) being located on a portion of Block 28 of the Cottage Heights Addition, City of Kaufman, Kaufman

County, Texas, generally located on the south side of State Highway 243 between Third and Fourth Streets, and as more specifically described in **Exhibit “A”** attached hereto and incorporated herein (the “Right-of-Way”), has been dedicated to the City of Kaufman for use by the public as right-of-way; and

WHEREAS, development patterns have changed significantly since the Cottage Heights Addition was platted, particularly the routing of State Highway 243 through the addition and the development of commercial property along the south side of the highway where residential blocks had previously been envisioned, no longer necessitating the Right-of-Way; and

WHEREAS, pursuant to a memorandum of agreement between the City and KVC Properties, LLC (“Owner”), fully executed on September 7, 2023, the City agreed to abandon the Right-of-Way in exchange for the Owner granting the City two (2) water facility easements along the State Highway 243 frontage of the Owner’s property, said water facility easements comprising 2,679 square feet (Instrument Number 2023-0029064) and 2,397 square feet (Instrument No.2023-0025500), each of which have been recorded in the real property records of Kaufman County (collectively the “Water Facility Easements”); and

WHEREAS, the Owner is the record owner of property directly adjacent to the Right-of-Way for which abandonment is sought from the City, and is therefore the only adjacent property owner with whom a sale may occur under Section 272.001 of the Texas Local Government Code; and

WHEREAS, on or about September 7, 2023, the Owner and City entered into a Memorandum of Understanding documenting the agreement for the City to consider abandonment of the Right-of-Way in exchange for the Owner’s grant of the Water Facility Easements, as well as other consideration (the “MOU”), and

WHEREAS, the City Council of the City of Kaufman, Texas (“City Council”), acting under appropriate authority from state law, its Charter, and ordinances, including the City’s Subdivision Regulations, deems it advisable to abandon and vacate the Right-of-Way described in **Exhibit “A”**; and

WHEREAS, the City has determined that the Right-of-Way being abandoned hereby has not been improved as a street or right of way, contains no public infrastructure, is not being used by, nor useful or convenient to the public in general for any public purpose and it is not needed for public use and therefore constitutes a public charge without a corresponding public benefit, and that the same should be abandoned and vacated as hereinafter provided; and

WHEREAS, the City Council further finds that the acceptance of the good and valuable consideration from the Owner to the City including the dedication of Water Facility Easements along the frontage of the Owner’s property at no cost to the city serves as valid and sufficient consideration for the City’s abandonment and subsequent conveyance of the property described in **Exhibit “A”** to Owner; and

WHEREAS, written notices were provided as required by Section 2.03.092 of the Subdivision Regulations, including publication of notice in the newspaper, and at its regular meeting held on the 24th day of June, 2024, the City Council held a public hearing for the proposed vacation, abandonment, and relinquishment of Right-of-Way; and

WHEREAS, after determining that all legal requirements of notice and hearings were met, providing the public an opportunity to provide input, and considering public input, the City Council has determined that the vacation, abandonment, relinquishment, and conveyance of Right-of-Way would serve the best interest of the health, safety, and general welfare of the public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS:

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct findings and determinations of the City Council and are incorporated herein and made a part hereof for all purposes.

SECTION 2. ABANDONMENT OF RIGHT-OF-WAY. The called thirty (30) foot wide alley and a portion of Third Street altogether containing approximately 13,625 square feet (Tract 1) and a called ten (10) foot wide alley containing approximately 1,544 square feet (Tract 2) being located on a portion of Block 28 of the Cottage Heights Addition, City of Kaufman, Kaufman County, Texas, generally located on the south side of State Highway 243 between Third and Fourth Streets, and as more specifically described in **Exhibit “A”** attached hereto and incorporated herein (the “Right-of-Way”), is hereby vacated, abandoned, and relinquished, insofar as the right, title, and easement of the public is concerned; subject, however, to the conditions, requirements, and restrictions hereinafter more fully set out. City’s abandonment of Right-of-Way is limited to that expressly described in **Exhibit “A”** in accordance with this Ordinance, and no other interest of City shall be affected hereby.

SECTION 3. RESERVATIONS. The vacation, abandonment, and relinquishment of the Right-of-Way provided for herein is made and accepted subject to all present zoning and deed restrictions, if any of the latter exist, and is exclusive of all public easements, whether apparent, non-apparent, aerial, surface, or underground.

SECTION 4. CONVEYANCE. Pursuant to Section 272.001 of the Texas Local Government Code, the City Council approves the conveyance of the vacated Right-of-Way described in **Exhibit “A”** hereto to the Owner. The conveyance shall be by Quit Claim Deed for and in consideration of the Owner’s payment to City of Ten Dollars (\$10.00) and other good and valuable consideration as set forth in a separate instrument, and that such consideration in addition to the Water Facility Easements dedicated to the City by Owner is sufficient consideration to the City for City’s conveyance of the vacated Right-of-Way to the Owner. City shall provide a fully executed Quit Claim Deed upon approval of this Ordinance, and receipt of the consideration agreed upon by the parties. The Mayor of Kaufman or his designee is authorized to execute the Quit Claim Deed, a substantial copy of which is attached

hereto and incorporated herein as **Exhibit “B”**, any and all documents necessary to effect the conveyance in accordance with this Ordinance.

SECTION 5. CUMULATIVE REPEALER. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim, or lawsuit, which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 6. SEVERABILITY. If any section, subsection, clause, phrase or provision of this Ordinance, or any application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or any application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.



SECTION 7. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and publication as required by law and Charter.

PASSED AND APPROVED this 24th day of June, 2024.

JEFF JORDAN
MAYOR

ATTEST:

JESSIE HANKS
CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS
CITY ATTORNEY

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"Exhibit A" Property Description

Tract 1 Description

EXHIBIT A
RIGHT OF WAY RELINQUISHMENT
TRACT NO. 1
PART OF A CALLED 30 FT. ALLEY
AND PART OF THIRD STREET
13,625 SQUARE FEET

All that certain lot, tract or parcel of land situated within the corporate limits of the City of Kaufman, Kaufman County, Texas, part of the Thomas Beedy Survey, Abstract No. 21, part of a called 30 ft. alley and part of Third Street, as shown on the Map of Cottage Heights Addition to said City of Kaufman, recorded in Vol. 127 page 302 of the Deed Records of Kaufman County, Texas and being more completely described as follows, to-wit:

BEGINNING at a 3/8" Iron rod found at the South corner of Lot No. 13, Block No. 28 of the above mentioned Cottage Heights Addition and being at the intersection of the Northwest line of Fourth Street with the Northeast line of the above mentioned called 30 ft. alley.

THENCE S 45 deg. 38 min. 25 sec. W, a distance of 33.13 ft. to a 3/8" Iron rod found in the Southwest line of said called 30 ft. alley, in the Southwest line of the above mentioned Thomas Beedy Survey and being in the Northeast line of the Shoemake Family Partners of Mississippi, LP 3.00 acre tract, recorded in Vol. 3548 page 617 of the Deed Records of Kaufman County, Texas.

THENCE N 44 deg. 34 min. 58 sec. W, with the Southwest line of said Thomas Beedy Survey, a distance of 413.39 ft. to a 3/8" Iron rod found at the intersection of same with the South Right of Way line of State Highway No. 243.

THENCE S 75 deg. 04 min. 28 sec. E, with the South Right of Way line of State Highway No. 243, a distance of 79.60 ft. to a P.C. of a curve to the left, the radius point of which bears N 14 deg. 55 min. 32 sec. E-5951.47 ft.

THENCE, continuing with said Right of Way line and with said curve to the left, the angle of which is 0 deg. 30 min. 17 sec., the radius is 5951.47 ft. and the tangent is 26.22 ft., a distance of 52.44 ft. to a 3/8" Iron rod found at the intersection of same with the Southeast line of Third Street and being in the Northwest line of Lot No. 24 of the above mentioned Block No. 28.

THENCE S 45 deg. 38 min. 25 sec. W, with the Southeast line of Third Street, a distance of 34.81 ft. to a 3/8" Iron rod found at the intersection of same with the Northeast line of the above mentioned called 30 ft. Alley and being at the West corner of said Lot No. 24.

THENCE S 44 deg. 43 min. 26 sec. E, with the Northeast line of said called 30 ft. alley, a distance of 300.00 ft. to the point of beginning, containing 13,625 square feet of land.

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that the above field notes and companion plat were prepared from an actual survey made by me on the ground during the month of May, 2024.

GIVEN UNDER MY HAND AND SEAL this the 15th day of May, 2024.


REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5244
city1.wp2



"Exhibit A" Property Description

Tract 2 Description

EXHIBIT A
RIGHT OF WAY RELINQUISHMENT
TRACT NO. 2
PART OF A 10 FT. ALLEY
1,544 SQUARE FEET

All that certain lot, tract or parcel of land situated within the corporate limits of the City of Kaufman, Kaufman County, Texas, part of the Thomas Beedy Survey, Abstract No. 21, part of Lot No. 28 and part of a 10 ft. alley, as shown on the Map of Cottage Heights Addition to said City of Kaufman, recorded in Vol. 127 page 302 of the Deed Records of Kaufman County, Texas and being more completely described as follows, to-wit:

BEGINNING at a 3/8" Iron rod found at the East corner of Lot No. 13 of the above mentioned Block No. 28 and being at the intersection of the Northwest line of Fourth Street with the Southwest line of the above mentioned 10 ft. alley.

THENCE N 44 deg. 43 min. 26 sec. W, with the Southwest line of said 10 ft. alley, a distance of 162.26 ft. to an "X" in concrete found at the intersection of said with the South Right of Way line of State Highway No. 243 and being in a curve to the left, the radius point of which bears N 12 deg. 51 min. 26 sec. E-5951.47 ft.

THENCE, with the South Right of Way line of State Highway No. 243 and with said curve to the left, the angle of which is 0 deg. 10 min. 45 sec., the radius is 5951.47 ft. and the tangent is 9.30 ft., a distance of 18.61 ft. to an "X" in concrete found at the intersection of same with the Northeast line of said 10 ft. alley and being in the Southwest line of Lot No. 7 of the above mentioned Block No. 28.

THENCE S 44 deg. 43 min. 26 sec. E, with the Northeast line of said 10 ft. alley, a distance of 146.63 ft. to a 3/8" Iron rod found at the intersection of same with the Northwest line of Fourth Street and being at the South corner of Lot No. 12 of said Block No. 28.

THENCE S 45 deg. 38 min. 25 sec. W, with the Northwest line of Fourth Street, a distance of 10.00 ft. to the point of beginning, containing 1,544 square feet of land.

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that the above field notes and companion plat were prepared from an actual survey made by me on the ground during the month of May, 2024.

GIVEN UNDER MY HAND AND SEAL this the 15th day of May, 2024.

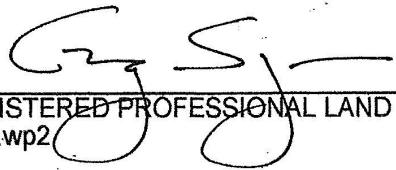

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5244
city2:wp2



Exhibit "B"
Quitclaim Deed

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

The City of Kaufman, Texas, a home rule municipal corporation, ("Grantor"), for and in the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, has QUITCLAIMED and does QUITCLAIM to **KVC Properties, LLC**, a Texas Limited Liability Company ("Grantee"), all of Grantor's right, title, and interest in and to the real property in the City of Kaufman, Kaufman County, Texas, fully described in Exhibit "A", a copy of which is attached hereto and Incorporated herein, and all Improvements located on it, together with all of Grantor's rights, title, and interest in and to such real property, subject however to the conditions, requirements, and restrictions hereinafter more fully set forth in Ordinance No. O-11-24 approved by the City Council of the City of Kaufman on June 24, 2024 ("Property").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances to it in any way belonging to Grantor, to Grantee, its successors, and its assigns forever, WITHOUT ANY WARRANTIES OR REPRESENTATIONS BY GRANTOR, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OF CONDITION, MERCHANTABILITY, HABITABILITY, OR FITNESS FOR A PARTICULAR USE, OR WITH RESPECT TO THE VALUE, PROFITABILITY, OR MARKETABILITY OF THE PROPERTY; so that neither Grantor nor Grantor's heirs, administrators, executors, successors, or assigns will have, claim, or demand any right or title to the Property or any part of it.

EXECUTED as of _____, 2024.

GRANTOR: CITY OF KAUFMAN, TEXAS, a home rule municipal corporation

By: _____
Mayor Jeff Jordan

THE STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

BEFORE ME, on this day personally appeared Jeff Jordan, Mayor of the City of Kaufman, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL this _____ day of _____, 2024.

Notary Public, State of Texas _____
My Commission Expires: _____

**GRANTEE: KVC PROPERTIES, LLC, a Texas
Limited Liability Company**

ACCEPTED AND AGREED:

GRANTEE: David T. Costello

THE STATE OF TEXAS §
 §
COUNTY OF KAUFMAN §

BEFORE ME, on this day personally appeared David T. Costello, Managing Member of KVC Properties, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL this _____ day of _____, 2024.

Notary Public, State of Texas
My Commission Expires: _____



Meeting
Date: 6/24/2024

Date: 06/04/2024

Item #: 11.

Dept.: Administration

Ordinance

SUBJECT:

Conduct a public hearing, consider, and take appropriate action on Ordinance O-12-24, an ordinance of the City Council of the City of Kaufman, Texas, designating a contiguous geographic area within the extraterritorial jurisdiction of the city as a reinvestment zone pursuant to Chapter 311 of the Texas Tax Code, to be known as Reinvestment Zone Number Four, City of Kaufman, Texas; describing the boundaries of the zone as an approximate 73.09 acres of land located in the Thomas Beedy Survey, Abstract No. 21, Kaufman County, Texas; providing a preliminary project and financing plan for the zone; creating a board of directors for the zone; establishing a tax increment fund for the zone; containing findings related to the creation of the zone; providing a date for the termination of the zone; providing that the zone take effect immediately upon passage of the ordinance; providing a severability clause; and providing an effective date and notices as required by law. ("The Trails")

BACKGROUND:

The City's TIRZ Consultant will present the details required for the creation of TIRZ #4 for the proposed "Trails" development. This is a single family development adjacent to the southern border of City Lakes Park.

Author:
Mike Holder, City Manager

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Ordinance O-12-24 as presented.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☒	☐	☒	☒

CITY OF KAUFMAN, TEXAS

ORDINANCE NO. O-12-24

AN ORDINANCE OF THE CITY COUNCIL OF THE KAUFMAN, TEXAS, DESIGNATING A CONTIGUOUS GEOGRAPHIC AREA WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AS A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER FOUR, CITY OF KAUFMAN, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; PROVIDING A PRELIMINARY PROJECT AND FINANCING PLAN FOR THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE AND NOTICES AS REQUIRED BY LAW.

WHEREAS, the City of Kaufman, Texas (the “City”), pursuant to Chapter 311 of the Texas Tax Code, as amended (the “Act”), may designate a geographic area within either the corporate limits of the City or the extraterritorial jurisdiction (the “ETJ”) of the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous geographic area that is in the corporate limits of the municipality or the extraterritorial jurisdiction (the “ETJ”) of the municipality to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the Kaufman City Council (the “City Council”) desires to promote the development of a certain contiguous geographic area in the City’s ETJ, being approximately 73.09 acres of land located in the Thomas Beedy Survey, Abstract No. 21, Kaufman County, Texas, and being part of the property described in a Warranty Deed recorded in Volume 2583, Page 440 Official Public Records of Kaufman County, and which is more specifically described in *Exhibits “A”* and *“B”* of this Ordinance (the “Zone”), through the creation of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number Four, City of Kaufman, Texas* attached as *Exhibit “C”*, attached hereto and incorporated herein (hereinafter referred to as the “Preliminary Project and Finance Plan”) for a proposed tax increment reinvestment zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the creation of the proposed zone was published in a newspaper having general circulation in the City on June 13, 2024, which date is before the seventh (7th) day before the public hearing held on June 24, 2024; and

WHEREAS, at the public hearing on June 24, 2024, interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on June 24, 2024, and in favor of the creation of the Zone; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on June 24, 2024; and

WHEREAS, the City has taken all actions required to create the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the proposed zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent; and

WHEREAS, a Preliminary Project and Finance plan has been prepared for the proposed reinvestment zone as set forth in *Exhibit "C"*.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, THAT:

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and incorporated herein.

SECTION 2. FINDINGS.

The City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

(a) The public hearing on the creation of the reinvestment zone has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and

(b) The creation of the proposed reinvestment zone with boundaries as described and depicted in *Exhibits “A”* and *“B”*, each of which are attached hereto and incorporated herein will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and

(c) The proposed reinvestment zone, as identified in *Exhibits “A”* and *“B”*, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:

1. It is a geographic area located within the extraterritorial jurisdiction of the City; and

2. The City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City or County.

(d) Thirty (30) percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and

(e) The total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and

(f) The improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City; and

(g) The development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DESIGNATION AND NAME OF THE ZONE.

Pursuant to the authority of, and in accordance with the requirements of the Act, the City Council hereby designates the area described and depicted in *Exhibits “A” and “B”* hereto as a tax increment reinvestment zone. The name assigned to the zone for identification is Reinvestment Zone Number Four, City of Kaufman, Texas (hereinafter referred to as the “Zone”).

SECTION 4. BOARD OF DIRECTORS.

A board of directors for the Zone (“Board”) is hereby created. The Board shall consist of seven (7) members comprised of six (6) City Council members and the Mayor.

The Mayor shall serve as chairman of the Board and the Board may elect a vice chairman and such other officers as the Board sees fit. Additionally, each taxing unit that levies taxes

within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint one (1) or two (2) members of the board. The number of directors on the Board of Directors shall be increased by one (1) or two (2), as applicable, for each taxing unit that appoints a director to the board; provided that the maximum number of directors shall not exceed fifteen (15).

The Board shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to the City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board shall not be authorized to (i) issues bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone's project plan and financing plan.

SECTION 5. DURATION OF THE ZONE.

The Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone shall occur upon any of the following: (i) on December 31, 2060 (with the final year's tax increment to be collected by September 1, 2061); (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 6. TAX INCREMENT BASE AND TAX INCREMENT.

The tax increment base for the Zone, as defined by Section 311.012(c) of the Texas Tax Code, shall be the total appraised value of all real property in the Zone taxable by a taxing unit, determined as of January 1, 2024, which is the year in which the Zone was designated as a reinvestment zone.

The TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, (ii) forty percent (40%) of maintenance and operation portion of the City's ad valorem tax increment revenue, as defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 7. TAX INCREMENT FUND.

There is hereby created and established a "Tax Increment Fund" for the Zone which may be divided into such subaccounts as may be authorized by subsequent ordinance, into

which all tax increments of the City, as such increments are described in the final project plan and reinvestment zone financing plan and may include administration costs, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues from (i) the sale of any obligations hereafter issued by the City and secured in whole or in part from the tax increments; (ii) the sale of any property acquired as part of a tax increment financing plan adopted by the Board; and (iii) other revenues dedicated to and used in the Zone shall be deposited into the TIF Fund. Prior to the termination of the Zone, money shall be disbursed from the Tax Increment Fund only to pay project costs, as defined by the Texas Tax Code, for the Zone, to satisfy the claims of holders of tax increments bonds or notes issued for the Zone, or to pay obligations incurred pursuant to agreements entered into to implement the project plan and reinvestment zone financing plan and achieve their purpose pursuant to Section 311.010(b), Texas Tax Code.

SECTION 8. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 9. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 10. EFFECTIVE DATE/NOTICES.

This Ordinance shall take effect immediately upon its adoption and notices shall be provided to the State Comptroller in accordance with and as provided by law.

PASSED AND APPROVED ON this _____ day of June 2024.

CITY OF KAUFMAN

Jeff Jordan, Mayor

ATTEST:

Jessie Hanks
City Secretary

APPROVED AS TO FORM:

Patricia Adams
City Attorney

APPROVED AS TO CONTENT:

Mike Holder
City Manager

EXHIBIT A

BOUNDARY DESCRIPTION

Metes and Bounds of the Property

BEING 73.09 ACRES OF LAND LOCATED IN THE THOMAS BEEDY SURVEY, ABSTRACT NO. 21, KAUFMAN COUNTY, TEXAS AND BEING PART OF THE PROPERTY DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 2583, PAGE 440, OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS AND ALL OF THE PROPERTY DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 6568, PAGE 353, OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH IRON ROD AT THE SOUTH CORNER OF SAID 138.451 ACRE TRACT RECORDED IN VOLUME 2583, PAGE 440, AT THE EAST CORNER OF THE DAVID NALLS TRACT RECORDED IN VOLUME 3395, PAGE 289 AND IN THE NORTHWEST R.O.W. OF FARM TO MARKET 2727;

THENCE NORTH 47 DEGREES 11 MINUTES 43 SECONDS WEST, 1346.01 FEET TO A FOUND CAPPED 1/2 INCH IRON ROD;

THENCE SOUTH 44 DEGREES 07 MINUTES 47 SECONDS WEST, 517.35 FEET TO A FOUND 3/8 INCH IRON ROD;

THENCE NORTH 47 DEGREES 09 MINUTES 56 SECOND WEST, 1463.96 FEET TO A 8 INCH POST FOR CORNER;

THENCE NORTH 43 DEGREES 56 MINUTES 17 SECONDS EAST, 1617.61 FEET TO A SET 1/2 INCH IRON ROD;

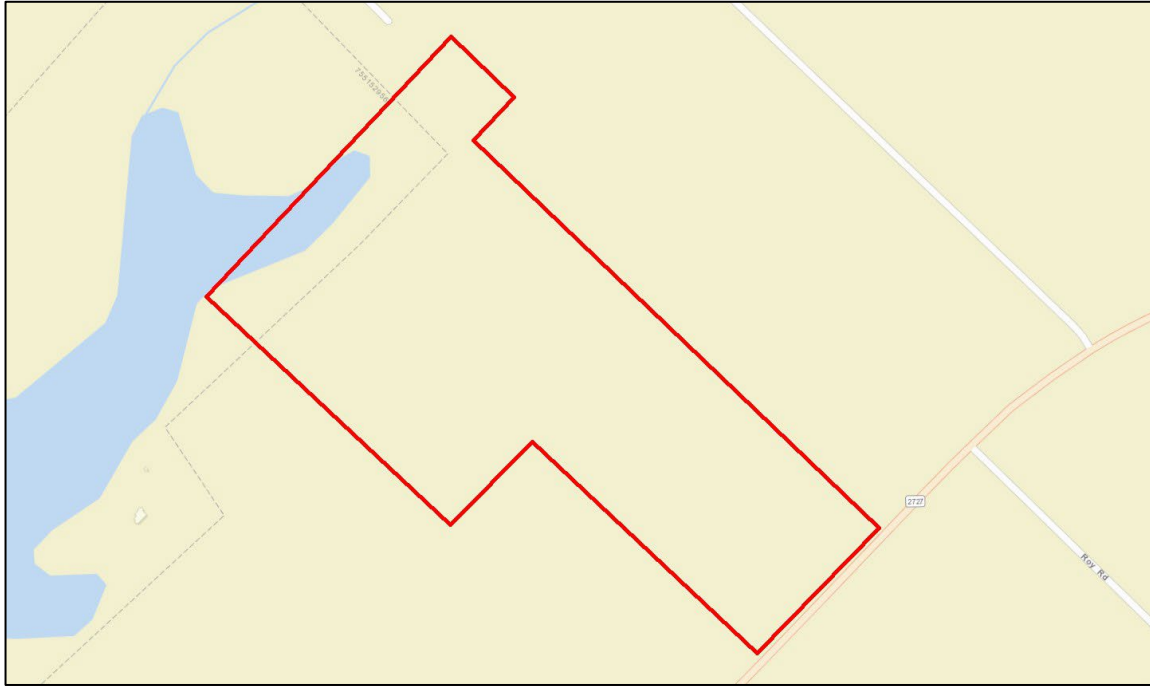
THENCE SOUTH 46 DEGREES 32 MINUTES 43 SECONDS EAST, 381.18 FEET TO A SET 1/2 INCH IRON ROD;

THENCE SOUTH 43 DEGREES 27 MINUTES 17 SECONDS WEST, 257.00 FEET TO A SET 1/2 INCH IRON ROD;

THENCE SOUTH 46 DEGREES 32 MINUTES 43 SECONDS EAST, 2429.02 FEET TO A SET 1/2 INCH IRON ROD IN THE NORTHWEST RIGHT OF WAY OF F.M. 2727;

THENCE SOUTH 44 DEGREES 00 MINUTES 57 SECONDS WEST, 812.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 73.09 ACRES OF LAND.

EXHIBIT B
BOUNDARY MAP



 - TIRZ #4 Boundary

EXHIBIT C
PRELIMINARY PROJECT PLAN AND FINANCE PLAN

Tax Increment Reinvestment Zone #4

City of Kaufman, Texas



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Appendix A

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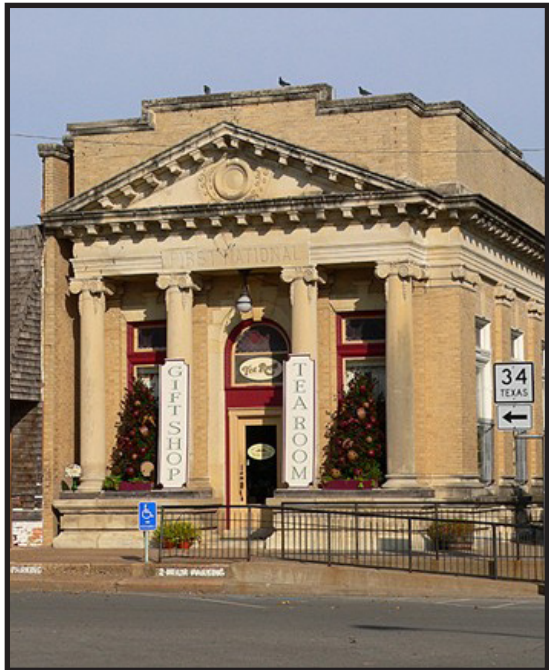
DISCLAIMER

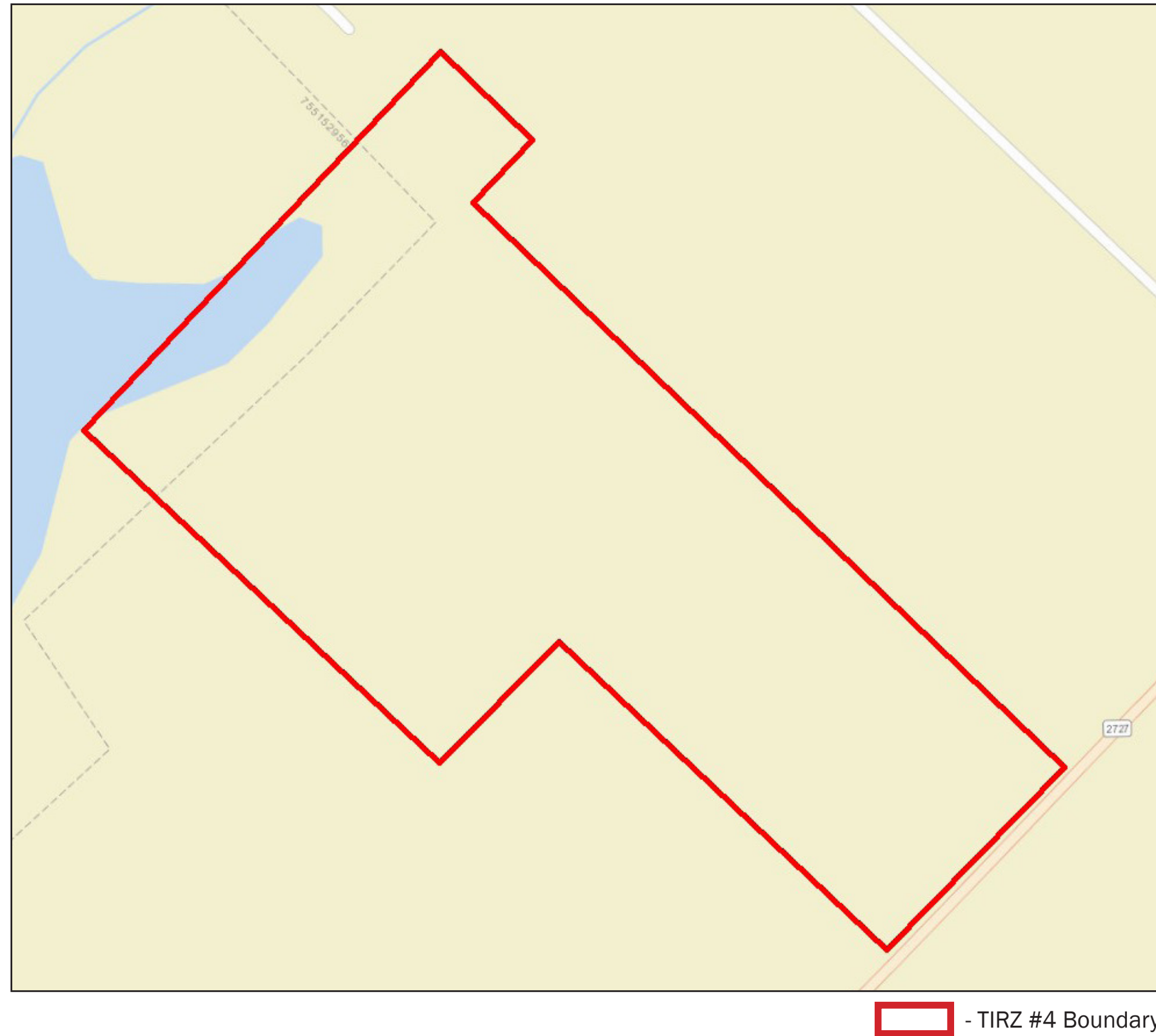
Our conclusions and recommendations are based on current market conditions and the expected performance of the national, and/or local economy and real estate market. Given that economic conditions can change and real estate markets are cyclical, it is critical to monitor the economy and real estate market continuously, and to revisit key project assumptions periodically to ensure that they are still justified.

The future is difficult to predict, particularly given that the economy and housing markets can be cyclical, as well as subject to changing consumer and market psychology. There will usually be differences between projected and actual results because events and circumstances frequently do not occur as expected, and the differences may be material.



Located 30 miles southeast of Dallas and only 30 minutes from downtown, Kaufman is a community that is surrounded by incredible growth. Kaufman maintains its small town heritage while meeting the challenges of new urbanism through flexible development standards. The City of Kaufman is committed to the promotion of these high quality development in all parts of the City of Kaufman; and to an ongoing improvement in the quality of life for its citizens





Tax Increment Reinvestment Zone #4, City of Kaufman

Tax Increment Financing (TIF) is a tool used to promote both new development and redevelopment within a specified geographic area. A city may designate a geographic area targeted for new development and redevelopment that would not occur but for the designation of the geographic area as a Tax Increment Reinvestment Zone (TIRZ).

On June 24, 2024, the City Council of the City of Kaufman, Texas (the “Council”), pursuant to Chapter 311 of the Texas Tax Code, will consider an ordinance to designate a contiguous geographic area within the City limits as Reinvestment Zone Number Four, City of Kaufman, Texas. The goal of Tax Increment Reinvestment Zone #4 (TIRZ #4) is to fund the construction of needed public infrastructure and to encourage private development that will yield additional tax revenue to all local taxing jurisdictions.

This preliminary project and financing plan outlines the funding of \$14,298,718 in public improvements related to water, sanitary sewer, and storm water facilities, as well as street and intersection improvements, open space and park facilities, utilities and street lighting, and economic development grants. The TIRZ can fund these improvements through ad valorem participation of eligible taxing jurisdictions, including the City of Kaufman. Without the implementation of the TIRZ, the specified property would continue to impair the sound growth of the municipality.

TIRZ Boundary

The TIRZ #4 boundaries include 73.09 contiguous acres located within the extraterritorial jurisdiction of the City of Kaufman. The legal description for the zone is described in detail below

Legal Description -73.09 ACRES OF LAND LOCATED IN THE THOMAS BEEDY SURVEY, ABSTRACT NO. 21, KAUFMAN COUNTY

BEING 73.09 ACRES OF LAND LOCATED IN THE THOMAS BEEDY SURVEY, ABSTRACT NO. 21, KAUFMAN COUNTY, TEXAS AND BEING PART OF THE PROPERTY DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 2583, PAGE 440, OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS AND ALL OF THE PROPERTY DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 6568, PAGE 353, OFFICIAL PUBLIC RECORDS OF KAUFMAN COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH IRON ROD AT THE SOUTH CORNER OF SAID 138.451 ACRE TRACT RECORDED IN VOLUME 2583, PAGE 440, AT THE EAST CORNER OF THE DAVID NALLS TRACT RECORDED IN VOLUME 3395, PAGE 289 AND IN THE NORTHWEST R.O.W. OF FARM TO MARKET 2727;

THENCE NORTH 47 DEGREES 11 MINUTES 43 SECONDS WEST, 1346.01 FEET TO A FOUND CAPPED 1/2 INCH IRON ROD;

THENCE SOUTH 44 DEGREES 07 MINUTES 47 SECONDS WEST, 517.35 FEET TO A FOUND 3/8 INCH IRON ROD;

THENCE NORTH 47 DEGREES 09 MINUTES 56 SECOND WEST, 1463.96 FEET TO A 8 INCH POST FOR CORNER;

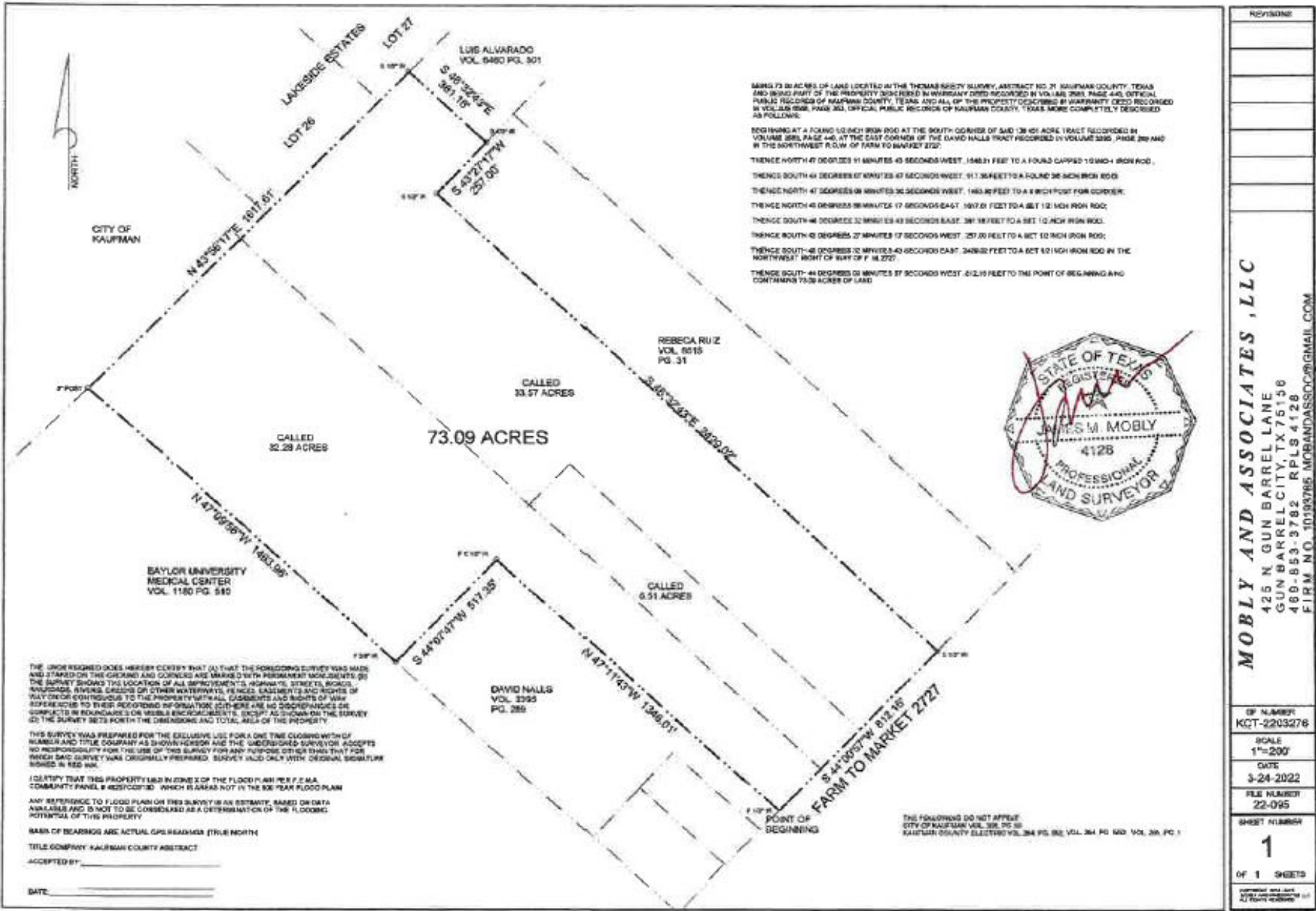
THENCE NORTH 43 DEGREES 56 MINUTES 17 SECONDS EAST, 1617.61 FEET TO A SET 1/2 INCH IRON ROD;

THENCE SOUTH 46 DEGREES 32 MINUTES 43 SECONDS EAST, 381.18 FEET TO A SET 1/2 INCH IRON ROD;

THENCE SOUTH 43 DEGREES 27 MINUTES 17 SECONDS WEST, 257.00 FEET TO A SET 1/2 INCH IRON ROD;

THENCE SOUTH 46 DEGREES 32 MINUTES 43 SECONDS EAST, 2429.02 FEET TO A SET 1/2 INCH IRON ROD IN THE NORTHWEST RIGHT OF WAY OF F.M. 2727;

THENCE SOUTH 44 DEGREES 00 MINUTES 57 SECONDS WEST, 812.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 73.09 ACRES OF LAND.





 - TIRZ #4 Boundary

Land Use

The land within the zone is vacant and is well positioned for development.

Method of Relocating Persons to be Displaced

It is not anticipated that any persons will be displaced or need to be relocated as result of implementation.

Zoning

The property is not zoned given that the property is in the City's extraterritorial jurisdiction.

It is not anticipated there will be any changes to the City of Kaufman zoning ordinance, master plan, building codes, subdivision rules and regulations or other municipal ordinances as a result of the TIRZ.

Current Ownership Information

There are 3 parcels within the boundaries of Tax Increment Reinvestment Zone #4. The 2024 base year taxable value of the property within the zone is \$0, given that the property was in the City's extraterritorial jurisdiction as of January 1, 2024. The base value will be certified by Kaufman Central Appraisal District at a later date.

For further details of parcels included within the TIRZ see Appendix A.

Proposed Development

The TIRZ #4 boundaries contain a planned proposed single family development shown in the site plan below, projected to include 250 single family homes.



Proposed Development

Anticipated Development

The development within the boundaries is anticipated to be a single family development that will be constructed over the next several years and financed in part by incremental real property tax generated within the TIRZ.

The table below provides an overview of the potential development that DPED estimates will occur during the life of the TIRZ within the boundaries of the TIRZ.

	Initial Delivery Year	Units/SF	Taxable Value PSF/Unit		Incremental Value		
TIRZ 4							
SINGLE FAMILY - 60FT LOT	2026	231	\$	405,000	\$	93,555,000	*
SINGLE FAMILY - 70FT LOT	2026	7	\$	472,500	\$	3,307,500	*
SINGLE FAMILY - 80FT LOT	2026	12	\$	540,000	\$	6,480,000	*
		250	\$	413,370	\$	103,342,500	

*2024 Values (No Inflation)

Project Costs of the Zone

There are a number of improvements within Tax Increment Reinvestment Zone #4 that will be financed by in part by incremental real property tax generated within the TIRZ.

Proposed Project Costs - TIRZ #4		
Water Facilities and Improvements	\$ 2,573,769	18.0%
Sanitary Sewer Facilities and Improvements	\$ 2,573,769	18.0%
Storm Water Facilities and Improvements	\$ 2,573,769	18.0%
Transit/Parking Improvements	\$ 714,936	5.0%
Street and Intersection Improvements	\$ 2,859,744	20.0%
Open Space, Park and Recreation Facilities and Improvements, Public Facilities and Improvements	\$ 1,429,872	10.0%
Economic Development Grants	\$ 1,429,872	10.0%
Administrative Costs	\$ 142,987	1.0%
Total	\$ 14,298,718	100.0%

The categories listed in the table above outline various public improvements, and are meant to include all projects eligible under Chapter 311, Section 311.002 of the Texas Tax Code. The costs illustrated in the table above are estimates and may be revised. Savings from one line item may be applied to a cost increase in another line item. The \$14,298,718 project cost total amount shall be considered a cap on expenditures that shall not be exceeded without an amendment to the project and financing plan.

Economic Development Grants may include grants, loans, and services for public and private development. Chapter 380 of the Local Government Code grants municipalities in Texas the authority to offer grants and loans of public funds to stimulate economic development. Section 311.010 (h) of the Texas Tax Code details the authority of Chapter 380 within a project and financing plan and limits the aggregate amount not to exceed the amount of tax increment produced by the municipality and paid into the tax increment fund for the zone for activities that benefit the zone and simulate business and commercial activity in the zone.

The project costs are anticipated to be incurred over the term of the TIRZ, subject to demand for development driven by market conditions. It is anticipated that the individual TIRZ project costs will be evaluated on a case-by-case basis consistent with Chapter 311, Section 311.002, and brought forward to the TIRZ Board and City Council for consideration

Chapter 311 of the Texas Tax Code

Sec. 311.002.

- (1) “Project costs” means the expenditures made or estimated to be made and monetary obligations incurred or estimated to be incurred by the municipality or county designating a reinvestment zone that are listed in the project plan as costs of public works, public improvements, programs, or other projects benefiting the zone, plus other costs incidental to those expenditures and obligations. “Project costs” include:
- (A) capital costs, including the actual costs of the acquisition and construction of public works, public improvements, new buildings, structures, and fixtures; the actual costs of the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and fixtures; the actual costs of the remediation of conditions that contaminate public or private land or buildings; the actual costs of the preservation of the facade of a public or private building; the actual costs of the demolition of public or private buildings; and the actual costs of the acquisition of land and equipment and the clearing and grading of land;
 - (B) financing costs, including all interest paid to holders of evidences of indebtedness or other obligations issued to pay for project costs and any premium paid over the principal amount of the obligations because of the redemption of the obligations before maturity;
 - (C) real property assembly costs;
 - (D) professional service costs, including those incurred for architectural, planning, engineering, and legal advice and services;
 - (E) imputed administrative costs, including reasonable charges for the time spent by employees of the municipality or county in connection with the implementation of a project plan;
 - (F) relocation costs;
 - (G) organizational costs, including the costs of conducting environmental impact studies or other studies, the cost of publicizing the creation of the zone, and the cost of implementing the project plan for the zone;
 - (H) interest before and during construction and for one year after completion of construction, whether or not capitalized;
 - (I) the cost of operating the reinvestment zone and project facilities;
 - (J) the amount of any contributions made by the municipality or county from general revenue for the implementation of the project plan;
 - (K) the costs of school buildings, other educational buildings, other educational facilities, or other buildings owned by or on behalf of a school district, community college district, or other political subdivision of this state; and
 - (L) payments made at the discretion of the governing body of the municipality or county that the governing body finds necessary or convenient to the creation of the zone or to the implementation of the project plans for the zone.

Method of Financing

To fund the public improvements outlined on the previous page, the City Kaufman will contribute 40% of the maintenance and operations portion of real property increment within the original and expanded bounaries of the Zone.

Debt Service

It is not anticipated at this time that the TIRZ will incur any bonded indebtedness.

Economic Feasibility Study

A taxable value analysis was developed as part of the project and financing plan to determine the economic feasibility of the project. The study examined the expected tax revenue the TIRZ would receive based on the previously outlined development. A summary overview of the anticipated development and the anticipated taxable value per unit can be found on the following pages.

The following pages show the estimated captured appraised value of the zone during each year of its existence and the net benefits of the zone to each of the local taxing jurisdictions as well as the method of financing and debt service.

Utilizing the information outlined in this feasibility study, DPED has found that the TIRZ is economically feasible and will provide the City and other taxing jurisdictions with economic benefits that would not occur without its implementation.

Real Property Tax - 2023 Rates		Participation	
City of Kaufman (M&O)	0.49801530	40%	0.1992061
Kaufman County (M&O)	0.27959000	0%	0.0000000
Road and Bridge	0.08250000	0%	0.0000000
Trinity Valley CC	0.11099000	0%	0.0000000
KC ESD #1	0.04250000	0%	0.0000000
Kaufman ISD	1.08480000	0%	0.0000000
	2.09839530		0.19920612

Personal Property Tax		Participation	
City of Kaufman (M&O)	0.49801530	0%	0.0000000
Kaufman County (M&O)	0.27959000	0%	0.0000000
Road and Bridge	0.08250000	0%	0.0000000
Trinity Valley CC	0.11099000	0%	0.0000000
KC ESD #1	0.04250000	0%	0.0000000
Kaufman ISD	1.08480000	0%	0.0000000
	2.09839530		0.00000000

Sales Tax		Participation	
City of Kaufman Sales Tax	0.0100000	0.00%	0.0000000
City Property Tax Reduction	0.0050000	0.00%	0.0000000
Economic Development	0.0025000	0.00%	0.0000000
Street Maintenance	0.0025000	0.00%	0.0000000
	0.02000000		0.00000000

TIRZ #4 : INPUT & OUTPUT

► INPUT

INFLATION RATE	3.50%
----------------	-------

DISCOUNT RATE	6.00%
---------------	-------

REAL PROPERTY TAX		PARTICIPATION	
City of Kaufman (M&O)	0.49801530	40%	0.1992061
Kaufman County (M&O)	0.27959000	0%	0.0000000
Road and Bridge	0.08250000	0%	0.0000000
Trinity Valley CC	0.11099000	0%	0.0000000
KC ESD #1	0.04250000	0%	0.0000000
Kaufman ISD	1.08480000	0%	0.0000000
	2.09839530		0.1992061

PERSONAL PROPERTY TAX		PARTICIPATION	
City of Kaufman (M&O)	0.49801530	0%	0.0000000
Kaufman County (M&O)	0.27959000	0%	0.0000000
Road and Bridge	0.08250000	0%	0.0000000
Trinity Valley CC	0.11099000	0%	0.0000000
KC ESD #1	0.04250000	0%	0.0000000
Kaufman ISD	1.08480000	0%	0.0000000
	2.09839530		0.0000000

City of Kaufman Sales Tax	0.01000000	0%	0.0000000
City Property Tax Reduction	0.00500000	0%	0.0000000
Economic Development	0.00250000	0%	0.0000000
Street Maintenance	0.00250000	0%	0.0000000
	0.02000000		0.0000000

TIRZ 4		Initial Delivery	AREA SF/UNITS	REAL PROPERTY \$ / SF	TAX VALUE	\$ / SF	BPP TAX VALUE	\$ / SF	SALES TAX VALUE
	SINGLE FAMILY - 60FT LOT	2026	231	\$ 405,000	\$ 93,555,000	\$ -	\$ -	\$ -	\$ -
	SINGLE FAMILY - 70FT LOT	2026	7	\$ 472,500	\$ 3,307,500	\$ -	\$ -	\$ -	\$ -
	SINGLE FAMILY - 80FT LOT	2026	12	\$ 540,000	\$ 6,480,000	\$ -	\$ -	\$ -	\$ -
	TOTAL		250		103,342,500		-		-

► OUTPUT

TOTAL TAX REVENUE		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Kaufman (M&O)	31.5%	\$ 54,551,666	=	\$ 54,551,665	+	\$ -
Kaufman County (M&O)	13.7%	\$ 23,612,114	=	\$ 23,612,114	+	\$ -
Road and Bridge	3.4%	\$ 5,921,727	=	\$ 5,921,727	+	\$ -
Trinity Valley CC	4.6%	\$ 7,966,696	=	\$ 7,966,696	+	\$ -
KC ESD #1	1.8%	\$ 3,050,587	=	\$ 3,050,587	+	\$ -
Kaufman ISD	45.0%	\$ 77,865,323	=	\$ 77,865,323	+	\$ -
	100.0%	\$ 172,968,113		\$ 172,968,112		\$ 1
		100.0%		100.0%	0.0%	0.0%

TOTAL PARTICIPATION		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Kaufman (M&O)	100.0%	\$ 14,298,718	=	\$ 14,298,718	+	\$ -
Kaufman County (M&O)	0.0%	\$ -	=	\$ -	+	\$ -
Road and Bridge	0.0%	\$ -	=	\$ -	+	\$ -
Trinity Valley CC	0.0%	\$ -	=	\$ -	+	\$ -
KC ESD #1	0.0%	\$ -	=	\$ -	+	\$ -
Kaufman ISD	0.0%	\$ -	=	\$ -	+	\$ -
	100.0%	\$ 14,298,718		\$ 14,298,718		\$ -
		100.0%		100.0%	0.0%	0.0%

NET BENEFIT		TOTAL	REAL PROPERTY	PERSONAL	SALES	
City of Kaufman (M&O)	25.4%	\$ 40,252,948	=	\$ 40,252,947	+	\$ -
Kaufman County (M&O)	14.9%	\$ 23,612,114	=	\$ 23,612,114	+	\$ -
Road and Bridge	3.7%	\$ 5,921,727	=	\$ 5,921,727	+	\$ -
Trinity Valley CC	5.0%	\$ 7,966,696	=	\$ 7,966,696	+	\$ -
KC ESD #1	1.9%	\$ 3,050,587	=	\$ 3,050,587	+	\$ -
Kaufman ISD	49.1%	\$ 77,865,323	=	\$ 77,865,323	+	\$ -
	100.0%	\$ 158,669,395		\$ 158,669,394		\$ 1
		100.0%		100.0%	0.0%	0.0%

Financial Feasibility Analysis - Development Worksheet

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Financial Feasibility Analysis - Proposed TIRZ Revenue

ESTIMATE OF GENERAL IMPACT OF PROPOSED ZONE PROPERTY VALUES AND TAX REVENUES

[illegible]

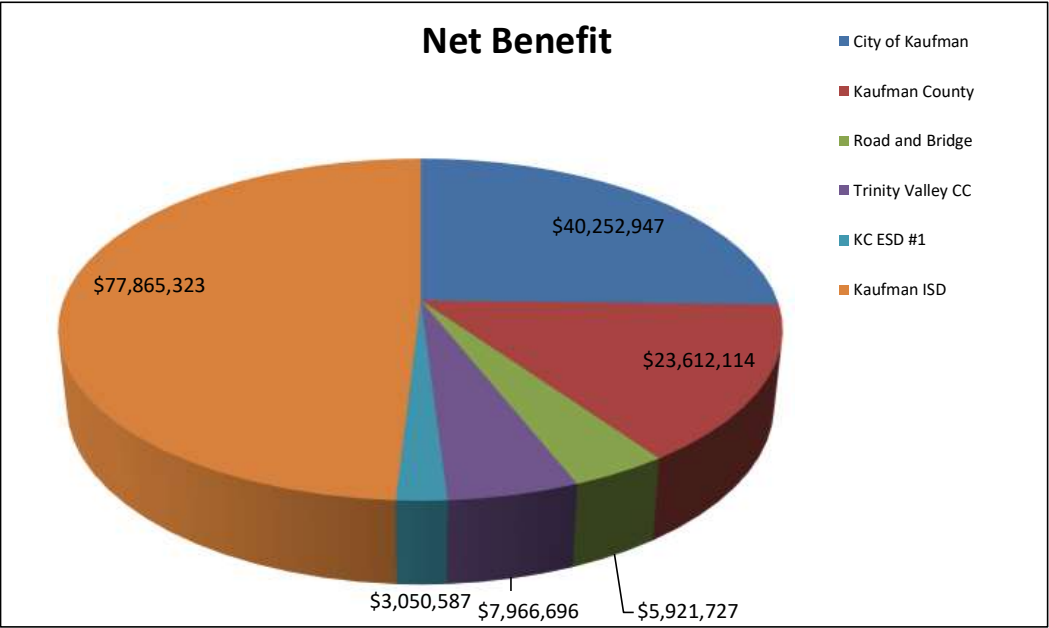
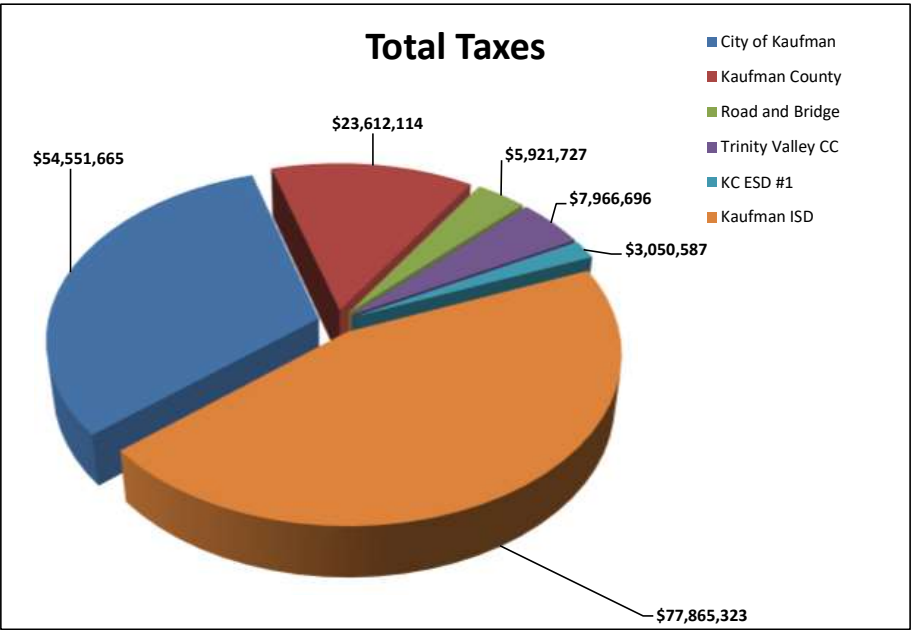
Financial Feasibility Analysis - 100% of Revenue Generated

ESTIMATE OF GENERAL IMPACT OF PROPOSED ZONE PROPERTY VALUES AND TAX REVENUES

[illegible]

Revenue Summary

Taxing Jurisdictions	Total Taxes Generated	TIRZ Revenue	Net Benefit
City of Kaufman	\$54,551,665	\$14,298,718	\$40,252,947
Kaufman County	\$23,612,114	\$0	\$23,612,114
Road and Bridge	\$5,921,727	\$0	\$5,921,727
Trinity Valley CC	\$7,966,696	\$0	\$7,966,696
KC ESD #1	\$3,050,587	\$0	\$3,050,587
Kaufman ISD	\$77,865,323	\$0	\$77,865,323
Total	\$172,968,112	\$14,298,718	\$158,669,394





Projects Cost Estimates:

All project costs listed in the project plan shall be considered estimates and shall not be considered a cap on expenditures.

Length of TIRZ #4 in Years:

The TIRZ has a 36 year term and is scheduled to end on December 31, 2060 (with the final year’s tax increment to be collected by September 1, 2061).

Powers and Duties of Board of Directors:

The Board shall have all powers granted to it by Chapter 311 of the Texas Tax Code, including powers of a municipality under Chapter 380, Local Government Code. The Board shall not be authorized to:

- issue bonds;
- impose taxes or fees;
- exercise the power of eminent domain; or
- give final approval to the Zone’s project and financing plan.

Property ID	Ownership	Legal Description	2024 Taxable Value	Acres
213257	TEJAS WYCLIFF PROPERTIES LLC	T BEEDY, TRACT 134.11; 32.28 ACRES	\$ 2,904	32.28
213258	TEJAS WYCLIFF PROPERTIES LLC	T BEEDY, TRACT 134.12; 6.51 ACRES	\$ 943	6.51
2199	TEJAS WYCLIFF PROPERTIES LLC	T BEEDY, TRACT 134.00; 34.3 ACRES	\$ 3,418	34.3
				73.09





Meeting
Date: 6/24/2024

Date: 06/11/2024

Item #: 12.

Dept.: Public Works

Action Item

SUBJECT:

Consider and take appropriate action on an emergency purchase order for a sewer repair on Rand Road and South Old Rail Road for an amount not to exceed \$61,775.00; and authorize the Mayor or his designee to execute necessary documents.

BACKGROUND:

City Staff obtained quotes for the emergency repair of a 12" Sewer Line to have it re-routed on Rand Road, Kaufman, TX. Three vendors were contacted 1). J & K Excavation from Italy, TX, 2). Blue Star Utilities from Venus, TX, and No DigTec from Ferris, TX. Two (2) quotes and one (1) NO BID were received. The lowest quote received from J & K Excavation was for \$61,775.00. The project description is listed below:

Scope of Work	Cost Breakdown
12" SDR 26 Sewer Line	\$38,755.00
Manholes 4 FT Diameter- 1 FT Deep	\$17,000.00
Traffic Control	\$1,500.00
Haul Off Spoils	\$4,500.00

*The quoted price total only includes the repair description. Additional fees may apply to complete the project and be charged on a separate invoice and may include, but not be limited to, concrete, asphalt, grass replacement, staking, lab testing, and SWPPP weekly inspections (\$250 per inspection). Estimate attached for review.

Author:
Tim Hopwood, Public Works Director

Reviewed:
Mike Holder, City Manager

Cost: \$61,775.00

Funds Available: \$61,775.00

Source: Capital Improvements -
Water Sewer Fund

Recommendation: Staff recommends approval of an emergency purchase order for a sewer repair on Rand Road and South Old Rail Road for an amount not to exceed \$61,775.00; and authorize the Mayor of his designee to execute necessary document.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☒	☒	☒	☒

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J & K Excavation, LLC 2023

P O Box 886
Italy, TX 76651

Estimate

Date	Estimate #
5/31/2024	2024-130

Name / Address
City Of Kaufman

Project

Description	Qty	Rate	Total
Please note that the above bid proposal pricing does not include: No concrete, asphalt or grass replacement . Any staking, bonding, GEO or Lab testing, SWPP or NOI, if SWPP weekly inspections are required there will be an additional \$250.00 per inspection charged to your account and sent to the Cities, no SWPP maintenance after original installation, if any SWPP maintenance is required you will be charged on a separate invoice per maintenance, licenses/permits, utilities, construction hydrant meter, culverts, headwalls, utility spoils haul off, clearing, concrete paving, lime stabilization, striping/signs/barricades, brick pavers, pavers installation, stained/scored concrete, hydromulch/sod, landscape, irrigation. Also note that we are not responsible for any asbestos testing or removal. Customer is responsible for obtaining if any of the exclusions are required or needed. This bid is based on our initial inspection and does not cover any additional supplies, parts, or labor which may be required after the work has been started which was not evident on our first inspection. Naturally this bid cannot cover such contingencies. Any additional charges will be added upon approval or with change order. If bid proposal is acceptable please sign and return via Email as work cannot begin until bid quote is signed dated and returned. _____ Signature _____ Date		0.00	0.00
Quote is valid for 30days.		Phone #	972-923-2250
		Total	\$61,775.00



Meeting
Date: 6/24/2024

Date: 06/11/2024

Item #: 13.

Dept.: Administration

Action Item

SUBJECT:

Consider and take appropriate actions on an interlocal agreement with the Texas Municipal League Intergovernmental Risk Pool for Cyber Liability and Data Breach Response; and authorize the City Manager or his designee to execute necessary documents.

BACKGROUND:

The TMLIRP, who is the City's Property Insurance carrier, made changes to our Cyber coverage and, as a result, is requiring entities to update the Interlocal Agreement they have with them. The changes to the Cyber policy allow for greater cyber coverage oversight with minimal increased costs.

Author:

Mike Holder, City Manager

Reviewed:

Mike Holder, City Manager

Cost: \$0.00

Funds Available: \$0.00

Source: None

Recommendation: Staff recommends approval of an interlocal agreement with the Texas Municipal League Intergovernmental Risk Pool for Cyber Liability and Data Breach Response; and authorize the City Manager or his designee to execute necessary documents.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☒	☐	☒	☐	☐



WORKERS' COMPENSATION • PROPERTY • LIABILITY

CRITICAL ALERT:

Cyber Liability and Data Breach Response Coverage

DATE: June 7, 2024
TO: All Members with Core + (Band 1) Cyber Coverage
RE: 2024-2025 *Cyber Liability and Data Breach Response Coverage* Updates

Dear Valued Member:

Since 2016, when the TML Risk Pool first began offering *Cyber Liability and Data Breach Response Coverage* ("*Cyber Coverage*"), cyber claims have exponentially increased in both frequency and severity.

Future cybercriminal activity is impossible to predict, which means neither the Pool nor any other insurer can rely on past patterns and trends to predict future losses. That's why the Board of Trustees recently created a new Cyber Fund and approved changes to the Pool's Coverage structure, effective on October 1, 2024. *Members must elect to continue coverage or "opt-in" by completing and returning the Cyber Interlocal Agreement to participate in the newly-created Cyber Fund.*

MEMBERS THAT DON'T FOLLOW THE OPT-IN PROCEDURES WILL LOSE THEIR EXISTING CYBER COVERAGE EFFECTIVE AT MIDNIGHT ON SEPTEMBER 30, 2024.

Included in this packet are:

1. A two-page flyer explaining the updated Cyber Coverage and why the Pool made certain adjustments to ensure the viability of the program.
2. A **Limits Page** for the updated Cyber Coverage and a link to the updated Cyber Coverage Document, which shows the contribution increases and available limits.
3. A new, separate **Interlocal Agreement (contract)** to join the Pool's new Cyber Fund.

Please review the above information.

If your entity wishes to continue Cyber Coverage, simply review, complete and sign, and return the completed Cyber Fund Interlocal Agreement as soon as possible but no later than September 30, 2024. (Each Member must follow their own statutory and local policies related to contract approval prior to signing.) You can either scan and return the completed and signed agreement by email to underwriting@tmlirp.org or mail or ship it to Cyber Coverage, c/o TML Intergovernmental Risk Pool, P.O. Box 149194, Austin, Texas 78714. To change the Core or Core+ limit selection, simply include that request with the Interlocal Agreement. An executed copy of the agreement will be returned to you.

REMEMBER – THE INTERLOCAL AGREEMENT MUST BE RETURNED BY SEPTEMBER 30, 2024, IN ORDER FOR COVERAGE TO CONTINUE.

TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

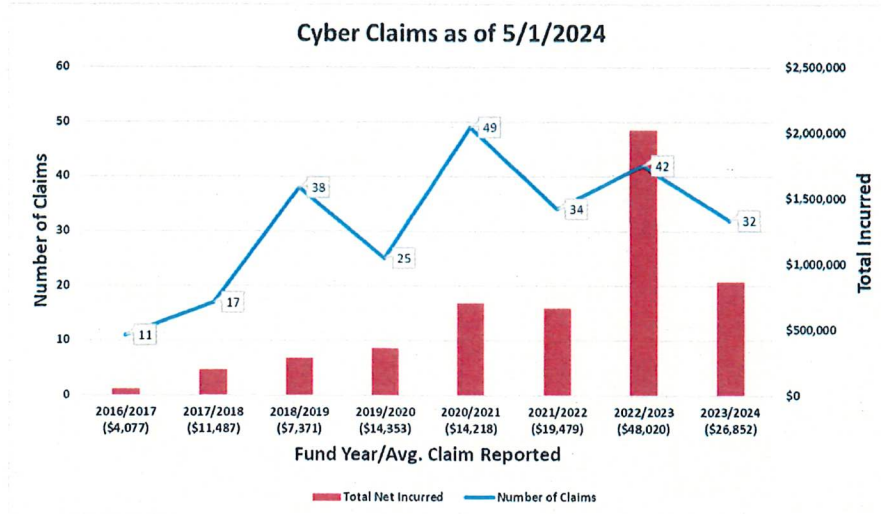
P.O. Box 149194 • Austin, Texas 78714-9194 • www.tmlirp.org

Page 1 of 4

CRITICAL ALERT: The Pool's NEW Cybersecurity Fund

Introduction

In 2016, the Pool recognized its Members' growing cyber liability exposure. Starting that year, complimentary coverage was provided to all Members with either General Liability or Real & Personal Property Coverage. Later, as the exposure increased, the Pool began charging a minimal amount for the coverage. As shown by the chart below, cyber claims have exponentially increased in both frequency and severity since that time.



Future cybercriminal activity is impossible to predict, which means neither the Pool nor any other insurer can rely on past patterns and trends to predict future losses. That's why the Board of Trustees recently approved the Pool's formation of a new Cyber Fund and updated *Cyber Liability and Data Breach Response Coverage* ("Cyber Coverage"), effective October 1, 2024, for those Members who opt-in and sign the **Cyber Liability Interlocal Agreement**. Read on for details.

Of course, nothing can cover every possible scenario. That's why each Member *must* take steps to protect themselves, and we can help you do so (regardless of whether you choose our cyber coverage). **Most cyberattacks are preventable, and local officials should implement basic policies, train on them, and follow them.** (See the final section below on loss prevention to learn more.)

The New Cyber Fund – Ensuring the Viability of the Pool's Cyber Coverage

Cyberattacks are becoming more common, more sophisticated, and more expensive. In fact, the Pool's cyber claims have increased exponentially since 2016. Right now, if every Member of the Pool was hit by a coordinated attack, the Pool's *total exposure is in the billions of dollars*. Thankfully, that hasn't happened. But the Pool is updating its Cyber Coverage to ensure that it never does.

The following is a brief overview of the changes:

- The Pool is creating a **separate Cyber Fund** – each Member that wants to continue coverage **must sign a new, separate interlocal agreement (contract) to join the Fund**.
- The Pool's **total annual payout** for cyber claims will be **capped at \$25 million** – should criminals execute a widespread attack, the Pool's Board of Trustees would decide how to allocate those funds.
- The limit for third party liability has been reduced to **\$500,000 or \$1,000,000**, depending on whether Core or Core+ option is selected.
- **Cyber coverage contributions (premiums) will increase** based on a Member's elected limits. The new contribution ranges from \$1,000 to \$1,850 depending on Member type and coverage level (unless a Member chooses a different coverage level, the current level will roll over). Suggestion: Coverage will be renewed at the current elected limit.

The Coverage: What You Get

Some of the worst news a local official can receive is that they have fallen victim to a cyberattack. Whether criminals lock up your data and ask you for a ransom to restore it, they trick you into sending money to a fraudulent account and steal it, or whatever the form of an attack, the Pool's coverage provides, among other things:

- **Breach response**, which includes access to computer experts, public relations specialists, attorneys, negotiators, and others with experience responding to cyberattacks – these experts help you lessen the damage from an attack.
- **Network business interruption**, which can help cover the loss of income and extra expenses (for a limited period) caused by an attack.
- **Cyber extortion**, which can help with ransom payments to recover data.
- **Data recovery costs**, which can help with costs to restore data that was damaged, corrupted, and/or deleted.
- **Fraud protection**, which can help (if certain conditions are met) with costs related to – for example – when an employee is tricked into sending money to a cybercriminal.

The above provides only a very basic overview of the coverage. Every claim is unique, and reading the above isn't a substitute for carefully reviewing the terms of the new interlocal agreement and coverage document. Please refer to the enclosed outline of the coverages, limit, and sublimit.

What You Need to Do to Continue Coverage

To continue coverage, simply review, complete and sign, and return the Cyber Fund Interlocal Agreement. (Each Member **must follow their own statutory and local policies related to contract approval prior to signing.**) To change the Core or Core+ limit selection, simply include that request with the Interlocal Agreement.

As part of this process, we encourage you to review the 2024-2025 Cyber Liability and Data Breach Response Coverage Document that is stored on the Pool's Member Portal, which you can access from the Pool's website at www.tmlirp.org.

That's it! You'll be billed later for the costs of all your coverages, including the cyber coverage.

REMEMBER – THE INTERLOCAL AGREEMENT MUST BE RETURNED BY SEPTEMBER 30, 2024, IN ORDER FOR COVERAGE TO CONTINUE.

Risk Management and Loss Prevention

As mentioned above, the best way to deal with a cyberattack is to avoid it altogether. The Pool has a dedicated Cyber Risk Services Manager – Ryan Burns (rburns@tmlirp.org) – who can assist any Member with loss prevention, including individual review of Member exposures and transfer of risk via contracts provisions, loss prevention efforts, appropriate coverage, and more.

Additional Resources

The Pool provides prevention education in various ways. The easiest to access are short podcast episodes and YouTube videos. For example, any local official who wants to know just how painful a cyberattack can be should listen to Episode 9c of the "Local Officials: *Stronger, Together* Podcast."

In the eye-opening episode, Scott interviews City of Tomball Assistant City Manager Jessica Rogers. Cyber-criminals hacked Tomball at the end of 2022, and the city is still — one year later — dealing with the aftermath. In this episode — which should be required listening for every city official in Texas (and beyond) — Jessica explains exactly what it's like to have essentially every computer system go down, including 9-1-1 dispatch, utility metering and billing, permitting, and everything in between. She also describes the long road to getting everything up and running. Don't miss our chance to learn from this chill-inducing story. (To listen, go to www.tmlirp.org, click on the "STP Podcast" link at the top of the page, and scroll down to Episode 9c.)

LIMIT PAGE

Your entity currently has **Core + Cyber Coverage** with the Pool. The following is an abbreviated description of the Core and Core+ limit structure beginning October 1, 2024. The Coverage Document can be accessed at <https://members.tmlirp.org/downloads> (this link will ask you to log into the Member Portal for access).

*A limit of \$25,000,000 is shared by all **Members** for aggregate losses occurring within the Fund Year as defined in the Cyber Liability and Data Breach Response Interlocal Agreement.*

	Core	Core+
Tower 1 - Limit of Liability*	\$500,000	\$1,000,000
Data & Network and Media Liability Aggregate Limit of Liability	\$500,000	\$1,000,000
Retention	\$0	\$0
Tower 2 - Limit of Liability	\$100,000	\$250,000
<u>First Party Loss</u>		
Business Interruption Aggregate Sublimit	\$20,000	\$50,000
Cyber Extortion Loss Aggregate Sublimit	\$25,000	\$50,000
Data Recovery Costs Aggregate Sublimit	\$20,000	\$50,000
Reputational Loss Aggregate Sublimit	\$5,000	\$10,000
Retention (other than Business Interruption)	\$0	\$5,000
Income Loss Retention under Business Interruption	\$5,000	\$5,000
<u>Third Party Loss</u>		
Regulatory Defense and Penalties Aggregate Sublimit	\$25,000	\$75,000
Payment Card Liabilities & Costs Aggregate Sublimit	\$10,000	\$25,000
Retention	\$0	\$5,000
<u>eCrime</u>		
Fraudulent Instruction Aggregate Sublimit	\$25,000	\$50,000
Funds Transfer Aggregate Sublimit	\$25,000	\$50,000
Telephone Fraud Aggregate Sublimit	\$25,000	\$50,000
Criminal Reward	\$2,500	\$2,500
Retention (other than Criminal Reward)	\$2,500	\$5,000
Retention Criminal Reward	\$0	\$0
Tower 3 - Limit of Liability	\$100,000	\$150,000
Breach Breach Response Aggregate Limit of Liability Beazley Response Services	\$100,000	\$150,000
Retention	\$0	\$0
New 2024-25 Annual Contribution	\$1,000	\$1,250
<i>Previous 2023-24 Contribution</i>	<i>\$175</i>	<i>\$247.24</i>

**The Tower 1 Limit of Liability changed from \$1 million to \$500,000 for Core limits and from \$2 million to \$1 million for Core+ limits. All other limits remained unchanged.*

Texas Municipal League Intergovernmental Risk Pool

1821 Rutherford Lane, First Floor • Austin, Texas 78754

CYBER LIABILITY AND DATA BREACH RESPONSE INTERLOCAL AGREEMENT

This Contract and Interlocal Agreement is entered into by and between political subdivisions of this state (hereinafter referred to as "Pool Members") to form a joint self-insurance pool to be named the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance Fund (hereinafter referred to as the "Fund") for the purpose of providing coverages against risks which are inherent in operating a political subdivision.

WITNESSETH:

The undersigned Pool Member, in accordance with Chapter 2259, Texas Government Code, the Interlocal Cooperation Act, Tex. Gov't Code § 791.001, et seq., and the interpretation thereof by the Attorney General of the State of Texas (Opinion #MW-347, May 29, 1981), and in consideration of other political subdivisions executing like agreements, does hereby agree to become one of the Pool Members of this self-insured pool. The conditions of membership agreed upon by and between the parties are as follows:

1. Definitions of terms used in this Interlocal Agreement.

- a. Board. Refers to the Board of Trustees of the Fund.
- b. Fund Year. 12:01 a.m. October 1 through 12:01 a.m. the following October 1.
- c. Manual Rates. The basic rates applicable to each cyber liability and data breach response classification promulgated by the Insurance Service Office or the Board.
- d. Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan. The Cyber Liability and Data Breach Response Coverage Document that sets forth in exact detail the coverages provided as part of the overall plan.
- e. Adjustments. Refers to any offsets to manual premium that may result from the Pool Member's election of deductibles, loss experience, or Fund Modifier which reflects the savings to the Pool Member by entering into this Interlocal Agreement.
- f. Premium and Contribution. Used interchangeably in some parts of this Interlocal Agreement. Any reference at any time in this Interlocal Agreement to an insurance term not ordinarily a part of self-insurance shall be deemed for convenience only and is not construed as being contrary to the self-insurance concept except where the context clearly indicates no other possible interpretation such as but not limited to the reference to "reinsurance."
- g. Reimbursable Deductible. The amount that was chosen by this Pool Member to be applicable to the first monies paid by the Fund to effect judgment or settlement of any claim or suit. The Pool Member, upon notification of the action taken, shall promptly reimburse the Fund for all or such part of the deductible amount as has been paid by the Fund. Further, however, the Fund's obligation to pay damages shall be subject to the limits of liability stated in the Declarations of Coverage or Endorsements to this Interlocal Agreement less the stated deductible amount.
- h. Fund Modifier. A percentage figure that is applied to the manual rates by the Fund to reflect the savings to the Pool Member by entering into this Interlocal Agreement.
- i. Agreement Period. The continuous period since the Pool Member first became a member of this Fund excluding, however, any period or periods of time therein that the member did not participate as a member of the Pool.
- j. Declarations of Coverage. The specific indication of the coverages, limits, deductibles, contributions, and special provisions elected by each individual Pool Member. The Declarations of Coverages may be modified by Endorsement.

2. The Board, acting through its agents and Fund staff, is responsible for the administration of all Fund business on behalf of the Pool Members.

3. In consideration of the execution of this Interlocal Agreement by and between the Pool Member and the Fund and of the contributions of the Pool Member, the coverage elected by the Pool Member is afforded according to the terms of the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan. The affirmative declaration of contributions and limits of liability in the Declarations of Coverage and Endorsements determine the applicability of the Self-Insurance Plan.

Each Pool Member agrees to adopt and accept the coverages, provisions, terms, conditions, exclusions, and limitations as further provided for in the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan or as specifically modified by the Pool Member's Declarations of Coverage. This Interlocal Agreement shall be construed to incorporate the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan, Declarations of Coverage, and Endorsements and addenda whether or not physically attached hereto.

4. It is understood that by participating in this risk sharing mechanism to cover cyber liability and data breach response exposures, the Pool Member does not intend to waive any of the immunities that its officers or its employees now possess. The Pool Member recognizes the Texas Tort Claims Act and its limitations to certain governmental functions as well as its monetary limitations and that by executing this Interlocal Agreement does not agree to expand those limitations.
5. The term of this Interlocal Agreement and the self-insurance provided to the Pool Member shall be continuous commencing 12:01 a.m. on the date designated in this Interlocal Agreement until terminated as provided below. Although the self-insurance provided for in this Interlocal Agreement shall be continuous until terminated, the limit of liability of the Fund under the coverages that the Pool Member elects shall be limited during any Fund Year to the amount stated in the Declarations of Coverage for that Fund Year.

This Interlocal Agreement may be terminated by either party giving to the other sixty (60) days' prior written notice of intent to terminate except the Pool Member may terminate this Interlocal Agreement and its coverages thereunder without giving the sixty (60) days' notice if the reason is because of a change by the Fund in the Pool Member's contribution, coverage, or other change in the limits of liability, terms, conditions, exclusions, and limitations provided for in the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan provided that no termination by the Member shall be effective prior to the date that written notice of termination is actually received in the offices of the Fund and provided that the Pool Member agrees to and shall pay the applicable premium and contribution for those coverages it is terminating until the date the notice of termination is actually received by the Fund.

The Fund shall provide the Pool Member with Declarations of Coverage and any Endorsements that determine the applicability of the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan annually by December 1. Such Declarations of Coverage shall include, but not be limited to, the coverage period which shall be the applicable Fund Year, limits, deductibles, contributions, special provisions, and limitations. Changes made during the Fund Year, whether requested by the Pool Member or required by the Fund, will be handled by Endorsement.

It is the intention of the parties that the Pool Member's coverages under this Interlocal Agreement shall remain in full force and effect from Fund Year to Fund Year, subject to the limits of liability that the Fund can provide each Fund Year and the terms, conditions, and limitations that the Fund may require to protect its solvency and to comply with reinsurance requirements, until notice of termination is given as herein provided. Realizing that the Pool Member needs the earliest possible information concerning the Fund coverages, limits, and exclusions, and the Pool Member's contribution that will be required for any new Fund Year, the Fund will endeavor to provide this information as soon as possible before the beginning of each Fund Year. The parties recognize, however, that conditions in the reinsurance industry are such that the Fund may not be able to provide this information to the Pool Member before the beginning of a Fund Year for various reasons including the failure of the Pool Member to timely submit the appropriate exposure summary or delays on the part of reinsurers in getting information to the Fund, and so, to protect the Pool Member from gaps in its coverage and to protect the solvency of the Fund, the parties agree as follows:

If, for any reason other than the Pool Member's failure to provide the information requested in the exposure summary, the Fund has not been able to provide the Pool Member with information concerning available coverages for a new Fund Year or advise the Pool Member of the amount of its contribution for the new Fund Year by the beginning of the Fund Year, the Fund shall nevertheless continue the Pool Member's coverages at the same limits of liability (if still available and if not, then at the highest limit of liability available for the new Fund Year) so that the Pool Member shall at all times remain covered as herein provided and the Pool Member's initial contributions for the new Fund Year shall be determined by a "tentative contribution" as determined by the Board with the Pool Member's actual annual contribution to be credited by the amount paid in accordance with the tentative contribution and adjusted during the Fund Year. In the event the Pool Member does not wish to have its coverages extended or renewed at the end of any Fund Year, the burden shall be upon the Pool Member to give written notice to the Fund as provided hereinabove and the Pool Member agrees to pay as hereinabove stated all contributions or pro rata contributions until the date such written notice is received in the offices of the Fund or the date of termination of this Interlocal Agreement, whichever is later.

6. Commensurate with the execution of this Interlocal Agreement and annually thereafter, the Pool Member shall complete the appropriate exposure summary and deliver it or cause it to be delivered to the Fund, or, if so instructed, to a designated contractor, no later than September 1 of each year and new annual contributions shall be calculated using manual rates times exposure, less any adjustments. Intentional or reckless misstatements on the exposure summary shall be grounds for cancellation. In the event that the Pool Member fails or refuses to submit the appropriate exposure summary, the Fund reserves the right to terminate such Pool Member by giving thirty (30) days' written notice and to collect any and all contributions that are earned pro rata for the period preceding contract termination.

The Pool Member agrees to pay the annual contribution to the Fund in four (4) equal quarterly installments, in advance, commencing at the beginning of this Interlocal Agreement with subsequent installments due the first quarter thereafter. In the event this Interlocal Agreement is terminated as herein provided, the Fund shall promptly repay to the Pool Member any such unearned annual contribution prorated as of the date of termination and the Pool Member agrees during the term of this Interlocal Agreement to promptly pay all reimbursable deductibles upon receipt of statement.

At the end of each and every Fund Year, the Fund may require the Pool Member to submit the actual data requested on the exposure summary as reflected by the books and records of the Pool Member. The Fund reserves the right to audit the records of any Pool Member and adjust contributions accordingly.

In the event that the Pool Member fails or refuses to make the payments, including accrued interest, as herein provided, the Fund reserves the right to terminate such Pool Member by giving them ten (10) days' written notice and to collect any and all amounts that are earned pro rata for the period preceding contract termination. If the amounts owed, including reimbursable deductibles, must be collected by suit, the Pool Member agrees to pay attorneys' fees and costs incurred in such suit.

7. The Fund shall maintain adequate protection from catastrophic losses to protect its financial integrity. Aggregate protection shall also be maintained. The Member's contributions shall be limited to that amount as calculated under this Interlocal Agreement. Notwithstanding anything to the contrary, the total combined aggregate limit of liability of the Fund for all Pool Members in any Fund Year, regardless of the number of occurrences or claims, shall be limited to the amount of money contained in the Fund. As to the Pool annual aggregate limits or the amount of money in the Fund, the Board of Trustees, in its sole discretion, may determine an allocation methodology among affected Pool Members should the Pool annual aggregate limit be reached, or should the money in the Fund be exhausted.
8. Notwithstanding the provisions of the foregoing paragraph, it is agreed the Board shall have the right to adjust the financial protection outlined above and/or amend coverages as it finds available or deems necessary to maintain the fiscal soundness of the Fund at the beginning of or during any Fund Year.
9. The Fund will make available loss control services to the Pool Members to assist them in following a plan of loss control that may result in reduced losses. The Pool Member agrees that it will cooperate in instituting any and all reasonable loss control recommendations. In the event that the recommendations submitted seem unreasonable, the Pool Member has a right to appeal to the Board. The Board shall hear the objections of the Pool Member at its next regularly scheduled meeting and its decisions will be final and binding on all parties. Any Pool Member who does not agree to follow the decision of the Board shall be withdrawn from the Fund immediately.
10. The Pool Member agrees that it will appoint a contact of department head rank, and the Fund shall not be required to contact any other individual except this one person. Any notice to or any agreements with the contact shall be binding upon the Pool Member. The Pool Member reserves the right to change the contact from time to time by giving written notice to the Fund.
11. The Fund agrees to handle all cyber liability and data breach response claims, and provide a defense for any and all cyber liability and data breach response claims covered under this Interlocal Agreement after prompt notice has been given. The Pool Member hereby appoints the Fund staff and Contractors as its agents to act in all matters pertaining to processing and handling of claims covered under this Interlocal Agreement and shall cooperate fully in supplying any information needed or helpful in settlement or defense of such claims. As respects cyber liability and data breach response claims, the Fund staff and Contractors shall carry on all negotiations with the claimant and his/her attorney, when applicable, and negotiate within authority previously granted by the Fund. If a personal appearance by the Pool Member or an employee is necessary, the expense of this appearance will not be the responsibility of the Fund. With the advice and consent of the Fund, the Fund staff and the Contractors will retain and supervise legal counsel for the prosecution and defense of any litigation. All decisions on individual cases shall be made by the Fund through the Fund staff and the Contractors, which include, but are not limited to, the decision to appeal or not to appeal, settlement negotiations, the decision of whether to settle, and other litigation tactics. However, any Pool Member shall have the right in any case to consult with the Fund on any decision made by the Fund staff or Contractors. The Board shall hear the objections of the Pool Member at its next regularly scheduled meeting and its decision will be final and binding on all parties. Any suit brought or defended by the Fund shall be brought or defended only in the name of the Pool Member and/or its officers or employees. There shall be supplied periodically to each Pool Member a computer printout involving a statement of claims. As respects the Texas Municipal League Cyber Liability and Data Breach Response Self-Insurance Plan, the Fund shall have priority in enforcing its subrogation claims against the claims of Pool Member.
12. The Pool Member acknowledges that it has received a copy of the Bylaws of the Fund and agrees to abide by the Bylaws and any amendments thereto.
13. The Fund agrees that all Fund transactions will be annually audited by a nationally recognized certified public accounting firm.
14. If legally required, the Fund shall cause to be filed the necessary tax forms with the Internal Revenue Service.

15. As the administrators of the Fund, the Board shall primarily and consistently keep foremost in their deliberations and decisions in operating the Fund that each of the participating Pool Members is a "self-insured." At least annually, the Board shall carefully review, study, and consider the actual claims or loss experience (including reserves for future claims payments) of each of the Pool Members, the pro rata savings to the Fund resulting from overall loss experience attributed to each Pool Member, and the pro rata portion of the cost of all catastrophic loss protection and aggregate stop loss protection allocated to each Pool Member as well as the pro rata allocation, as determined by the Board of the other and necessary administrative expenses of the Pool, in order to reasonably determine the actual pro rata cost, expense, and loss experience of each Pool Member in order to maintain as nearly as possible an equitable and reasonable self-insurance administration of the Fund as applied to each Pool Member.

The Fund shall maintain case reserves and supplemental reserves computed in accordance with standard actuarial principles, taking into account historical and other data, designed to measure claims development and claims incurred but not yet reported, so that funds will be available to meet these claims as they become due, subject to paragraph 7 above. The Board has complete authority to determine all matters pertaining to the existence and dissolution of the Fund.

16. Venue of any suit or action arising out of or related to this Interlocal Agreement shall be exclusively in the state and federal courts of Travis County, Texas. The parties agree they shall assume their own expenses for attorney's fees in any suit or action arising out of or related to this Interlocal Agreement.
17. The parties agree this Interlocal Agreement may be executed by original written ink signature on paper documents, an exchange of copies showing the original written ink signature on paper documents, or electronic or digital signature technology in such a manner that the signature is unique and verifiable to the person signing. The use of any one or combination of these methods of execution shall constitute a legally binding and valid signing of this Interlocal Agreement, which may be executed in one or more counterparts, each of which, when duly executed, shall be deemed an original.

EMPLOYER MEMBERS' FUND CONTACT (See Section 10):

Member Name City of Kaufman

Name of Contact SHARNA ELLIS Title HUMAN RESOURCE Coordinator

Mailing Address 209 S. WASHINGTON Email Address SELLIS@KaufmanTX.org

Street Address (if different from above) _____

City Kaufman Zip 75142 Phone 972-932-2216

SIGNATURE OF AUTHORIZED MEMBER OFFICIAL

Title

Date

Member's Federal Tax I.D. Number _____ - _____
This Information is MANDATORY

TO BE COMPLETED BY FUND: (OFFICE USE ONLY)

Effective Date of This Agreement _____

Member Name _____

Contract Number _____

SIGNATURE OF AUTHORIZED FUND OFFICIAL

Title

Date



Meeting
Date: 6/24/2024

Date: 06/11/2024

Item #: 14.

Dept.: Administration

Action Item

SUBJECT:

Consider and take appropriate action on Resolution R-14-24, a resolution of the City Council of the City of Kaufman, authorizing the submission of an application for Federal Assistance (SF-424) by the Kaufman-Van Zandt Soil Conservation District #505 for federal rehabilitation of the flood retarding structure for Cedar Creek site 60 TX03350 (Kaufman Lake); and authorize the Mayor or his designee to execute necessary documents.

BACKGROUND:

The Kaufman-Van Zandt Soil Conservation District, Kaufman County and the City of Kaufman are seeking to obtain federal assistance to rehabilitate the dam structures and the former "Old City Lake". While the City no longer owns the property, we are still considered a property sponsor. The application for the federal funding requires the City to approve the request submission.

Author:

Mike Holder, City Manager

Reviewed:

Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of Resolution R-14-24, a resolution of the City Council of the City of Kaufman, authorizing the submission of an application for Federal Assistance (SF-424) by the Kaufman-Van Zandt Soil Conservation District #505 for federal rehabilitation of the flood retarding structure for Cedar Creek site 60 TX03350 (Kaufman Lake); and authorizing the Mayor or his designer to execute necessary documents.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☐	☐	☐	☐

RESOLUTION R-14-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KAUFMAN, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL ASSISTANCE (SF-424) BY THE KAUFMAN- VAN ZANDT SOIL CONSERVATION DISTRICT #505 FOR FEDERAL REHABILITATION OF THE FLOOD RETARDING STRUCTURE FOR CEDAR CREEK SITE 60 TX03350 (KAUMFAN LAKE); AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE APPLICATION PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Kaufman believes certain conditions exist to the food retarding structure for Kaufman Lake which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Kaufman to authorize the submission of an application for Federal Assistance (SF-424) by the Kaufman-Van Zandt Soil Conservation District #505 for federal rehabilitation of the flood retarding structure for Cedar Creek site 60 TX03350 (Kaufman Lake).

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

SECTION 1. The above and foregoing premises are hereby declared true and correct and shall be incorporated as if set forth fully herein.

SECTION 2. That an application for Federal Assistance (SF-424) by the Kaufman-Van Zandt Soil Conservation District #505 for federal rehabilitation of the flood retarding structure for Cedar Creek site 60 TX03350 (Kaufman Lake) is hereby authorized to be filed on behalf of the City.

SECTION 3. That the City Council directs and designates the Mayor and City Manager to act in all matters in connection with this application and serve as the City's Chief Executive Officer and Authorized Representative to execute this application and any subsequent contractual documents.

SECTION 4. That this Resolution shall be effective immediately upon its passage as required by law.

PASSED AND APPROVED this 24th day of June, 2024.

**JEFF JORDAN
MAYOR**

ATTEST:

**JESSIE HANKS
CITY SECRETARY**

APPROVED AS TO FORM:

**PATRICIA A. ADAMS
CITY ATTORNEY**

Application for Federal Assistance SF-424

*** 1. Type of Submission:**

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

*** 2. Type of Application:**

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

Kaufman-Van Zandt Soil & Water Conservation District #505

* b. Employer/Taxpayer Identification Number (EIN/TIN):

75-1589747

* c. UEI:

d. Address:

* Street1:

8620 FM 741

Street2:

* City:

Forney

County/Parish:

* State:

Texas

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

75126

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name:

Owen

Middle Name:

* Last Name:

Cantrell

Suffix:

Title:

District Technician

Organizational Affiliation:

* Telephone Number:

214-356-5626

Fax Number:

* Email:

kaufmanvanzandt@swcd.texas.gov

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

NRCS/USDA

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Kaufman County, Texas

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Federal Rehabilitation of flood retarding structure Cedar Creek site 60 TX03350

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:** Texas

* a. Applicant 5th

* b. Program/Project 5th

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 01/01/2026

* b. End Date: 12/31/2026

18. Estimated Funding (\$):

* a. Federal	9,750,000
* b. Applicant	
* c. State	5,250,000
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	12,000,000

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☒ a. This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☐ c. Program is not covered by E.O. 12372.*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Roy

Middle Name:

* Last Name: Deen

Suffix:

* Title: Chairman Kaufman-Van Zandt SWCD 505

* Telephone Number: 214-870-8427

Fax Number:

* Email: deen.21@icloud.com

* Signature of Authorized Representative:

* Date Signed:

10-5-24

Kaufman-Van Zandt SWCD 505

(Name of Sponsor)

By Roy De

Title CHAIRMAN

8620 FM 741, Forney, TX 75126

(Address)

(Zip Code)

Date 6-5-2024

The signing of this application was authorized by resolution of the governing body of the

Kaufman-Van Zandt SWCD 505

Adopted at a meeting held on 6-5-2024

Dawn Cantrell

(Secretary)

8620 FM 741, Forney, TX

(Address)

75126

(Zip Code)

Kaufman County Commissioners Court

(Name of Sponsor)

By Jakie Allen

Title County Judge

1902 E US HWY 175, Kaufman, TX 75142

(Address)

(Zip Code)

Date 6/4/24

The signing of this application was authorized by resolution of the governing body of the

Kaufman County Commissioners Court

adopted at a meeting held on June 4, 2024



Dawn Hughes

(Secretary)

By: BSB

1902 E. Hwy 175

(Address)

75142

(Zip Code)

Kaufman, Tx

City of Kaufman

(Name of Sponsor)

By _____

Title _____

209 S Washington, Kaufman, TX 75142

(Address)

(Zip Code)

Date _____

The signing of this application was authorized by resolution of the governing body of the

adopted at a meeting held on _____

(Secretary)

(Address)

(Zip Code)



Meeting
Date: 6/24/2024

Date: 06/13/2024

Item #: 15.

Dept.: Administration

Action Item

SUBJECT:

Consider and take appropriate action on an Investment Grade Audit Agreement with Schneider Electric Buildings Americas, Inc.; and authorize the Mayor or his designee to execute necessary documents.

BACKGROUND:

Staff has been working with Schneider EBA for several months to determine next steps to further enhance our capabilities at the wastewater treatment plant. The proposed Investment Grade Audit will provide specific actionable information in anticipation of next phase upgrades. The audit will identify a priority list of projects that will address I&I issues and other concerns as determined through their findings. The cost of the IGA is \$65,000.

Author:

Mike Holder, City Manager

Reviewed:

Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approving the IGA.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☐	☐	☒	☒

Investment Grade Audit Agreement

This Investment Grade Audit Agreement (“Agreement”), dated 24th day of June, 2024, (“Effective Date”), is entered into by and between Schneider Electric Buildings Americas, Inc. (“ESCO”) and the City of Kaufman, Texas (“Customer”).

WHEREAS, Customer wishes to engage ESCO to perform an Investment Grade Audit to (i) identify energy conservation measures (“ECMs”) that are available to and appropriate for Customer’s facilities, (ii) determine the guaranteed savings that would result from implementing such ECMs as part of a comprehensive energy conservation improvement program, and (iii) propose a scope of work and project price for ESCO’s implementation of such ECMs under and pursuant to an Energy Services Contract.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, ESCO and Customer hereby agree to the following terms and conditions:

Section A -- General Terms and Conditions
Section B -- Audit Services

IN WITNESS WHEREOF, each of the parties has caused this Investment Grade Audit Agreement to be executed as of the Effective Date by its duly authorized representative below.

City of Kaufman, Texas

**Schneider Electric Buildings Americas,
Inc.**

By	_____	By	_____
	(Signature)		(Signature)
Print Name	_____	Print Name	_____
Title	_____	Title	_____
Date	_____	Date	_____

Section A: General Terms and Conditions

1. Entire Agreement

This Agreement, and any documents incorporated by reference, constitute the entire understanding between ESCO and Customer and supersedes all prior oral or written understandings relating to the subject matter herein. This Agreement may not be altered or modified except by written instrument signed by a duly authorized representative of each party.

2. Services

As described more fully in Section B, ESCO will conduct an Investment Grade Audit (referred to herein as “IGA” or “Audit”) of certain Customer Facilities (defined herein), in order to (i) identify ECMs that are available to and appropriate for such Facilities, (ii) determine the guaranteed savings that would result from implementing such ECMs as part of a comprehensive energy conservation improvement program, and (iii) propose a scope of work and project price for ESCO’s implementation of such ECMs. Upon the conclusion of each phase of the IGA, ESCO will provide Customer with a report describing the development results of each Phase of the IGA. Customer acknowledges that the IGA is not intended to serve as a comprehensive inspection of Customer’s Facilities and that, to facilitate the IGA and to assist ESCO in identifying and recommending ECMs appropriate for Customer’s Facilities, Customer is responsible for providing ESCO with all such access, knowledge and history as may be relevant to ESCO’s analysis, including, without limitation, with respect to Customer’s Facilities, systems, and equipment, as well as its accounting, maintenance, and operation practices. Customer may request additional services not included in Section b, whereby ESCO’s compensation and scope of services shall be adjusted accordingly. Any such modifications shall be negotiated in good faith and authorized via a written amendment to this Agreement signed by Customer and ESCO. Any such amendment must be properly executed by Customer and ESCO prior to any changes being implemented by ESCO. Upon execution of the amendment by Customer and ESCO, such additional services will become part of this Agreement and subject to the terms and conditions contained herein.

3. Confidentiality

Neither party shall disclose to others any Confidential Information. “Confidential Information” shall mean all information or material, whether revealed orally, visually, or in tangible or electronic form, that is competitively sensitive material not generally known to the public that relates to the business of a party to this Agreement, or any of their respective interest holders, unless such information: (i) was already rightfully known and in possession of the receiving party at the time of disclosure by the disclosing party; or (ii) is in or has or will be entered into the public domain through no breach of this Agreement or other wrongful act of the receiving party; or (iii) has been rightfully received by the receiving party from a third party who is not known by the receiving party to be under obligation of confidentiality to disclosing party and without breach of this Agreement; or (iv) is independently developed by receiving party without reference to the Confidential Information; or (v) is approved for release by written authorization from the disclosing party. This confidentiality obligation shall terminate two (2) years from the date of this Agreement. The parties acknowledge and agree that the Customer shall comply with the Texas Government Code Chapter 552, Texas Public Information Act, as amended.

4. Insurance

ESCO shall, at its own expense, procure, pay for and maintain during the term of this Agreement with reputable and financially responsible carriers authorized to transact business in the state in which the facilities are located and the services are being performed with an A.M. Best’s rating of at least A- VII. The Customer, its officers, employees, and volunteers are to be included as “Additional Insureds” on ESCO’s Commercial General, Business Automobile and Employer’s Liability relative to liability

arising out of activities performed by or on behalf of ESCO, products and completed operations of the vendor, premises occupied or used by ESCO.

The coverage shall contain no special limitations on the scope of protection afforded to the City, its officers, employees or volunteers. ESCO shall furnish to the Customer certificates of insurance executed by the insurer or its authorized agent stating coverages, limits, expiration dates and compliance with all applicable required provisions: (i) commercial general liability insurance, including, but not limited to Premises/Operations, Personal and advertising Injury, Products/Completed Operations, Independent Contractors and Contractual Liability, with minimum combined single limits of \$1,000,000 per-occurrence, \$1,000,000 Products/Completed Operations Aggregate and \$1,000,000 general aggregate; (ii) workers' compensation insurance with statutory limits; and Employers' Liability coverage with minimum limits for bodily injury: (a) by accident, \$100,000 each accident, (b) by disease, \$100,000 per employee with a per policy aggregate of \$500,000; (iii) Business Automobile Liability insurance covering owned, hired and non-owned vehicles, with a minimum combined bodily injury and property damage limit of \$1,000,000 per occurrence; (iv) Professional Liability Insurance to provide coverage against any claim which ESCO and all employed by ESCO become legally obligated to pay as damages arising out of the performance of professional services caused by error, omission or negligent act with minimum limits of \$2,000,000 per claim, \$2,000,000 annual aggregate..

5. Governing Law

This Agreement will be governed, interpreted and construed by, under and in accordance with the laws, statutes and decisions of the state in which the facilities are located, without regard to its choice of law provisions.

6. Ownership of Work Products

All drawings, specifications and other documents and electronic data furnished by ESCO to Customer under this Agreement ("Work Products") are deemed to be instruments of service and ESCO shall retain the ownership and property interest therein, including the copyrights and intellectual property thereto. Such Work Products are furnished solely for purposes of allowing Customer to evaluate whether it wishes to execute an Energy Services Contract with ESCO and, in the event Customer does enter into an Energy Services Contract with ESCO, for use in connection with ESCO's performance of the proposed Project (defined in Section B below). Work Products are not intended to be, and shall not be, used or relied upon by Customer or any third party for designing or performing any portion of the proposed Project, and Work Products may not be shared with any third parties without the written permission of ESCO, except to the extent required by law. Drawings, specifications, and other documents and materials and electronic data are furnished for use solely with respect to the services outlined herein and may be subject to public disclosure under Texas Government Code, Chapter 552, Texas Public Information Act, as amended.

7. Due Authority of Signatories

Each party represents and warrants that this Agreement constitutes the legal, valid, binding, and enforceable obligation of such party, and that neither the execution nor performance of this Agreement violates any law, rule, regulation, or legal duty applicable to such party. Each party further represents and warrants that the execution of this Agreement is within such party's legal powers, and that each individual executing this Agreement on behalf of such party is duly authorized to do so by all necessary and appropriate action and does so with full legal authority.

8. Indemnification

ESCO DOES HEREBY COVENANT AND CONTRACT TO WAIVE ANY AND ALL CLAIMS, RELEASE, DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CUSTOMER, ITS OFFICERS, EMPLOYEES, AND AGENTS, IN BOTH THEIR PUBLIC AND PRIVATE

CAPACITIES, FROM AND AGAINST ALL CAUSES OF ACTION, CITATIONS, CLAIMS, COSTS, DAMAGES, DEMANDS, EXPENSES, FINES, JUDGMENTS, LOSSES, PENALTIES OR SUITS BROUGHT OR ALLEGED BY THIRD PARTIES FOR DEATH, PERSONAL INJURY AND/OR TANGIBLE PERSONAL PROPERTY DAMAGE, WHICH ARE CAUSED BY OR RESULT FROM ESCO'S PERFORMANCE UNDER THIS AGREEMENT AND WHICH ARE CAUSED BY INTENTIONAL WRONGFUL ACTS OR NEGLIGENT ACTS OR OMISSIONS OF ESCO, ITS SUBCONTRACTORS, ANY OFFICERS, AGENTS OR EMPLOYEES OF EITHER ESCO OR ITS SUBCONTRACTORS, AND ANY OTHER THIRD PARTIES FOR WHOM OR WHICH ESCO IS LEGALLY RESPONSIBLE (THE "INDEMNIFIED ITEMS") THE NEGLIGENCE, INTENTIONAL TORT, , OR FAILURE TO PAY A SUBCONTRACTOR OR SUPPLIER COMMITTED BY ESCO, ITS AGENT, ITS ESCO UNDER CONTRACT, OR ANY OTHER ENTITY OVER WHICH THE ESCO EXERCISES CONTROL SUBJECT TO THE LIMITATIONS IN TEXAS LOCAL GOVERNMENT CODE § 271.904 AND TEXAS CIVIL PRACTICE AND REMEDIES CODE, § 130.002 (B).

ESCO SHALL INDEMNIFY AN INDEMNIFIED INDIVIDUAL OR ENTITY FOR ITS REASONABLE ATTORNEYS' FEES AND EXPENSES, INCURRED BY AN INDEMNIFIED INDIVIDUAL OR ENTITY IN SUCCESSFULLY ENFORCING THIS INDEMNITY.

ESCO SHALL RETAIN CUSTOMER'S APPROVED COUNSEL FOR THE CUSTOMER WITHIN SEVEN (7) BUSINESS DAYS AFTER RECEIVING WRITTEN NOTICE FROM THE CUSTOMER THAT IT IS INVOKING ITS RIGHT TO INDEMNIFICATION UNDER THIS AGREEMENT. IF ESCO DOES NOT RETAIN COUNSEL FOR THE CUSTOMER WITHIN THE REQUIRED TIME, THEN THE CUSTOMER SHALL HAVE THE RIGHT TO RETAIN COUNSEL AND THE ESCO SHALL PAY THESE ATTORNEYS' FEES AND EXPENSES. THE CUSTOMER RETAINS THE RIGHT TO PROVIDE AND PAY FOR ANY OR ALL COSTS OF DEFENDING INDEMNIFIED ITEMS, BUT IT SHALL NOT BE REQUIRED TO DO SO.

Infringement. Except as otherwise specified, ESCO shall pay all royalties and license fees required for the manufacture, sale and/or use of the designs, processes, devices, and other Products and Software provided by ESCO pursuant to the Scope of Work ("IP Products"). ESCO shall defend Customer from suits or claims for infringement of patent rights caused by the manufacture, sale and/or use of any such IP Products and shall hold Customer harmless from loss on account thereof. In the event any IP Product is found to infringe a third party's intellectual property rights, ESCO shall, at its expense and at its sole option, either: (i) procure the right for Customer to continue using such IP Product, (ii) modify such IP Product to render it non-infringing (provided such modification does not materially degrade the performance or operation of the IP Product), (iii) replace such IP Product with functionally equivalent, compatible, non-infringing IP Product, or (iv) refund or credit the amount paid for the infringing IP Product. Notwithstanding the foregoing, ESCO's obligations hereunder shall not apply to the extent (1) the alleged infringement is based upon or caused by ESCO's IP Products being modified or combined with any other design, process, device, material, Product or Software without ESCO's prior written approval, or (2) ESCO provided the allegedly infringing IP Product subject to specific requirements of Customer, unless ESCO knew of the alleged infringement and failed to inform Customer.

THE ESCO'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY ESCO UNDER THIS AGREEMENT.

THIS INDEMNIFICATION PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT

9. Limitations of Liability.

- 9.1 In no event shall either party or its officers, directors, affiliates, or employees be liable for any form of indirect, special, consequential, or punitive damages, whether such damages arise in contract or tort, and irrespective of fault, negligence or strict liability or whether such party has been advised in advance of the possibility of such damages.
- 9.2 The remedies of Customer set forth in the Agreement are exclusive unless stated otherwise and ESCO's total liability with respect to damages arising out of this Agreement shall not exceed the Project Price. However, the foregoing sentence shall not limit ESCO's liability with respect to (i) damages caused by ESCO's gross negligence or intentional misconduct, (ii) third-party claims for personal injury or tangible property damage to the extent caused by ESCO's negligence or misconduct, or (iii) any other claims or damages for which ESCO's liability cannot be limited pursuant to applicable law.
- 9.3 The provisions of this Section 9.2 apply only to the extent permitted by the Constitution and laws of the State and shall supersede any contrary provisions of the Agreement.

Section B: Audit Services

Customer agrees to provide the following:

- A. Provide ESCO with verification of incoming electrical service and service to be considered available by Customer for use to power new equipment.
- B. Provide ESCO with all pertinent design criteria, such as TECQ requirements, to be followed.
- C. Provide ESCO with all drawings or computer aided design standards, and equipment specifications or guidelines for review, if available.
- D. Meet with ESCO to advise of current operations schedules and maintenance costs, and identifying known operational deficiencies.
- E. Provide ESCO access to key personnel to discuss operating requirements.
- F. Meet with ESCO to establish project criteria and make project decisions necessary for ESCO to complete each Phase of the IGA as outlined below, in a timely manner.
- G. Inform ESCO at the point in which Customer becomes aware of any portions of scope that will not be included or funding that will not be available for final project implementation.
- H. Meet with ESCO for a presentation of the deliverables identified below for each Phase of the Investment Grade Audit Services.
- I. Complete a review of the deliverables for each Phase of the Investment Grade Audit Services identified below, and provide any comments to ESCO in a timely manner, including identification and confirmation of the scope of work for continued developed in the following Phase.
- J. Provide ESCO complete access to the facilities for the purpose of performing the energy efficiency analysis, measuring actual energy use, taking equipment inventory, determining operating schedules, identifying known operational deficiencies, etc.
- K. Provide ESCO equipment lists and copies, or the loan of facility plans, for the purpose of facilitating understanding of the characteristics and the current sequences of operation.

ESCO agrees to provide the following:

- A. Develop a scope of services for the City of Kaufman Wastewater Treatment Plant, as described in the Investment Grade Audit Services below.
- B. Conduct a kick-off meeting and personnel interview(s) to gain an understanding and verification of drawing standards and design requirements to be considered during the Preliminary Assessment Phase.
- C. Provide Customer a Preliminary Assessment as described below in the Preliminary Assessment Phase, to include feasibility study pre-design capital costs, screening-level energy savings analysis, and screening-level operations and maintenance comparisons.
- D. Work with Customer to evaluate funding options and provide information required for options established (including the Texas Water Development Board requirements).
- E. Work with Customer to provide long term planning for required improvements at the Wastewater Treatment Plant, as described below.

The Investment Grade Audit Services may include up to three (3) phases to develop the scope to the point where an Energy Services Contract can be offered. The three phases are Preliminary Assessment, Mid-Term, and Final. This agreement is for Phase 1 only, with an option to add Phase 2 and Phase 3 scope of work by future Amendment(s) as funding allows.

Preliminary Assessment (Phase 1)

The goal of this phase is to Define Customer Problem(s) and potential Scope to Solve those Problem(s).

Based on site investigations and interviews completed with key Customer personnel, a Preliminary List of four Energy Conservation Measures has been developed and was provided to City Staff in a Needs Assessment presentation on March 19th, 2024, and later to the Mayor and City Council on April 30th, 2024. This list includes:

1. Inflow and Infiltration – De-coupling storm flows from treatment ensures stable activated sludge operations through improved food-to-mass ratios
2. Existing Filtration – Restoring filtration capacity to meet original design specifications
3. Additional Filtration – The addition of storm-flow filtration and disinfection capacity will allow for both increased plant capacity and treatment reliability
4. Aeration Basins and Controls – Adding controls will improve efficiency, reduce energy and operational cost, while creating the backbone for future expansion

ESCO team will collect all relevant information and design information pertaining to the wastewater plant, including energy use, chemical use, biosolids production, analytical data, and annual operation and maintenance expenditures.

ESCO team will meet with the Customer staff to compile information with respect to operations of the plant and identify areas of concern that require immediate attention.

ESCO will prepare an agreed upon scope of services and comprehensive project elements that address the Customer staff goals and concerns.

Specific scope of the Preliminary Phase will encompass the following items:

- Plant Planning / Prioritized Improvements Management Tool, as outlined below.
- The objective of Phase 1 is to define the scope of work sufficient to develop a conceptual cost estimate for the recommended measures listed on the previous page of this agreement. ESCO shall project for Customer whether each measure is technically viable and quantify the financial benefits that can be derived by its implementation. This includes ESCO providing a rough order of magnitude of the Project's turnkey implementation cost and any on-going services costs.
- Cost estimates at this point will follow Association for the Advancement of Cost Engineering (AACE) standards for Class 4 Feasibility Study Estimates. Expected level of project definition at this Class is 1-15% with a Low Estimate Expected Accuracy of -30% - +15% and a High Estimate Expected Accuracy of +20% - +50%.
- Development of a DRAFT long range funding plan for the WWT Facility for the City's to review and input.

Based on proposed scope, identification of project funding sources will be identified. The project scope may be partially funded through energy savings, if available, otherwise the Customer will allocate capital dollars for the final project development and turnkey fixed price development.

At the conclusion of the Phase 1 development efforts, Customer and ESCO will meet for a Scoping Meeting. The intent of the Scoping Meeting is to lay out all possible scopes of work, coordination considerations, and feasibility-level costs. The desired outcome of the meeting is for:

- Customer to have a clear understanding of the scope of work.
- Alignment on design and operational assumptions made during this phase and their impact on the project.
- A finalized scope of work for continued development in Phases 2 and 3, that aligns with Customer funding constraints.

Plant Planning / Prioritized Improvements Management Tool

ESCO will collect and review pertinent facility physical and operating data and collaborate with Customer's staff as needed to obtain sufficient facility data to develop a complete understanding of facility function and condition. ESCO will visit the plant to assess functional treatment process performance and treatment unit physical condition; evaluate process equipment condition; and interview operations Staff regarding normal and abnormal operating practices.

Task 1: Obtain and review electrical, chemical, labor, hauling and disposal cost records from the Customer, including process equipment runtimes and any third-party service-related or maintenance contracts, including contract sludge hauling and/or disposal.

Task 2: Review historical WWTP historical documents, permitting, city and regional planning documents and other available documents to identify existing plant conditions and current/projected flows for the facility.

Task 3: Coordinate with Agencies having jurisdiction regarding future regulatory requirements and constraints that could impact facility planning, to include but not limited to future nutrient discharge limitations, alternative stormflow (I&I) mitigation requirements and timelines as well as emerging contaminants of concern (e.g., PFAS/PFOA, endocrine disruptors, etc.)

Task 4: Attend one project kick-off meeting with the Customer. Review findings and recommendations of aforementioned documentation, and discuss key design decisions, desired operational features, any additional items to be examined and/or considered as part of existing WWTP reconstruction project and obtain guidance to establish the project basis of design.

Task 5: Conduct one site reconnaissance at the WWTP with Customer's operations staff. Record information related to known treatment process deficiencies, photograph areas of the plant property for reference, and identify potential construction constraints or design issues related to the site. Include site reconnaissance and electrical equipment by a qualified electrical engineer.

Task 6: Obtain and review WWTP operational data from the Customer, including plant influent parameters (e.g. BOD5, TSS, etc.), plant operational data (e.g. sludge volume indexes, settleable solids data, solids production data, etc.), and plant effluent data (e.g. flow, BOD5, TSS, DO, N NH3, etc.).

Task 7: Perform an evaluation of the existing plant hydraulics to identify potential bottlenecks and necessary improvements.

Task 8: Prepare DRAFT Needs Assessment Technical Memorandum documenting facility needs and recommended process improvements including a prioritized recommendations for improvements in a user-friendly spreadsheet capital planning tool. Evaluate alternative solutions that comply with State design criteria to confirm feasibility of alternative solutions and/or to define required treatment process parameters. Meet with equipment manufacturers to help identify cost-effective solutions to accomplish the WWTP improvements.

Task 9: Conduct a SOLUTIONS WORKSHOP with Customer to present potential proposed alternatives and identify Customer preferences.

Task 10: Prepare the Final Needs Assessment Technical Memorandum based on outcomes of the SOLUTIONS WORKSHOP.

Plant Planning Information Required from Customer:

1. WWTP Permit application and supporting documents
2. Wastewater Treatment Master Plan (if any)
3. Wastewater Residuals Master Plan (if any)
4. Plant Physical Data: This includes existing as-built/design drawings and specifications, surveys, pump performance data, blower performance data, diffuser data, tank configurations and operation and maintenance (O&M) manuals.

5. Plant Operating Data: This includes the operating objectives (MLSS and DO concentration set-points, sludge retention time (SRT), hydraulic retention time (HRT), etc.).

Plant Planning Deliverables:

1. Kickoff Meeting Minutes and Site Visit Report
2. Draft Planning Needs Assessment Technical Memorandum
3. Solutions Workshop
4. Planning and Prioritization Technical Memorandum

Plant Planning Assumptions

- Plant Record Drawings will be provided by the Customer and are suitable for indicative civil, process mechanical, electrical and controls integration design.
- Existing boundary, improvement and topographical surveys will be provided by the Customer and are suitable for indicative design and construction.
- Existing geotechnical data will be provided by the Customer and is suitable for design and construction.

Projected Timeline for Phase 1

Phase 1 is estimated to be completed within 16 weeks from contract execution and ESCO receipt of Customer RFI documentation.

Financial Commitment

- A. If ESCO completes Phase 1 of the Audit then Customer agrees to pay ESCO \$ 65,000.
- B. Payments are due and payable thirty (30) days from invoice date. Amounts unpaid thirty (30) days after the invoice date shall bear an interest rate of 1.5% per month (18% per annum).



Meeting
Date: 6/24/2024

Date: 06/13/2024

Item #: 16.

Dept.: Administration

Action Item

SUBJECT:

Consider and take appropriate action on the authorization for the City Manager to expend a cumulative amount of \$100,000.00 for brush removal due to storm clean up and execute necessary documents.

BACKGROUND:

The recent storms caused significant damage to trees and other structures throughout the city. The amount of brush and debris is more than City staff or our normal monthly brush pick-up through Republic Services can handle. Leaving brush and debris along city roadways is unsafe and needs to be addressed. The City contracted with a third party vendor through Republic Services to collect and remove the debris. Staff requests the City Council set a not-to-exceed amount for cumulative costs for this service. It is possible the City will be reimbursed for some or all of our expenditures and is tracking the information necessary to request reimbursement through FEMA.

Author:
Mike Holder, City Manager

Reviewed:
Mike Holder, City Manager

Cost:

Funds Available:

Source:

Recommendation: Staff recommends approval of the authorization for the City Manager to expend a cumulative amount of \$100,000.00 for brush removal due to storm clean up and execute necessary documents.

Safe & Secure	Business Friendly/Economic Development	Partnership & Community Involvement	Healthy & Environmentally Cons. Comm.	Financial & OPS Stewardship
☐	☐	☐	☒	☐

KAUFMAN SQUARE & SPORTS COMPLEX

RED

Live Music,
Food, Games,
and Family Fun

WHITE

BOOM

JUNE 29, 2024

FREE WASHINGTON ST. PARADE @ 9AM

KAUFMAN SQUARE STARS & STRIDE PARADE @ 11AM

\$20 / CAR

SPORTS COMPLEX OPENS @ 5:30PM

FIREWORKS @ 9:30PM

TK BROWN

6:00 PM

TYLER STOKES

7:00 PM

THE MARCUS LINDSEY BAND

8:30 PM

DISCUSSION ITEMS REPORT (DIR)

Project Title	Department	Agenda Date	Entered Date	Status/Notes	Strategy Map
Thoroughfare Plan Update	Development Serv	TBD	10/23/2018	In Progress	2,5
Bldg Standards Commission Ordinance	Development Serv	9/1/2019	10/23/2018	BSC to review	4
South Pointe	Development Serv		2/3/2021	Ground breaking occurred 10/22	2,3,4
Subdivision Ordinance Update	Development Serv	1/27/2020	10/23/2018	Joint Work Session 12/11/23	5
Fire Department Facility Improvements	Admin/Public Safety			Drainage improvements completed/Doors Painted	1,2,5
City Lakes Emer Action Plan	Public Works	TBD	8/7/2019		5
Film Friendly Designation	Admin/KEDC	TBD	9/1/2023	Working w/ Chamber of Commerce	2,3
Washington Street Utility Relocation	Admin/PW	TBD	10/1/2019	SUE forwarded to TxDOT	2,5
TPW Grant for City Lake Park	Parks & Rec	TBD	12/10/2019	TPWD Grant Awarded	4,5
Comprehensive Plan	Admin		8/26/2020	Need to update plan/Exploring Grant Opportunities	2,3,4,5
Street Maintenance Program	Public Works		1/29/2021	Budget Approved, Phase 1 & 2 complete. Start Phase 3.	2,4,5
Storm Drainage Projects	Public Works		1/29/2021	Phase 2 Under Construction	2,4,5
North & South Water Tower Rehab	Public Works		1/29/2021	South Tower Rehab Completed	4,5
Crestview/Royal Reconstruction	Public Works		9/1/2023	Bid in April 24	5
Connector Road	Admin		4/29/2021	County has project under design	2,3,5
Phillip's Drainage	Public Works		9/1/2023	Bid April 24	5
Northeast Utility Project	Admin/PW		9/17/2021	Developer's agreements approved	1,2,3,4,5
City Lakes Park/Lower Lake Improvements	Admin/PW		9/23/2021	Working on Cost Estimate and Scope	4
E. 1st North	Public Works		9/1/2023	Discussing Scope of Project	5
Kings Fort Park	PW/Admin		7/27/2022	TPWD Grant Awarded	3,4,5
Hike & Bike Trail	Admin		7/27/2022	Master Concept Plan & First Segment complete	3,4,5
Arts Council	Admin	TBD	3/15/2023	Public Private Partnership	3,4
City Hall Front Plaza	Admin	TBD	5/15/2023	CM Contingency	4,5
HWY 34 Property	Admin		1/30/2024	Need Demo Quote	4
Becker-Jiba Water Contract	Admin		1/30/2024	Apr-24	3,5
TxDOT Property	Admin/EDC		1/30/2024	Closing scheduled for April 2024	2,5

DISCUSSION ITEMS REPORT (DIR)

COMPLETED

Project Title	Project Lead	Agenda Date	Entered Date	Status/Notes	
PID Creation Resolution	Dev Svc/Admin	11/13/2018	10/24/2018	Complete	
TIRZ Creation Ordinance Amendment	Dev Svc/Admin	11/13/2018	10/24/2018	Complete	
TIRZ Project Reprioritization Resolution	Dev Svc/Admin	11/13/2018	10/24/2018	Complete	
Home Improvement Incentive Program	Development Serv	11/13/2018	10/23/2018	Complete	
Budget Book Submission to GFOA	Finance		10/23/2018	Complete	
Interlocal Agreement w/County for PID	Finance		10/30/2018	PID Assessment for Georgetown in 2020	
WWTP Priority Project List	Public Works	11/13/2018	10/23/2018	Mark Hill - Consultant	
2600 Commerce Way Permit Ready	Development Serv	NA	11/6/2018	Complete Permit Issued 11/26/2018	
600 N Nash KC Street Barn Permit Issued	Development Serv	NA	11/6/2018	Complete Finaled 01/04/2019	
Rev Ch 22 & 46 7500SF F Sprinkler Req	Development Serv	11/28/2019 02/25/201	1/21/2019	Complete 02/25/2019	
Realtor PID Training	Admin	NA		Complete 4/23/2019	
Fee Schedule Update	Development Serv		6/4/2019	Approved by Council	
Bureau Veritas Contract Update	Development Serv		6/4/2019	Approved by Council	
Park Master Plan Update	Parks & Rec	8/5/2019	10/23/2018	Approved by Council	
34/243 Signal Installation	Public Works		10/23/2018	Complete	
HR Coordinator	Admin		12/17/2018	Admin/HR Assistant Full-Time Sept. 30	
Agenda Software Installation/Training	Admin		10/23/2018	Complete	
5 Year CIP	Admin	11/25/2019	11/25/2019	Work Session 12/16/19	
Water & Street Impact Fee Update	Development Serv		6/10/2019	Council approved 12/16/19	
Intern Program	HR	TBD	12/10/2019	Policy to Council 3/30/20	3,5
WWTP Finance Application	Finance	11/13/2018	10/23/2018	GTUA Approval	5
PD/FD Safety Equipment Grant	Public Safety	TBD	3/3/2020	Application Submitted	1
Street Maintenance Priorities	PW/Admin		2/27/2019	List Presented to Council/Incorporated into 5 Year CIP	5
Traffic Signal 1388@34 ByPass	Admin		1/28/2020	Final Construction Underway	1
Solid Waste RFP	Admin	TBD	5/18/2020	Contract Finalized and Approved	4,5
PD Body Camera Grant	PD	4/27/2020	5/19/2020	Grant not awarded	1,5
Civic Center	Admin	7/22/2019		Accepted 01/25/21	2,3
Phase II - Street Bond	Public Works	10/28/2019	10/23/2018	Accepted 01/25/21	5
TxDOT Turnback	Admin	12/17/2018	11/6/2018	Accepted 01/25/21	2,3,5
City Lakes Park Fence	Public Works		1/26/2021	Complete	
Building Official	Development Serv		12/10/2020	Hired	
54-Acre Development	Development Serv	5/18/2020	10/23/2018	PD to Council 05/18/2020	2,3,4
Building Code Update	Development Serv	10/28/2019	6/4/2019	Approved O-28-19	5
Park Dedication Ordinance	Development Serv	1/25/2021	10/23/2018	PH continued to 2/22/2021	4,5
Police Department Server	PD		1/29/2021	Ordered thru TSM	1,5
Tree Mitigation Ordinance	Development Serv		2/24/2021	Approved	4,5
Kaufman Lake	Admin/PW		1/8/2019	Sold April 2021	2,4,5
Downtown Parking	Admin		1/16/2019	2 Hour Parking Signs going up	2
Fire Engine Replacement	FD	1/25/2021	1/25/2021	Lease Approved	1,5
Greenlight City/EDC Marketing	Admin/EDC		6/16/2020	Greenlight Retainer	1,2
Kaufman Square Speakers	Admin/PW	TBD	10/22/2019	Installation Complete	2,3
Fire Department 5 Year Plan	FD		8/26/2020	Presented at Council Retreat 4/2021	2,5
TIRZ #2	Admin		8/6/2020	PPFP Approved 082420	2,3,4
Tabor Parkway Expansion	PW/Admin			Complete	2,3,5
IT Services RFP	Admin		1/6/2022	Contract award 2/28/22	1,5
Marlow Development	Development Serv	4/22/2019	10/23/2018	Construction Underway	2
Recodification of City Ordinances	Admin	11/13/2018	10/23/2018	Franklin Review	5
Kaufman Estates	PW/Admin	10/28/2019		No Action	5
Sports Complex Parking Lot Paving	PW/Admin	4/25/2022	4/26/2022	Completed	4
Digital Gateway Signage	Admin	TBD	8/17/2020	Could not get an approved site	2,3
Former Senior Center Demo	Development Serv		11/8/2021	Property sold and closed 12/29/22	4
Sports Complex Football Fields/Lighting/S	PW/Admin		9/23/2022	Complete	3,4
High Speed Internet	Admin			Suddenlink live/CIP installing	2,3,5
COVID - 19	Admin/Public Safety	TBD	3/11/2020	Action Plan in Place	4,5
Splash Pad	Parks & Rec	TBD	10/23/2018	Completed	2,3,4
Body Cameras	PD		2/2/2021	Completed	1,3,5
Shannon Park Updates	Admin/PW	4/26/2021	4/26/2021	Completed	3,4,5
AMI	Admin/PW		4/29/2021	Installation complete	4,5
Website Update	Admin		1/26/2021	Planning Phase- kick off meeting on 1/30/2023	2,3
City Hall Front Plaza	Admin	TBD	5/15/2023	CM Contingency	4,5



DATE: June 5, 2024

TO: Kaufman County

FROM: Teresa Elliott; Project Manager

RE: May 2024 Ridership Report

Demand Reponse	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Total Trips	3,005	3,226	2,993	2,489	2,448	2,647	2,458	2,638	2,488				24,392
Days of Service	20	22	20	19	20	20	20	22	22				185
Avg. Daily Trips	150	147	150	131	122	132	123	120	113				132
Elderly & Disabled Trips	2,541	2,731	2,495	2,078	2,013	2,160	2,010	2,207	2,121				20,356
E&D Percentage	85%	85%	83%	83%	82%	82%	82%	84%	85%				83%

Trips By City	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Crandall	33	45	38	43	39	48	58	60	61				425
Forney	767	880	886	685	664	798	711	767	751				6,909
Kaufman	465	407	355	287	304	391	406	451	408				3,474
Kemp	12	8	7	17	20	22	14	6	18				124
Mabank	22	21	13	16	16	19	18	19	15				159
Scurry	35	35	35	22	7	9	10	19	10				182
Terrell	1671	1830	1659	1419	1398	1360	1241	1316	1225				13119

STARNow	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Total Trips	634	641	575	658	749	828	854	955	943				6,837
Days of Service	20	22	20	19	20	20	20	22	22				185
Avg. Daily Trips	32	29	29	35	37	41	43	43	43				37
Median Wait Time (mins)	52.42	29.00	23.70	24.59	22.35	18.47	28.31	24.08	39.40				29.15

Total Requested Boardings ⓘ	Completed Boardings ⓘ	Avg. Boardings Per Service Hr. ⓘ	Boarding Cancellations ⓘ	Boarding Cancellations (No-Show) ⓘ	Cancellation Percentage ⓘ	Cancellation Percentage (No Show) ⓘ	Total Requests ⓘ	
1224	943	1.2	279	32	22.83 %	2.62 %	1115	
Completed Requests ⓘ	No Drivers Available Requests ⓘ	Request Cancellations ⓘ	Request Cancellations (No Show) ⓘ	Avg. # of Requests per Rider ⓘ	Avg. Travel Duration ⓘ	Avg. Travel Distance ⓘ	Mean Wait Time ⓘ	Median Wait Time ⓘ
858	2	255	29	7.09	13.73 min	4.1 mi	63.85 min	39.4 min
Bookings from Admin Panel ⓘ	Bookings from Rider Mobile App ⓘ	Bookings from Rider Web ⓘ	Flag Down Bookings ⓘ	Bookings from IVR ⓘ	Avg. # Riders per Request ⓘ			
61.4 %	38.6 %	0 %	0 %	0 %	1.1			

STARNow Trips By City	September	October	November	December	January	February	March	April	May	June	July	August	YTD
Terrell	634	641	575	562	571	611	592	606	579				5,371

Monthly Compliance

911 Response Plan (groups)	Responses	Transports	Exceptions	Compliance %
City of Kaufman P1	43	24	2	95%
City of Kaufman P2	94	37	2	98%
City of Kaufman P3	27	10		100%
Total	164	71	4	98%

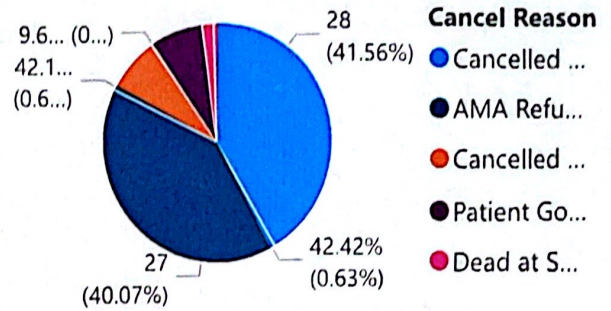


May 2024

Destination

Dropoff Fac	Transports	Cumulative %
Baylor Scott & White - Dallas (DBMC)	6	9.09%
Baylor Scott & White - Sunnyvale (SUNV)	2	3.17%
Childrens Medical Ctr (DCMC)	1	16.67%
Children's Medical Ctr (DCMC)	2	2.94%
Medical City Dallas (DMCD)	1	1.56%
Methodist Dallas Medical Center (DMMC)	1	2.33%
Texas Health Kaufman (KAUF)	53	79.10%
Texas Health Rockwall (RKPH)	1	2.13%
UT Health - Athens (ATHN)	1	2.70%
Total	68	100.00%

Non Transports



Average Response Time

00:06:38

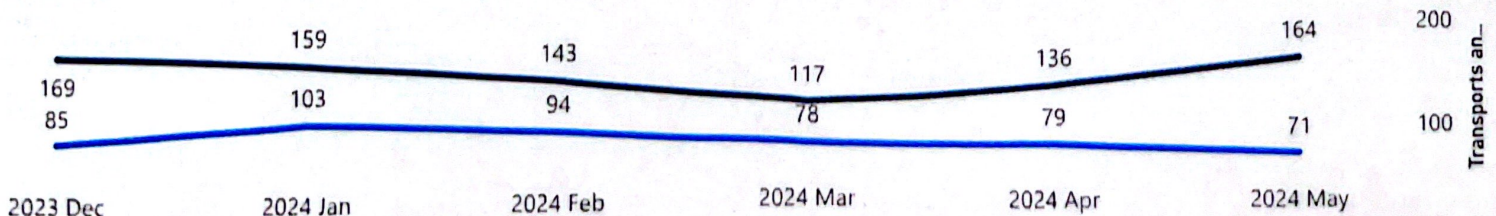
Average Response Time

Fractile Time

Fractile Group	Responses	Cum Response %
	56	50.45%
5 to 10 Minutes	45	40.91%
10 to 15 Minutes	7	10.61%
15 to 20 Minutes	3	3.85%
Total	111	100.00%

Ground Ambulance Responses and Transports by Month

● Transports ● Count of Response Area



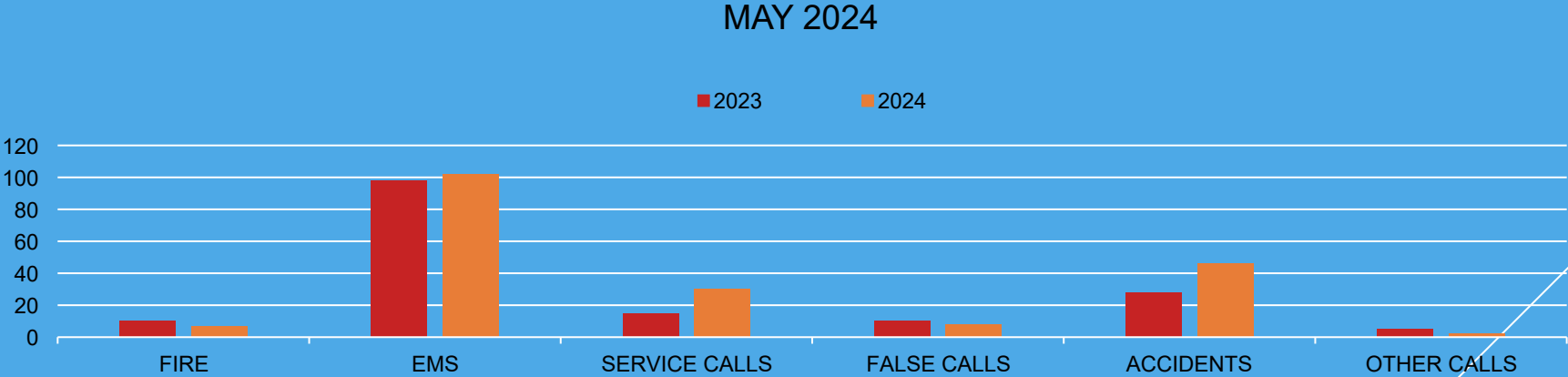


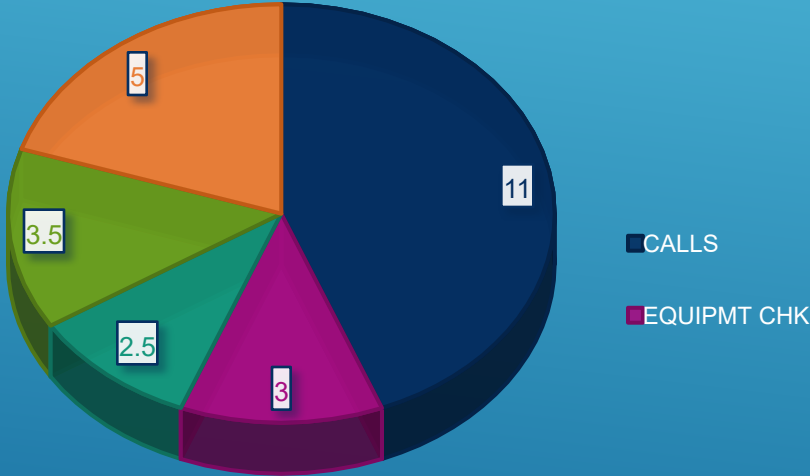
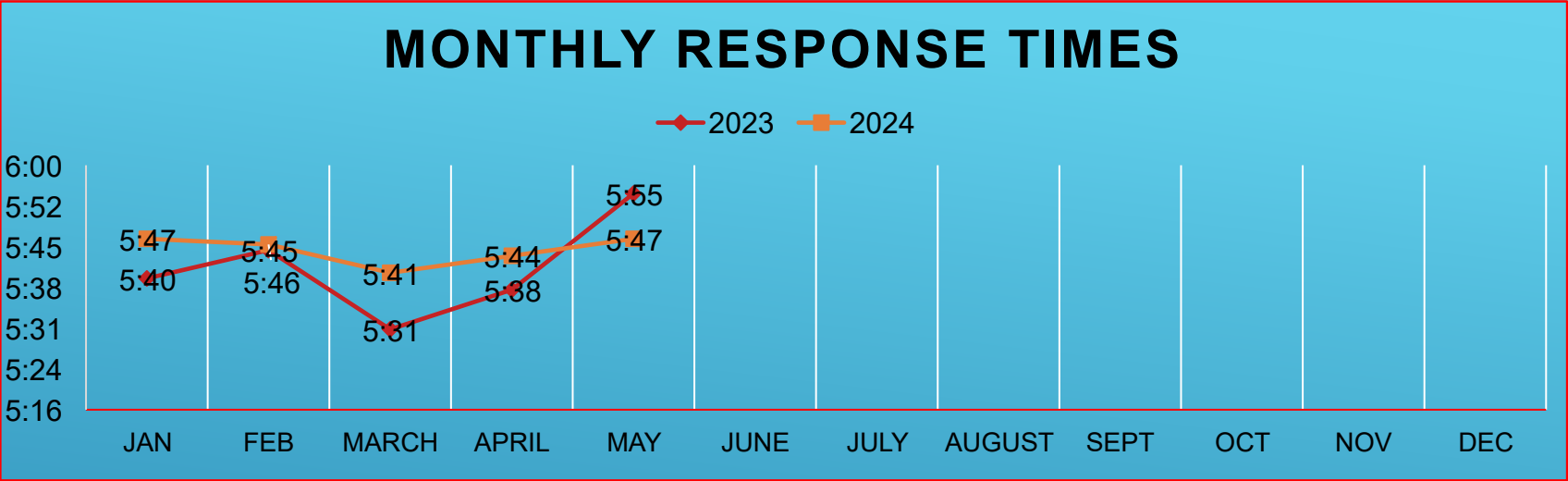
KAUFMAN FIRE DEPARTMENT MONTHLY DASHBOARD REPORT MAY 2024





	2023 MAY	2024 MAY	MONTHLY INCREASE / DECREASE %	FISCAL YTD OCT. 22 TO MAY 23	FISCAL YTD OCT. 23 TO MAY 24	FISCAL YTD INCREASE DECREASE %
FIRE CALLS	10	7	-42%	119	150	26%
RESCUE & EMERGENCY MEDICAL SERVICES	98	102	4%	882	804	-9%
HAZARDOUS CONDITIONS	15	59	293%	114	171	33%
SERVICE /INSP/ GOOD INTENT CALLS	15	30	100%	131	233	44%
FALSE ALARMS & FALSE CALLS	10	8	-25%	70	61	-15%
ACCIDENTS	28	46	39%	263	254	-4%
OTHER INCIDENTS	5	2	-150%	50	40	-25%
TOTAL CALLS	197	254	22%	1629	1713	5%





SHIFT HOURLY UTILIZATION 43 %
NFPA NATIONAL STANDARDS 25% TO 30% MAXIMUM

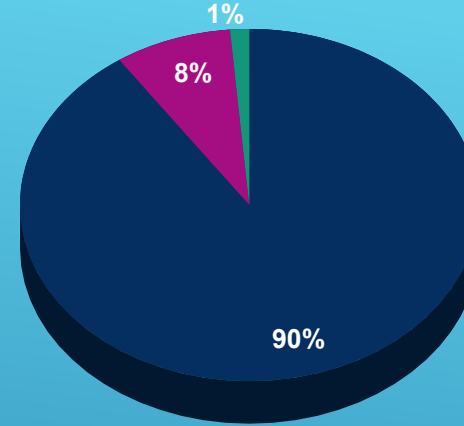
MAY PREVENTION REVIEW

2 DEVELOPMENT PLANS REVIEWED

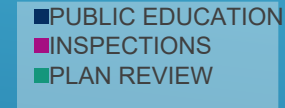
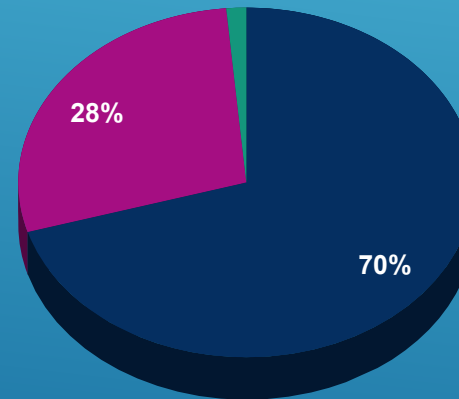
CONDUCTED 40 FIRE SAFETY
INSPECTIONS

CONDUCTED FIRE PREVENTION
PRESENTATIONS FOR 100 KIDS AND
CITIZENS

YEARLY 2023



MAY 2024



90%
8%
1%



PERSONNEL CONTINUING EDUCATION

FIRE

HYDRAULIC RESCUE TOOL USE

EMS

MEDICAL AND CARDIAC ISSUES INJURIES AND TREATMENT

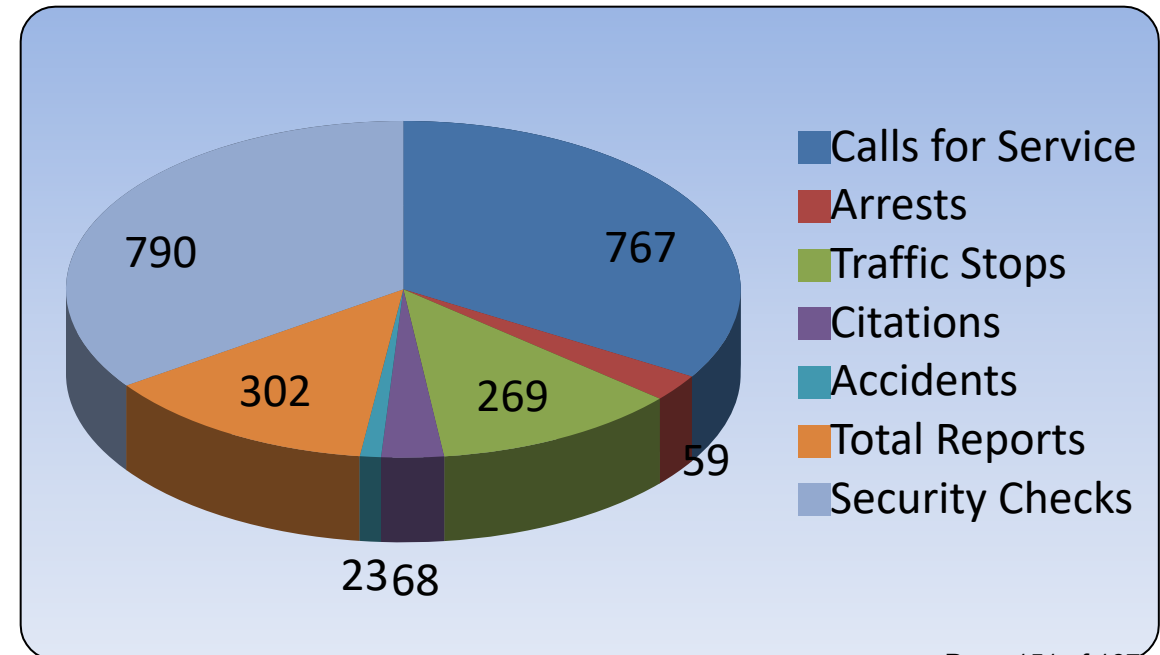
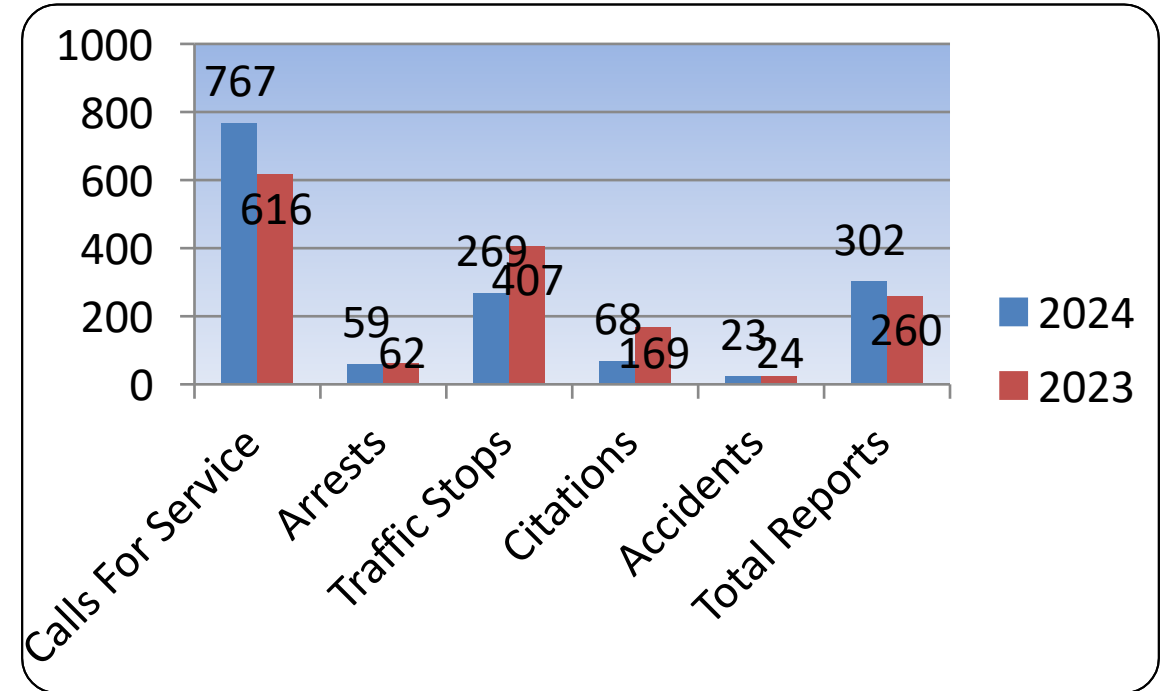


KAUFMAN POLICE DEPARTMENT

PATROL ACTIVITY MAY 2024

May 2024, Kaufman Police Department's Patrol Division Activity:

- **767** Calls For Service, Including Accidents
- **23** Traffic Accidents
- Completed **790** Homes, Parks, & Business Checks
- Completed **269** Traffic Stops
- Completed **54** Offense Reports
- Completed **248** Incident Reports
- Completed **302** Reports
- Made **59** Arrests
- Average monthly response time to calls is **5:03** minutes.



Community Engagement May 2024



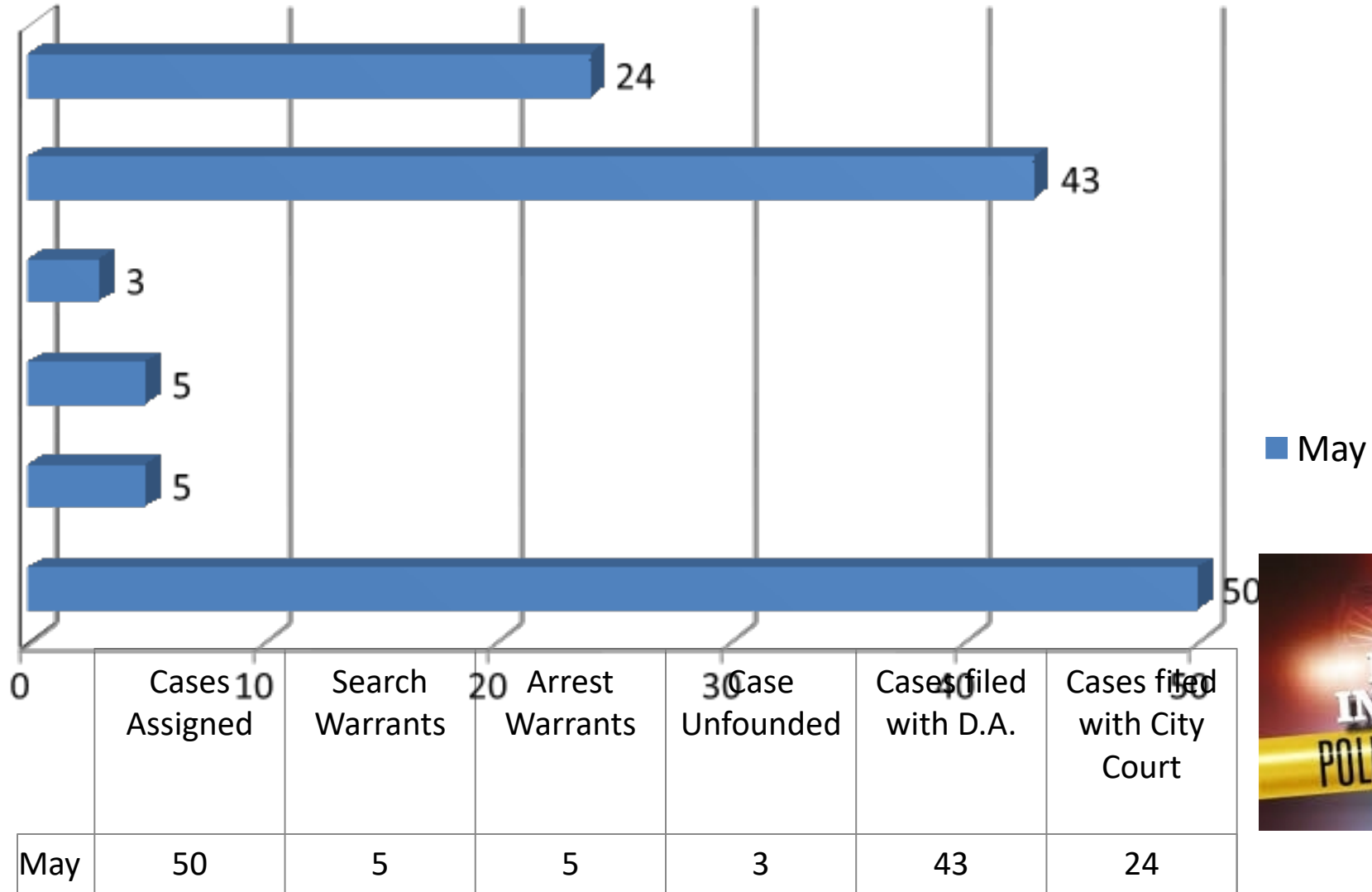
Social Media Posts 40, Facebook Followers 13K.

Events attended by Kaufman Police Department employees:

- Chief Edwards, Captain Leftwich, Sergeant T. Black, Sergeant Stastny and Sergeant Wagner attended the Kaufman County Crime Victims Luncheon at the Civic Center.
- Chief Edwards attended the Lions Club meetings.
- Captain Leftwich and Officer Wall attended the Kaufman Chamber of Commerce Golf Tournament.
- Chief Edwards attended the CACKC Board Meeting.
- Chief Edwards attended the Kaufman County Leadership course.

Training:

- Kaufman Police Department Captain Leftwich, Sergeant Stastny and Sergeant Wagner attended an Officer Involved Shooting class hosted by the Texas Rangers.
- Chief Edwards attended The Texas Police Chiefs Leadership Series.
- Sergeant Rice attended Intermediate Spanish for Law Enforcement.
- Sergeant Wagner attended Canine Encounters to achieve his Intermediate Peace Officer License.

Kaufman Criminal Investigations Division
May 2024



Year to Date Comparison Report

Printed On: 06/04/2024

Page 1 of 3

Beginning Date: 01/01/2024

Ending Date: 05/31/2024

Offenses Known to Police

Agency: KAUFMAN PD

Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
Animal Cruelty, Total	0	0	0.00	0	-
Arson, Total	0	0	0.00	0	-
Assault Offenses, Total	32	31	3.58	20	60.00%
Aggravated Assault	6	6	0.67	3	100.00%
Intimidation	0	0	0.00	0	-
Simple Assault	26	25	2.91	17	52.94%
Bribery, Total	0	0	0.00	0	-
Burglary/Breaking and Entering, Total	7	2	0.78	7	0.00%
Counterfeiting/Forgery, Total	2	1	0.22	4	-50.00%
Destruction/Damage/Vandalism of Property, Total	12	3	1.34	18	-33.33%
Drug/Narcotic Offenses, Total	123	122	13.77	121	1.65%
Drug Equipment Violations	30	30	3.36	36	-16.67%
Drug/Narcotic Violations	93	92	10.41	85	9.41%
Embezzlement, Total	0	0	0.00	7	-100.00%
Extortion/Blackmail, Total	0	0	0.00	0	-
Fraud Offenses, Total	7	7	0.78	4	75.00%
False Pretense/Swindle/Confidence Game	3	3	0.34	0	-
Credit Card/Automatic Teller Machine Fraud	1	1	0.11	1	0.00%
Welfare Fraud	0	0	0.00	0	-
Wire Fraud	0	0	0.00	0	-
Hacking/Computer Invasion	0	0	0.00	0	-
Identity Theft	0	0	0.00	0	-
Impersonation	3	3	0.34	3	0.00%
Gambling Offenses, Total	0	0	0.00	1	-100.00%
Betting/Wagering	0	0	0.00	0	-
Operating/Promoting/Assisting Gambling	0	0	0.00	1	-100.00%
Sports Tampering	0	0	0.00	0	-



Year to Date Comparison Report

Printed On: 06/04/2024

Beginning Date: 01/01/2024

Ending Date: 05/31/2024

Page 2 of 3

Offenses Known to Police

Agency: KAUFMAN PD

Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
Gambling Equipment Violations	0	0	0.00	0	-
Homicide Offenses, Total	0	0	0.00	0	-
Murder and Nonnegligent Manslaughter	0	0	0.00	0	-
Negligent Manslaughter	0	0	0.00	0	-
Human Trafficking, Total	0	0	0.00	0	-
Human Trafficking, Commercial Sex Acts	0	0	0.00	0	-
Human Trafficking, Involuntary Servitude	0	0	0.00	0	-
Kidnapping/Abduction, Total	0	0	0.00	0	-
Larceny/Theft Offenses, Total	57	31	6.38	49	16.33%
Motor Vehicle Theft, Total	6	0	0.67	10	-40.00%
Pornography/Obscene Material, Total	0	0	0.00	1	-100.00%
Prostitution Offenses, Total	0	0	0.00	0	-
Assisting or Promoting Prostitution	0	0	0.00	0	-
Prostitution	0	0	0.00	0	-
Purchasing Prostitution	0	0	0.00	0	-
Robbery, Total	0	0	0.00	0	-
Sex Offenses, Total	2	1	0.22	3	-33.33%
Fondling	0	0	0.00	3	-100.00%
Rape	1	1	0.11	0	-
Sexual Assault with an Object	1	0	0.11	0	-
Sodomy	0	0	0.00	0	-
Sex Offenses, Non-Forcible, Total	0	0	0.00	0	-
Statutory Rape	0	0	0.00	0	-
Incest	0	0	0.00	0	-
Stolen Property Offenses, Total	2	2	0.22	1	100.00%
Weapons Law Violations, Total	11	11	1.23	6	83.33%
Group A Offense, Total	261	211	29.21	252	3.57%



Year to Date Comparison Report

Printed On: 06/04/2024

Page 3 of 3

Beginning Date: 01/01/2024

Ending Date: 05/31/2024

Offenses Known to Police

Agency: KAUFMAN PD

Classification of Offenses	Offenses Reported	Offenses Cleared	Projected Rate/1000	Last YTD Reported	Percent Change
Crimes Against Person, Total	34	32	3.81	23	47.83%
Crimes Against Property, Total	93	46	10.41	100	-7.00%
Crimes Against Society, Total	134	133	15.00	129	3.88%
Officers Killed or Assaulted YTD	0			0	-

May 2024, Kaufman Code Compliance Located or Responded To-

- Total Violations – 147
- Cases Opened/First Notice Sent – 79
- Second Notice of Violation Sent – 2
- Cases Sent To Court – 0
- Cases Closed – 65
- Current Active Cases - 60



KAUFMAN POLICE DEPARTMENT ANIMAL SERVICES REPORT MAY 2024

May 2024, Kaufman Animal Services Responded To-

- Calls For Service - 46
- Follow-up Calls - 3
- Warnings Issued – 16
- Citations Issued – 6
- Traps Set – 0

Animals Captured

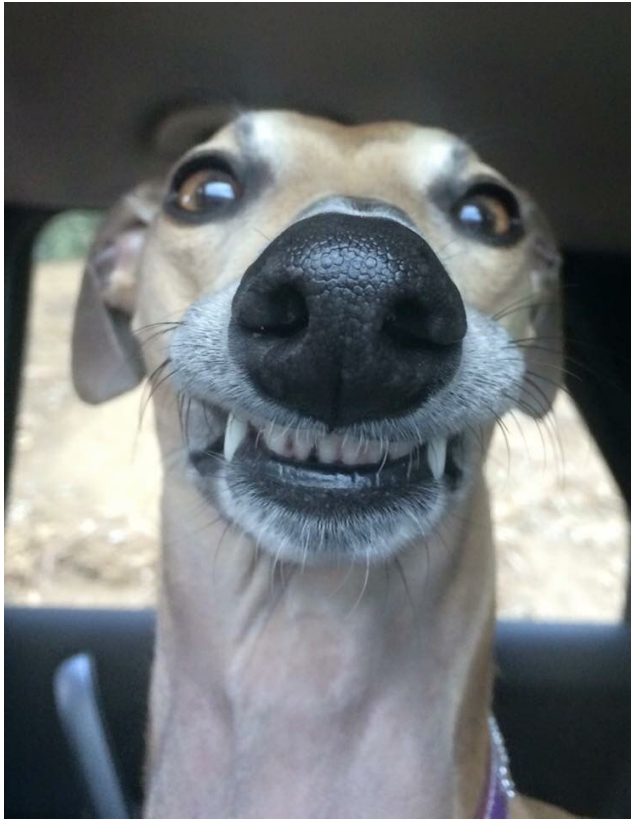
On Calls – 8
On View – 0

Animals Turned Over

To Owner – 1
To Humane Society – 11

Dead Animals Recovered: - 3

Non-Domestic Animals Captured – 0





Development Services May Monthly Report
Permits Issued: 5/01/2024-5/31/2024

Permit Title	Project Address	Credential Contacts	Permit Issued Date	Project Fees Paid	Project Valuation	Project Square Feet
2024 Food Permits - Expires December 31st & must be posted where it can be seen	500 Cliff Street	Deisy Valadez (Business Manager)	05/30/2024	550	0	0
Alcohol Permit - Expires when your state permit expires.	102 E Mulberry St.		05/10/2024	60	0	0
Alcohol Permit - Expires when your state permit expires.	300 Kings Fort Pkwy.		05/10/2024	75	0	0
Banners and Temporary Signage - Limited to once per quarter and only 4 times a year	700 E Hwy 175	Ashley Olds Burger king (Business Manager)	05/24/2024	51.5	0	0
Banners and Temporary Signage - Limited to once per quarter and only 4 times a year	5473 W Highway 175	Brenda Villa (Business Manager)	05/24/2024	50	0	0
Commercial Minor Addition, Remodel or Repair	850 Ed Hall Dr.	Phillip Cunningham Cummings Electrical LP (Electrical Contractor), Steven Franku	05/17/2024	2464.73	500000	1588
Commercial Minor Addition, Remodel or Repair	212 W Mulberry St.	Martin Holguin Holguin Exteriors, LLC (General Contractor)	05/17/2024	185.4	7000	0
Commercial Minor Addition, Remodel or Repair	601 S Madison	Hank Makerney (General Contractor)	05/01/2024	82.4	5000	0
Commercial Minor Addition, Remodel or Repair	1800 E Mulberry St.	Brandyn Hazzard Tru-Tex Plumbing (Plumbing Contractor), Joel Carlson Carlson T	05/23/2024	185.4	8800	0
Commercial Minor Addition, Remodel or Repair	700 ED HALL Dr.	Alcides Serrano Serrano's Site Solutions LLC (General Contractor), Jose Menende	05/06/2024	683.04	8900	2100
Commercial Minor Addition, Remodel or Repair	850 Ed Hall Dr.	Phillip Cunningham Cummings Electrical LP (Electrical Contractor), Steven Franku	05/17/2024	3015.37	1500000	3048
Demolition (R)	401 N Nash St.	Anthony Barrera (General Contractor)	05/16/2024	80	3000	0
Driveway, Parking Lot or Sidewalk Permit	5905 CO RD 166	Bobby Dunn Dunn Asphalt (General Contractor)	05/23/2024	80	10000	0
Driveway, Parking Lot or Sidewalk Permit	1217 Crestview Dr.	Emanuel Carrillo (Home Owner)	05/01/2024	82.4	5000	0
Electrical Permit	1761 Buckingham Ln.	David Erb Erb's Electric (Electrical Contractor)	05/01/2024	0	300	0
Electrical Permit	506 E Mulberry	Gordon Morris M&J Electrical Services, Inc. (Electrical Contractor)	05/29/2024	82.4	500	0
Electrical Permit (Web Based)	2000 Willowcrest Dr.	Charles Wallace Tri State Water, Power and Air (Electrical Contractor)	05/22/2024	82.4	17598	0
Electrical Permit - Betty Evans	301 W 4Th	Randall Gardner (Electrical Contractor)	05/31/2024	82.4	1199	0
Electrical Permit - Carolyn McClain	303 E Ann St.	Randall Gardner (Electrical Contractor)	05/31/2024	82.4	1500	0
Fence Permit	3911 Holly Springs Ln.	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3824 Myrtle Way	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3822 Myrtle Way	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3915 Holly Springs	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3827 Myrtle Way	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3818 Myrtle Way	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	4021 Three Forks Rd.	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3917 Holly Springs Ln.	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3919 Holly Springs Ln.	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	3618 Jordan Way		05/07/2024	82.4	700	0
Fence Permit	1815 Pecan Valley Dr.	Mark Spradlin T-Bar Fence and Tennis Courts (Fence Contractor)	05/06/2024	82.4	2216	0
Fence Permit	3918 Holly Springs Ln.	Bryan Mendez BLM Fence LLC (General Contractor)	05/07/2024	82.4	700	0
Fence Permit	1901 Sandy Knoll Dr.	Mark Spradlin T-Bar Fence and Tennis Courts (Fence Contractor)	05/10/2024	82.4	2827.39	0
Fire Alarm, Fire Lane, Fire Sprinkler, Fire Suppression (Vent-a-Hood)	850 Ed Hall Dr.	David Harbison Johnson Controls Fire Protection (Fire Alarm Systems)	05/17/2024	185.4	5515.45	0
Fire Alarm, Fire Lane, Fire Sprinkler, Fire Suppression (Vent-a-Hood)	850 Ed Hall Dr.	David Harbison Johnson Controls Fire Protection (Fire Alarm Systems)	05/17/2024	211.35	10905.9	0
Fire Alarm, Fire Lane, Fire Sprinkler, Fire Suppression (Vent-a-Hood)	850 Ed Hall Dr.	William Mark Mehmken Excel Fire Protection Systems,LP (Fire Sprinkler Systems)	05/31/2024	103	6150	0
Fire Alarm, Fire Lane, Fire Sprinkler, Fire Suppression (Vent-a-Hood)	850 Ed Hall Dr.	William Mark Mehmken Excel Fire Protection Systems,LP (Fire Sprinkler Systems)	05/29/2024	160.68	13250	0
Fire Alarm, Fire Lane, Fire Sprinkler, Fire Suppression (Vent-a-Hood)	850 Ed Hall Dr.	David Harbison Johnson Controls Fire Protection (Fire Alarm Systems)	05/10/2024	185.4	5697.7	0
Fire Alarm, Fire Lane, Fire Sprinkler, Fire Suppression (Vent-a-Hood)	850 Ed Hall Dr.	David Harbison Johnson Controls Fire Protection (Fire Alarm Systems)	05/10/2024	185.4	2918.95	0
Foundation Repair	1619 Lee St.	April Drury (Foundation Contractor), April Drury (General Contractor)	05/22/2024	82.4	4212.45	0
Irrigation Permit	1901 Sandy Knoll Dr.	Tim Brimelow North Texas Lawn & Landscape (Irrigation Contractor)	05/02/2024	82.4	3000	0
Irrigation Permit	3620 Jordan Way	Kenneth Cartwright Land Pro Creations (Irrigation Contractor)	05/31/2024	82.4	3000	0
Irrigation Permit	3616 Jordan Way	Kenneth Cartwright Land Pro Creations (Irrigation Contractor)	05/23/2024	82.4	3000	0
Irrigation Permit	3766 Brookgreen Lane	Kenneth Cartwright Land Pro Creations (Irrigation Contractor)	05/23/2024	82.4	3000	0
Irrigation Permit	3622 Jordan Way	Kenneth Cartwright Land Pro Creations (Irrigation Contractor)	05/31/2024	82.4	3000	0
Irrigation Permit	3618 Jordan Way	Kenneth Cartwright Land Pro Creations (Irrigation Contractor)	05/31/2024	82.4	3000	0
Mechanical Permit	1602 Overlook Dr.	Trapper Barnes Infinity Texas Air (Mechanical Contractor)	05/10/2024	82.4	19414	0
Mechanical Permit	1108 Overlook Dr.	Robert Smith Accurate Home Services (Mechanical Contractor)	05/22/2024	82.4	6539.61	0
Mechanical Permit	1619 Anthony St.	Robert Smith Accurate Home Services (Mechanical Contractor)	05/02/2024	82.4	11526.25	0
Plumbing Permit	1811 Park St.	Alejandro Mendez Owner (Home Owner), Raul Alvarado Alvarado Plumbing (Plu	05/24/2024	82.4	3500	0
Plumbing Permit	1409 S Houston St.	David Farish Farish Plumbing Company (Plumbing Contractor)	05/21/2024	82.4	360	0
Plumbing Permit	801 S Washington St.	Jose Trejo BT Plumbing LLC (Plumbing Contractor)	05/01/2024	80	500	0
Plumbing Permit	1500 Rand Rd.	Joseph Howard Lonestar Plumbing (Plumbing Contractor)	05/01/2024	82.4	800	0
Plumbing Permit	1125 Frierson		05/06/2024	1480	5000	0
Plumbing Permit	401 N Nash St.	Alejandro Compain Alejandro Compain RMP (Plumbing Contractor)	05/02/2024	82.4	3000	0
Residential Accessory Buildings/Carport Permit	102 W Barnes St.		05/09/2024	144	2000	31
Residential Accessory Buildings/Carport Permit	105 Love St.	Stacy Tucker Lifeorce/Texwin/Winslows (General Contractor)	05/03/2024	144	3060	120
Residential Accessory Buildings/Carport Permit	1600 Overlook Dr.		05/29/2024	80	6000	324
Residential Addition, Remodel or Repair	600 S Houston St.	Kyle Wilson Renewal by Andersen (General Contractor)	05/30/2024	82.4	0	0

Residential Addition, Remodel or Repair	801 N Jackson St.		05/07/2024	82.4	0	0
Residential Addition, Remodel or Repair	506 S Dallas St.	Jonathan Craus (General Contractor)	05/06/2024	180	0	0
Residential Addition, Remodel or Repair	405 E Oak St.	Jose Zamora Zamora 7 Electric LLC (Electrical Contractor), Raul Alvarado Alvarado	05/31/2024	1149.48	0	0
Residential New Permit	3621 Jordan Way	Bryan Mendez BLM Fence LLC (Fence Contractor), James Stinebaugh Premier Plu	05/29/2024	5713.67	463000	3431
Residential New Permit	500 Melody Cir.	Dexter Doninic Blakes Affordable Plumbing Solutions (Plumbing Contractor), Jose	05/17/2024	9485.65	120000	1641
Roof (Repair or Replace)	1602 Overlook Dr.	Kathryn Lawson Tiger Roofing (General Contractor)	05/03/2024	82.4	21000	0
Roof (Repair or Replace)	306 E 9Th St.		05/30/2024	80	6000	0
Roof (Repair or Replace) 208 S. Dallas	208 S Dallas St.	Justin StClair Haus Roofing & Restoration, LLC (General Contractor)	05/02/2024	82.4	14500	0
Sign Permit	106 N Washington St.		05/16/2024	148.32	150	0
Sign Permit	113 N Jackson St.		05/22/2024	185.4	3175	0
Solar Panel Permit	607 N Clay St.	Marco Chavez TriSMART Solar (Electrical Contractor), Marco Chavez TriSMART So	05/02/2024	628.3	64422	0
Swimming Pool / Spa	607 S Houston St.	Brandyn Hazzard Tru-Tex Plumbing (Plumbing Contractor), Nick Wallis Wallis Tile	05/02/2024	510	58500	0
				31569.29	2960637.7	12283

June 2024						
◀ May						July ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 Planning & Zoning Meeting	5	6	7	8
9	10	11 KEDC	12	13	14	15
16	17	18	19	20 Parks & Rec Meeting	21	22
23	24 Regular City Council Meeting	25	26	27	28	29 Red White & BOOM Event
30						

July 2024						
◀ June						August ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 Planning & Zoning Meeting	3	4 City Hall Closed- Independ. Day	5	6
7	8	9 KEDC	10	11	12	13
14	15	16	17	18 Parks & Rec Meeting	19	20
21	22 Regular City Council Meeting	23 TML Conference Registration Open	24	25	26	27
28	29	30	31			

August 2024						
◀ July						September ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 Budget Workshop & Special City Council Meeting	6 Planning & Zoning Meeting	7	8	9	10
11	12	13 KEDC	14	15 Parks & Rec Meeting	16	17
18	19	20	21	22	23	24
25	26 Regular City Council Meeting	27	28	29	30	31

September 2024						
◀ August					October ▶	
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 City Hall Closed- Labor Day	3 Planning & Zoning Meeting	4	5	6	7
8	9	10 KEDC	11	12	13	14
15	16	17	18	19 Parks & Rec Meeting	20	21
22	23 Regular City Council Meeting	24	25	26	27	28
29	30					

October 2024						
◀ September						
		November ▶				
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 Planning & Zoning Meeting	2	3	4	5
6	7	8 KEDC	9 TML Conference	10 TML Conference	11 TML Conference	12 Kaufman Harvest Fest
13	14 City Hall Closed- Columbus Day	15	16	17 Parks & Rec Meeting	18	19
20	21	22	23	24	25	26
27	28 Regular City Council Meeting	29	30	31		

November 2024						
◀ October					December ▶	
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 Planning & Zoning Meeting	6	7	8	9
10	11 City Hall Closed- Veteran's Day	12 KEDC	13	14	15	16
17	18	19	20	21 Parks & Rec Meeting	22	23
24	25 Regular City Council Meeting	26	27	28 City Hall Closed- Thanksgiving Day	29 City Hall Closed- Thanksgiving Day	30

December 2024						
◀ November						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 Planning & Zoning Meeting	4	5	6	7 Christmas on the Square
8	9	10 KEDC	11	12	13	14
15	16 Regular City Council Meeting	17	18	19 Parks & Rec Meeting	20	21
22	23	24 City Hall Closed- Christmas	25 City Hall Closed- Christmas	26	27	28
29	30	31				